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109–360

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006

CONFERENCE REPORT

TO ACCOMPANY

H.R. 1815



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109TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
1st Session } { 109–360

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006

DECEMBER 18, 2005.—Ordered to be printed

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

CONFERENCE REPORT

[To accompany H.R. 1815]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1815), to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Defense Authorization Act for Fiscal Year 2006".

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

(a) DIVISIONS.—This Act is organized into three divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

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

Sec. 1. Short title.

Sec. 2. Organization of Act into divisions; table of contents.
Sec. 3. Congressional defense committees.

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Sec. 101. Army.
Sec. 102. Navy and Marine Corps.
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Sec. 112. Multiyear procurement authority for modernized target acquisition designation sight/pilot night vision sensors for AH–64 Apache attack helicopters.
Sec. 113. Multiyear procurement authority for conversion of AH–64A Apache attack helicopters to the AH–64D Block II configuration.
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Sec. 122. LHA Replacement (LHA(R)) amphibious assault ship program.
Sec. 123. Cost limitation for next-generation destroyer program.
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Sec. 126. Aircraft carrier force structure.
Sec. 127. Refueling and complex overhaul of the U.S.S. Carl Vinson.
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Subtitle D—Air Force Programs

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Sec. 212. Contract for the procurement of the Future Combat Systems (FCS).
Sec. 213. Limitations on systems development and demonstration of manned ground vehicles under Armored Systems Modernization program.
Sec. 214. Separate program elements required for significant systems development and demonstration projects for Armored Systems Modernization program.
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Sec. 216. Extension of requirements relating to management responsibility for naval mine countermeasures programs.
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Sec. 244. Report.
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Sec. 3507. Transfer of authority for title XI non-fishing loan guarantee decisions to Maritime Administration.
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Sec. 3510. Awards and medals.

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

For purposes of this Act, the term "congressional defense committees" has the meaning given that term in section 101(a)(16) of title 10, United States Code.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

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Sec. 122. LHA Replacement (LHA(R)) amphibious assault ship program.
Sec. 123. Cost limitation for next-generation destroyer program.
Sec. 124. Littoral Combat Ship (LCS) program.
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Subtitle A—Authorization of Appropriations

SEC. 101. ARMY.

Funds are hereby authorized to be appropriated for fiscal year 2006 for procurement for the Army as follows:

(1) For aircraft, $2,792,580,000.

(2) For missiles, $1,246,850,000.

(3) For weapons and tracked combat vehicles, $1,652,949,000.

(4) For ammunition, $1,738,872,000.

(5) For other procurement, $4,328,934,000.

SEC. 102. NAVY AND MARINE CORPS.

(a) NAVY.—Funds are hereby authorized to be appropriated for fiscal year 2006 for procurement for the Navy as follows:

(1) For aircraft, $9,803,126,000.

(2) For weapons, including missiles and torpedoes, $2,737,841,000.

(3) For shipbuilding and conversion, $8,880,623,000.

(4) For other procurement, $5,518,287,000.

(b) MARINE CORPS.—Funds are hereby authorized to be appropriated for fiscal year 2006 for procurement for the Marine Corps in the amount of $1,396,705,000.

(c) NAVY AND MARINE CORPS AMMUNITION.—Funds are hereby authorized to be appropriated for fiscal year 2006 for procurement of ammunition for the Navy and the Marine Corps in the amount of $867,470,000.

SEC. 103. AIR FORCE.

Funds are hereby authorized to be appropriated for fiscal year 2006 for procurement for the Air Force as follows:

(1) For aircraft, $12,862,333,000.

(2) For ammunition, $1,021,207,000.

(3) For missiles, $5,394,557,000.

(4) For other procurement, $14,024,689,000.

SEC. 104. DEFENSE-WIDE ACTIVITIES.

Funds are hereby authorized to be appropriated for fiscal year 2006 for Defense-wide procurement in the amount of $2,646,988,000.

Subtitle B—Army Programs

SEC. 111. MULTIYEAR PROCUREMENT AUTHORITY FOR UTILITY HELICOPTERS.

(a) UH–60M BLACK HAWK HELICOPTERS.—Subject to subsection (c), the Secretary of the Army may enter into a multiyear contract for the procurement of UH–60M Black Hawk helicopters.

(b) MH–60S SEAHAWK HELICOPTERS.—Subject to subsection (c), the Secretary of the Army, acting as executive agent for the Department of the Navy, may enter into a multiyear contract for the procurement of MH–60S Seahawk helicopters.

(c) CONTRACT REQUIREMENTS.—Any multiyear contract under this section shall be entered into in accordance with section 2306b

of title 10, United States Code, and shall commence with the fiscal year 2007 program year.

SEC. 112. MULTIYEAR PROCUREMENT AUTHORITY FOR MODERNIZED TARGET ACQUISITION DESIGNATION SIGHT/PILOT NIGHT VISION SENSORS FOR AH–64 APACHE ATTACK HELICOPTERS.

(a) AUTHORITY.—The Secretary of the Army may, in accordance with section 2306b of title 10, United States Code, enter into a multiyear contract, beginning with the fiscal year 2006 program year, for procurement of modernized target acquisition designation sight/pilot night vision sensors for AH–64 Apache attack helicopters.

(b) LIMITATION ON TERM OF CONTRACT.—Notwithstanding subsection (k) of section 2306b of title 10, United States Code, a contract under this section may not be for a period in excess of four program years.

SEC. 113. MULTIYEAR PROCUREMENT AUTHORITY FOR CONVERSION OF AH–64A APACHE ATTACK HELICOPTERS TO THE AH–64D BLOCK II CONFIGURATION.

(a) AUTHORITY.—The Secretary of the Army may, in accordance with section 2306b of title 10, United States Code, enter into a multiyear contract, beginning with the fiscal year 2006 program year, for conversion of AH–64A Apache attack helicopters to the AH–64D Block II configuration.

(b) LIMITATION ON TERM OF CONTRACT.—Notwithstanding subsection (k) of section 2306b of title 10, United States Code, a contract under this section may not be for a period in excess of four program years.

SEC. 114. ACQUISITION STRATEGY FOR TACTICAL WHEELED VEHICLE PROGRAMS.

(a) ARMY.—If, in carrying out a program for modernization and recapitalization of the fleet of tactical wheeled vehicles of the Army, the Secretary of the Army determines to award a contract for procurement of a new vehicle class for the next-generation tactical wheeled vehicle, the Secretary shall award and execute the acquisition program under that contract as a joint service program with the Marine Corps.

(b) MARINE CORPS.—If, in carrying out a program for modernization and recapitalization of the fleet of tactical wheeled vehicles of the Marine Corps, the Secretary of the Navy determines to award a contract for procurement of a new vehicle class for the next-generation tactical wheeled vehicle, the Secretary shall award and execute the acquisition program under that contract as a joint service program with the Army.

(c) APPLICABILITY ONLY TO NEW VEHICLE CLASS.—Subsections (a) and (b) do not apply to a contract for modifications, upgrades, or product improvements to the existing fleet of tactical wheeled vehicles of the Army or Marine Corps, respectively.

SEC. 115. REPORT ON ARMY MODULAR FORCE INITIATIVE.

(a) REPORT.—The Secretary of the Army shall submit to the congressional defense committees a report on the complex of programs referred to as the Army Modular Force Initiative. The report shall be submitted not later than 30 days after the date of the submission to Congress of a request by the President for the enactment

of emergency supplemental appropriations for the Department of Defense for fiscal year 2006.

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

(1) A specification of each acquisition program of the Army that is considered by the Secretary of the Army to be part of the complex of programs constituting the Army Modular Force Initiative.

(2) For each program specified under paragraph (1), the acquisition objective of the program, the funding profile of the program, and the requirement for the program.

(3) The requirements of each such program that, under current funding plans of the Department of Defense for fiscal years after fiscal year 2006, would not be funded.

(4) A detailed accounting of the amounts for the Army Modular Force Initiative in the request for supplemental appropriations referred to in subsection (a).

Subtitle C—Navy Programs

SEC. 121. VIRGINIA-CLASS SUBMARINE PROGRAM.

(a) LIMITATION OF COSTS.—Except as provided in subsection (b), the total amount obligated or expended for procurement of the five Virginia-class submarines designated as SSN–779, SSN–780, SSN–781, SSN–782, and SSN–783 may not exceed the following amounts:

(1) For the SSN–779 submarine, $2,330,000,000.

(2) For the SSN–780 submarine, $2,470,000,000.

(3) For the SSN–781 submarine, $2,550,000,000.

(4) For the SSN–782 submarine, $2,670,000,000.

(5) For the SSN–783 submarine, $2,720,000,000.

(b) ADJUSTMENT OF LIMITATION AMOUNTS.—The Secretary of the Navy may adjust the amount set forth in subsection (a) for any Virginia-class submarine specified in that subsection by the following:

(1) The amounts of increases or decreases in costs attributable to economic inflation after September 30, 2005.

(2) The amounts of increases or decreases in costs attributable to compliance with changes in Federal, State, or local laws enacted after September 30, 2005.

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

(4) The amounts of increases or decreases in costs of that submarine that are attributable to insertion of new technology into that submarine, as compared to the technology built into the lead vessel of the Virginia class.

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

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

(2) the Secretary determines, and certifies to the congressional defense committees, that insertion of the new technology is required to meet an emerging threat and the Secretary of Defense certifies to those committees that such threat poses grave harm to national security.

(d) NOTICE TO CONGRESS OF PROGRAM CHANGES.—The Secretary of the Navy shall submit to the congressional defense committees each year, at the same time that the budget is submitted under section 1105(a) of title 31, United States Code, for the next fiscal year, written notice of any change in any of the amounts set forth in subsection (a) during the preceding fiscal year that the Secretary has determined to be associated with a cost referred to in subsection (b).

SEC. 122. LHA REPLACEMENT (LHA(R)) AMPHIBIOUS ASSAULT SHIP PROGRAM.

(a) LIMITATION ON PROCUREMENT FUNDS.—Of the funds available to the Department of the Navy for Shipbuilding and Conversion, Navy, for fiscal year 2006 for procurement for the LHA Replacement (LHA(R)) amphibious assault ship program, not more than 70 percent may be obligated or expended until the Secretary of the Navy submits to the congressional defense committees the Secretary's certification in writing that—

(1) a detailed operational requirements document for the program has been approved within the Department of Defense by an appropriate approval authority; and

(2) there exists a stable design for the LHA(R) class of vessels.

(b) STABLE DESIGN.—For purposes of this section, the design of a class of vessels shall be considered to be stable when no substantial change to the design is anticipated.

SEC. 123. COST LIMITATION FOR NEXT-GENERATION DESTROYER PROGRAM.

(a) LIMITATION OF COSTS.—Except as provided in subsection (b), the total amount obligated or expended for procurement of the fifth vessel in the next-generation destroyer program may not exceed $2,300,000,000.

(b) ADJUSTMENT OF LIMITATION AMOUNT.—The Secretary of the Navy may adjust the amount set forth in subsection (a) for the vessel referred to in that subsection by the following:

(1) The amounts of increases or decreases in costs attributable to economic inflation after September 30, 2005.

(2) The amounts of increases or decreases in costs attributable to compliance with changes in Federal, State, or local laws enacted after September 30, 2005.

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

(4) The amounts of increases or decreases in costs of that vessel that are attributable to insertion of new technology into that vessel, as compared to the technology built into the lead vessel of the next-generation destroyer program class.

(c) LIMITATION ON TECHNOLOGY INSERTION COST ADJUSTMENT.—The Secretary of the Navy may use the authority under paragraph (4) of subsection (b) to adjust the amount set forth in subsection (a) for the vessel referred to in that subsection with respect to insertion of new technology into that vessel only if—

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

(2) the Secretary determines, and certifies to the congressional defense committees, that insertion of the new technology is required to meet an emerging threat and the Secretary of Defense certifies to those committees that such threat poses grave harm to national security.

(d) WRITTEN NOTICE OF CHANGE IN AMOUNT.—

(1) REQUIREMENT.—The Secretary of the Navy shall submit to the congressional defense committees each year, at the same time that the budget is submitted under section 1105(a) of title 31, United States Code, for the next fiscal year, written notice of any change in the amount set forth in subsection (a) during the preceding fiscal year that the Secretary has determined to be associated with a cost referred to in subsection (b).

(2) EFFECTIVE DATE.—The requirement in paragraph (1) shall become effective with the budget request for the year of procurement of the vessel referred to in subsection (a), such year being the fiscal year in which the Secretary of the Navy intends to award a contract for detail design and construction.

(e) NEXT-GENERATION DESTROYER PROGRAM.—In this section, the term "next-generation destroyer program" means the program to acquire and deploy a new class of destroyers as the follow-on to the Arleigh Burke class of destroyers.

SEC. 124. LITTORAL COMBAT SHIP (LCS) PROGRAM.

(a) LIMITATION OF COSTS.—Except as provided in subsection (b), the total amount obligated or expended for procurement of the fifth and sixth vessels in the Littoral Combat Ship (LCS) class of vessels, excluding amounts for elements designated by the Secretary of the Navy as a mission package, may not exceed $220,000,000 per vessel.

(b) ADJUSTMENT OF LIMITATION AMOUNT.—The Secretary of the Navy may adjust the amount set forth in subsection (a) for either vessel referred to in that subsection by the following:

(1) The amounts of increases or decreases in costs attributable to economic inflation after September 30, 2005.

(2) The amounts of increases or decreases in costs attributable to compliance with changes in Federal, State, or local laws enacted after September 30, 2005.

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

(4) The amounts of increases or decreases in costs of that vessel that are attributable to insertion of new technology into that vessel, as compared to the technology built into the first and second vessels, respectively, of the Littoral Combat Ship (LCS) class of vessels.

(c) LIMITATION ON TECHNOLOGY INSERTION COST ADJUSTMENT.—The Secretary of the Navy may use the authority under paragraph (4) of subsection (b) to adjust the amount set forth in subsection (a) for any vessel referred to in that subsection with respect to insertion of new technology into that vessel only if—

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

(2) the Secretary determines, and certifies to the congressional defense committees, that insertion of the new technology is required to meet an emerging threat and the Secretary of Defense certifies to those committees that such threat poses grave harm to national security.

(d) ANNUAL REPORT ON COST GROWTH.—

(1) REQUIREMENT.—The Secretary of the Navy shall submit to the congressional defense committees each year, at the same time that the budget is submitted under section 1105(a) of title 31, United States Code, for the next fiscal year, written notice of any change in the amount set forth in subsection (a) during the preceding fiscal year that the Secretary has determined to be associated with a cost referred to in subsection (b).

(2) EFFECTIVE DATE.—The requirement in paragraph (1) shall become effective with the budget request for the year of procurement of the fifth and sixth vessels in the Littoral Combat Ship (LCS) class of vessels, such year being the fiscal year in which the Secretary of the Navy intends to award a contract for detail design and construction of those vessels.

(e) ANNUAL REPORT ON MISSION PACKAGES.—The Secretary of the Navy shall submit to the congressional defense committees each year, at the same time as the President's budget for the next fiscal year is submitted under section 1105(a) of title 31, United States Code, a report that provides current information regarding the content of any element of the Littoral Combat Ship (LCS) class of vessels that is designated as a "mission package", the estimated cost of any such element, and the total number of such elements anticipated.

(f) LIMITATION ON SHIPS AND MISSION MODULES.—No funds available to the Navy may be used for the procurement of Littoral Combat Ships, or elements for such Littoral Combat Ships referred to in subsection (e), after procurement of the first four vessels in the Littoral Combat Ship (LCS) class until the Secretary of the Navy submits to the congressional defense committees the Secretary's certification in writing that there exist stable designs for the Littoral Combat Ship class of vessels.

(g) STABLE DESIGN.—For purposes of this section, the designs of a class of vessels shall be considered to be stable when no substantial change to those designs is anticipated.

SEC. 125. PROHIBITION ON ACQUISITION OF NEXT-GENERATION DESTROYER THROUGH A SINGLE SHIPYARD.

(a) PROHIBITION.—The Secretary of the Navy may not acquire vessels under the next-generation destroyer program through a winner-take-all acquisition strategy.

(b) PROHIBITION ON USE OF FUNDS.—The Secretary of the Navy may not obligate or expend any funds to prepare for, conduct, or implement a strategy for the acquisition of vessels under the next-generation destroyer program through a winner-take-all acquisition strategy.

(c) WINNER-TAKE-ALL ACQUISITION STRATEGY DEFINED.—In this section, the term "winner-take-all acquisition strategy", with respect to the acquisition of vessels under the next-generation destroyer program, means the acquisition (including design and construction) of such vessels through a single shipyard.

(d) NEXT-GENERATION DESTROYER PROGRAM.—In this section, the term "next-generation destroyer program" means the program to acquire and deploy a new class of destroyers as the follow-on to the Arleigh Burke class of destroyers.

SEC. 126. AIRCRAFT CARRIER FORCE STRUCTURE.

(a) REQUIREMENT FOR 12 OPERATIONAL AIRCRAFT CARRIERS WITHIN THE NAVY.—Section 5062 of title 10, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following new subsection (b):

"(b) The naval combat forces of the Navy shall include not less than 12 operational aircraft carriers. For purposes of this subsection, an operational aircraft carrier includes an aircraft carrier that is temporarily unavailable for worldwide deployment due to routine or scheduled maintenance or repair.".

(b) FUNDING FOR REPAIR AND MAINTENANCE OF U.S.S. JOHN F. KENNEDY.—Of the amounts available for operation and maintenance for the Navy pursuant to this Act and any other Act for fiscal year 2006, not more than $288,000,000 shall be available for repair and maintenance to extend the life of the U.S.S. John F. Kennedy (CVN–67).

SEC. 127. REFUELING AND COMPLEX OVERHAUL OF THE U.S.S. CARL VINSON.

(a) AMOUNT AUTHORIZED FROM FY06 SCN ACCOUNT.—Of the amount authorized to be appropriated by section 102(a)(3) for fiscal year 2006 for shipbuilding and conversion, Navy, $1,493,563,000 is available for work on the nuclear refueling and complex overhaul of the U.S.S. Carl Vinson (CVN–70) under the contract authorized by Public Law 109–104.

(b) CONTRACT AUTHORITY.—The amount specified in subsection (a) includes the amount of $89,000,000 made available by Public Law 109–104 for fiscal year 2006 for a period of such fiscal year preceding the enactment of this Act.

SEC. 128. CVN–78 AIRCRAFT CARRIER.

(a) AUTHORITY TO USE MULTIPLE YEARS OF FUNDING.—The Secretary of the Navy is authorized to enter into a contract for detail design and construction of the aircraft carrier designated CVN–78 that provides that, subject to subsection (b), funds for payments under the contract may be provided from amounts appropriated for Shipbuilding and Conversion, Navy, for fiscal years 2007, 2008, and 2009.

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract described in subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2006 is subject to the availability of appropriations for that purpose for that fiscal year.

SEC. 129. LHA REPLACEMENT (LHA(R)) SHIP.

(a) AMOUNT AUTHORIZED FROM SCN ACCOUNT FOR FISCAL YEAR 2006.—Of the amount authorized to be appropriated by section 102(a)(3) for fiscal year 2006 for shipbuilding and conversion, Navy, $200,447,000 shall be available for design, advance procure-

ment, advance construction, detail design, and construction with respect to the LHA Replacement (LHA(R)) ship.

(b) AMOUNTS AUTHORIZED FROM SCN ACCOUNT FOR FISCAL YEARS 2007 AND 2008.—Amounts authorized to be appropriated for fiscal years 2007 and 2008 for shipbuilding and conversion, Navy, shall be available for construction with respect to the LHA Replacement ship.

(c) CONTRACT AUTHORITY.—

(1) DESIGN, ADVANCE PROCUREMENT, AND ADVANCE CONSTRUCTION.—The Secretary of the Navy may enter into a contract during fiscal year 2006 for design, advance procurement, and advance construction with respect to the LHA Replacement ship.

(2) DETAIL DESIGN AND CONSTRUCTION.—The Secretary may enter into a contract during fiscal year 2006 for the detail design and construction of the LHA Replacement ship.

(d) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (c) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2006 is subject to the availability of appropriations for that purpose for such fiscal year.

(e) FUNDING AS INCREMENT OF FULL FUNDING.—The amounts available under subsections (a) and (b) for the LHA Replacement ship are the first increments of funding for the full funding of the LHA Replacement (LHA(R)) ship program.

SEC. 130. REPORT ON ALTERNATIVE PROPULSION METHODS FOR SURFACE COMBATANTS AND AMPHIBIOUS WARFARE SHIPS.

(a) ANALYSIS OF ALTERNATIVES.—The Secretary of the Navy shall conduct an analysis of alternative propulsion methods for surface combatant vessels and amphibious warfare ships of the Navy.

(b) REPORT.—The Secretary shall submit to the congressional defense committees a report on the analysis of alternative propulsion systems carried out under subsection (a). The report shall be submitted not later than November 1, 2006.

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

(1) The key assumptions used in carrying out the analysis under subsection (a).

(2) The methodology and techniques used in conducting the analysis.

(3) A description of current and future technology relating to propulsion that has been incorporated in recently-designed surface combatant vessels and amphibious warfare ships or that is expected to be available for those types of vessels within the next 10-to-20 years.

(4) A description of each propulsion alternative for surface combatant vessels and amphibious warfare ships that was considered under the study and an analysis and evaluation of each such alternative from an operational and cost-effectiveness standpoint.

(5) A comparison of the life-cycle costs of each propulsion alternative.

(6) For each nuclear propulsion alternative, an analysis of when that nuclear propulsion alternative becomes cost effective as the price of a barrel of crude oil increases for each type of

surface combatant vessel and each type of amphibious warfare ship.

(7) The conclusions and recommendations of the study, including those conclusions and recommendations that could impact the design of future ships or lead to modifications of existing ships.

(8) The Secretary's intended actions, if any, for implementation of the conclusions and recommendations of the study.

(d) LIFE-CYCLE COSTS.—For purposes of this section, the term "life-cycle costs" includes those elements of cost that would be considered for a life-cycle cost analysis for a major defense acquisition program.

Subtitle D—Air Force Programs

SEC. 131. C–17 AIRCRAFT PROGRAM AND ASSESSMENT OF INTERTHEATER AIRLIFT REQUIREMENTS.

(a) MULTIYEAR PROCUREMENT AUTHORIZED.—Subject to subsection (b), the Secretary of the Air Force may, in accordance with section 2306b of title 10, United States Code, enter into a multiyear contract, beginning with the fiscal year 2006 program year, for the procurement of up to 42 additional C–17 aircraft.

(b) CERTIFICATION REQUIRED.—The Secretary of the Air Force may not exercise the authority in subsection (a) until the Secretary of Defense submits to the congressional defense committees a certification that the additional airlift capacity to be provided by the C–17 aircraft to be procured under that authority is consistent with the assessment of the intertheater airlift capabilities required to support the national defense strategy carried out pursuant to subsection (c) and submitted to the congressional committees pursuant to subsection (d).

(c) ASSESSMENT OF INTERTHEATER AIRLIFT REQUIREMENTS.—

(1) REQUIREMENT.—The Secretary of Defense shall carry out an assessment of the intertheater airlift capabilities required to support the national defense strategy. The assessment shall include development of recommendations for future airlift force structure requirements, together with an explanation for each such recommendation. The Secretary shall submit the assessment pursuant to subsection (d).

(2) ADDITIONAL INFORMATION.—In the report on the results of the assessment required by paragraph (1), the Secretary shall explain how the recommendations for future airlift force structure requirements in that report take into account the following:

(A) The increased airlift demands associated with the Army modular brigade combat teams.

(B) The objective to be able to deliver—

(i) a brigade combat team anywhere in the world within four to seven days;

(ii) a division anywhere in the world within 10 days; and

(iii) multiple divisions anywhere in the world within 20 days.

(C) The increased airlift demands associated with the expanded scope of operational activities of the Special Operations forces.

(D) The realignment of the overseas basing structure in accordance with the Integrated Presence and Basing Strategy announced by the Secretary of Defense on March 20, 2003.

(E) Adjustments in the force structure to meet homeland defense requirements.

(F) The potential for simultaneous homeland defense activities and major combat operations.

(G) Potential changes in requirements for intratheater airlift or sealift capabilities.

(H) The capability of the Civil Reserve Air Fleet to provide adequate augmentation in meeting global mobility requirements.

(d) SUBMISSION OF ASSESSMENT OF INTERTHEATER AIRLIFT REQUIREMENTS.—

(1) INCLUSION IN QUADRENNIAL DEFENSE REVIEW.—Subject to paragraph (2), the assessment of the intertheater airlift capabilities required to support the national defense strategy required by subsection (c)(1) shall be carried out as part of the quadrennial defense review under section 118 of title 10, United States Code, in 2005 and in accordance with the provisions of subsection (d)(9) of that section, and the report under subsection (c)(1) on that assessment shall be included in the report on that quadrennial defense review submitted to the Committees on Armed Services of the Senate and House of Representatives with the budget of the President for fiscal year 2007 (as submitted under section 1105(a) of title 31, United States Code).

(2) ALTERNATIVE SUBMISSION.—If the Secretary of Defense determines that, because of the date required by law for the submission of the report on the quadrennial defense review referred to in paragraph (1), the assessment of the intertheater airlift capabilities required to support the national defense strategy required by subsection (c)(1) cannot be carried out as part of the quadrennial defense review referred to in paragraph (1), the Secretary may submit the report of such assessment not later than 45 days after the date of the submission of that review pursuant to section 118(d) of title 10, United States Code. In that case, the Secretary shall submit the report of such assessment to the congressional defense committees.

(e) MAINTENANCE OF C–17 AIRCRAFT PRODUCTION LINE.—If the Secretary of Defense is unable to make the certification specified in subsection (b), the Secretary of the Air Force should procure sufficient C–17 aircraft to maintain the C–17 aircraft production line at not less than the minimum sustaining rate until sufficient flight test data regarding improved C–5 aircraft mission capability rates as a result of the Reliability Enhancement and Re-engining Program and Avionics Modernization Program have been obtained to determine the validity of assumptions concerning the C–5 aircraft used in the Mobility Capabilities Study.

SEC. 132. PROHIBITION ON RETIREMENT OF KC–135E AIRCRAFT.

The Secretary of the Air Force may not retire any KC–135E aircraft of the Air Force in fiscal year 2006.

SEC. 133. PROHIBITION ON RETIREMENT OF F–117 AIRCRAFT DURING FISCAL YEAR 2006.

The Secretary of the Air Force may not retire any F–117 Nighthawk attack aircraft during fiscal year 2006.

SEC. 134. PROHIBITION ON RETIREMENT OF C–130E/H TACTICAL AIRLIFT AIRCRAFT DURING FISCAL YEAR 2006.

The Secretary of the Air Force may not retire any C–130E/H tactical airlift aircraft during fiscal year 2006.

SEC. 135. PROCUREMENT OF C–130J/KC–130J AIRCRAFT AFTER FISCAL YEAR 2005.

Any C–130J/KC–130J aircraft procured after fiscal year 2005 (including C–130J/KC–130J aircraft procured through a multiyear contract continuing in force from a fiscal year before fiscal year 2006) shall be procured through a contract under part 15 of the Federal Acquisition Regulation (FAR), relating to acquisition of items by negotiated contract (48 C.F.R. 15.000 et seq.), rather than through a contract under part 12 of the Federal Acquisition Regulation, relating to acquisition of commercial items (48 C.F.R. 12.000 et seq.).

SEC. 136. REPORT ON AIR FORCE AIRCRAFT AEROMEDICAL EVACUATION PROGRAMS.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on aircraft aeromedical evacuation programs of the Air Force. The report shall contain a comprehensive evaluation and overall assessment of (1) the current aeromedical evacuation program, carried out through the use of designated aircraft, compared to (2) the former aeromedical evacuation program, carried out through the use of dedicated aircraft.

(b) MATTERS TO BE INCLUDED.—The report shall include the following:

(1) A description of challenges and capability gaps of the current aircraft aeromedical evacuation program compared to the challenges and capability gaps of the former program.

(2) A description of possible means by which to best mitigate or resolve the challenges and capability gaps described under paragraph (1) with respect to the current program.

(3) Specification of medical equipment or upgrades needed to enhance the current program.

(4) Specification of aircraft equipment or upgrades needed to enhance the current program.

(5) A description of the advantages and disadvantages of the current program compared to the advantages and disadvantages of the former program.

(6) A cost comparison analysis of the current program and the former program.

(7) A description of the manner in which customer feedback is obtained and applied to the current program.

Subtitle E—Joint and Multiservice Matters

SEC. 141. REQUIREMENT THAT TACTICAL UNMANNED AERIAL VEHICLES USE SPECIFIED STANDARD DATA LINK.

(a) REQUIREMENT.—The Secretary of Defense shall take such steps as necessary to ensure that (except as specified in subsection (c)) all tactical unmanned aerial vehicles (UAVs) of the Army, Navy, Marine Corps, and Air Force are equipped and configured so that—

(1) the data link used by those vehicles is the Department of Defense standard tactical unmanned aerial vehicle data link known as the Tactical Common Data Link (TCDL), until such time as the Tactical Common Data Link standard is replaced by an updated standard for use by those vehicles; and

(2) those vehicles use data formats consistent with the architectural standard for tactical unmanned aerial vehicles known as STANAG 4586, developed to facilitate multinational interoperability among NATO member nations.

(b) FUNDING LIMITATION.—After December 1, 2006, no funds available to the Department of Defense may be used to enter into a contract for procurement of a new tactical unmanned aerial vehicle system with data links other than as required by subsection (a)(1).

(c) WAIVER AUTHORITY.—The Under Secretary of Defense for Acquisition, Technology, and Logistics may waive the applicability of subsection (a) to any tactical unmanned aerial vehicle if the Under Secretary determines, and certifies to the congressional defense committees, that it would be technologically infeasible or uneconomically acceptable to integrate a tactical data link specified in that subsection into that tactical unmanned aerial vehicle.

(d) REPORT.—Not later than February 1, 2006, the Secretary of each military department shall submit to Congress a report on the status of implementation of standard data links for unmanned aerial vehicles under the jurisdiction of the Secretary in accordance with subsection (a).

SEC. 142. LIMITATION ON INITIATION OF NEW UNMANNED AERIAL VEHICLE SYSTEMS.

(a) LIMITATION.—Funds available to the Department of Defense may not be used to procure an unmanned aerial vehicle (UAV) system, including any air vehicle, data link, ground station, sensor, or other associated equipment for any such system, or to modify any such system to include any form of armament, unless such procurement or modification is authorized in writing in advance by the Under Secretary of Defense for Acquisition, Technology, and Logistics.

(b) EXCEPTION FOR EXISTING SYSTEMS.—The limitation in subsection (a) does not apply with respect to an unmanned aerial vehicle (UAV) system for which funds are under contract as of the date of the enactment of this Act or for which funds have been appropriated for procurement before the date of the enactment of this Act.

SEC. 143. ADVANCED SEAL DELIVERY SYSTEM.

(a) LIMITATION.—Of the amounts authorized to be appropriated for fiscal year 2006 for operation and maintenance, Defense-wide, that are available for the United States Special Operations Command, $10,100,000 may not be obligated or expended until the Sec-

retary of Defense submits to the congressional defense committees each of the following:

(1) The Secretary's certification that the Secretary has revalidated the requirement for the Advanced SEAL Delivery System.

(2) A report on the Advanced SEAL Delivery System program that, at a minimum, includes—

(A) the conclusions of the quadrennial defense review concerning the program;

(B) the number of boats required for the program and the manner of their expected employment;

(C) an updated cost estimate for the program; and

(D) a timeline for addressing the technological challenges faced by the program by March 1, 2006.

(b) REPORT ON ONGOING CRITICAL SYSTEMS REVIEW.—Not later than January 1, 2007, the Secretary shall submit to the congressional defense committees a report providing the conclusions of the ongoing critical systems review with respect to the Advanced SEAL Delivery System program.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

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

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Annual Comptroller General report on Future Combat Systems program.
Sec. 212. Contract for the procurement of the Future Combat Systems (FCS).
Sec. 213. Limitations on systems development and demonstration of manned ground vehicles under Armored Systems Modernization program.
Sec. 214. Separate program elements required for significant systems development and demonstration projects for Armored Systems Modernization program.
Sec. 215. Initiation of program to design and develop next-generation nuclear attack submarine.
Sec. 216. Extension of requirements relating to management responsibility for naval mine countermeasures programs.
Sec. 217. Single set of requirements for Army and Marine Corps heavy lift rotorcraft program.
Sec. 218. Requirements for development of tactical radio communications systems.
Sec. 219. Limitation on systems development and demonstration of Personnel Recovery Vehicle.
Sec. 220. Limitation on VXX helicopter program.
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Subtitle C—Missile Defense Programs

Sec. 231. Report on capabilities and costs for operational boost/ascent-phase missile defense systems.
Sec. 232. One-year extension of Comptroller General assessments of ballistic missile defense programs.
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Subtitle D—High-Performance Defense Manufacturing Technology Research and Development

Sec. 241. Pilot program for identification and transition of advanced manufacturing processes and technologies.

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Subtitle E—Other Matters

Sec. 251. Comptroller General report on program element structure for research, development, test, and evaluation projects.
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Sec. 253. Revised requirements relating to submission of Joint Warfighting Science and Technology Plan.
Sec. 254. Report on efficiency of naval shipbuilding industry.
Sec. 255. Technology transition.
Sec. 256. Prevention, mitigation, and treatment of blast injuries.
Sec. 257. Modification of requirements for annual report on DARPA program to award cash prizes for advanced technology achievements.
Sec. 258. Designation of facilities and resources constituting the Major Range and Test Facility Base.
Sec. 259. Report on cooperation between Department of Defense and National Aeronautics and Space Administration on research, development, test, and evaluation activities.
Sec. 260. Delayed effective date for limitation on procurement of systems not GPS-equipped.
Sec. 261. Report on development and use of robotics and unmanned ground vehicle systems.

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2006 for the use of the Department of Defense for research, development, test, and evaluation as follows:

(1) For the Army, $10,036,004,000.

(2) For the Navy, $18,581,441,000.

(3) For the Air Force, $22,305,012,000.

(4) For Defense-wide activities, $19,277,402,000, of which $168,458,000 is authorized for the Director of Operational Test and Evaluation.

SEC. 202. AMOUNT FOR DEFENSE SCIENCE AND TECHNOLOGY.

(a) FISCAL YEAR 2006.—Of the amounts authorized to be appropriated by section 201, $11,363,021,000 shall be available for the Defense Science and Technology Program, including basic research, applied research, and advanced technology development projects.

(b) BASIC RESEARCH, APPLIED RESEARCH, AND ADVANCED TECHNOLOGY DEVELOPMENT DEFINED.—For purposes of this section, the term "basic research, applied research, and advanced technology development" means work funded in program elements for defense research and development under Department of Defense budget activities 1, 2, and 3.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. ANNUAL COMPTROLLER GENERAL REPORT ON FUTURE COMBAT SYSTEMS PROGRAM.

(a) ANNUAL GAO REVIEW.—The Comptroller General shall conduct an annual review of the Future Combat Systems program and shall, not later than March 15 of each year, submit to Congress a report on the results of the most recent review. With each such report, the Comptroller General shall submit a certification as to whether the Comptroller General has had access to sufficient information to enable the Comptroller General to make informed judgments on the matters covered by the report.

(b) MATTERS TO BE INCLUDED.—Each report on the Future Combat Systems program under subsection (a) shall include the following with respect to research and development under the program:

(1) The extent to which systems development and demonstration under the program is meeting established goals, including the goals established for performance, key performance parameters, technology readiness levels, cost, and schedule.

(2) The budget for the current fiscal year, and the projected budget for the next fiscal year, for all Department of Defense programs directly supporting the Future Combat Systems program and an evaluation of the contribution each such program makes to meeting the goals established for performance, key performance parameters, and technology readiness levels of the Future Combat Systems program.

(3) The plan for such systems development and demonstration (leading to production) for the fiscal year that begins in the year in which the report is submitted.

(4) The Comptroller General's conclusion regarding whether such systems development and demonstration (leading to production) is likely to be completed at a total cost not in excess of the amount specified (or to be specified) for such purpose in the Selected Acquisition Report for the Future Combat Systems program under section 2432 of title 10, United States Code, for the first quarter of the fiscal year during which the report of the Comptroller General is submitted.

(c) TERMINATION.—No report is required under this section after systems development and demonstration under the Future Combat Systems program is completed.

SEC. 212. CONTRACT FOR THE PROCUREMENT OF THE FUTURE COMBAT SYSTEMS (FCS).

The Secretary of the Army shall procure the Future Combat Systems (FCS) through a contract under part 15 of the Federal Acquisition Regulation (FAR), relating to acquisition of items by negotiated contract (48 C.F.R. 15.000 et seq.), rather than through a transaction under section 2371 of title 10, United States Code.

SEC. 213. LIMITATIONS ON SYSTEMS DEVELOPMENT AND DEMONSTRATION OF MANNED GROUND VEHICLES UNDER ARMORED SYSTEMS MODERNIZATION PROGRAM.

(a) LIMITATIONS.—Of the amounts appropriated or otherwise made available pursuant to the authorization of appropriations in

section 201 for the Armored Systems Modernization program, not more than 70 percent may be obligated for systems development and demonstration of manned ground vehicle variants under that program until each of the following occurs:

(1) The Secretary of Defense certifies to the congressional defense committees that the threshold requirements for manned ground vehicle variants with respect to lethality and survivability have been met and demonstrated, in accordance with applicable regulations, in a relevant environment to be at least equal to the lethality and survivability of the manned ground vehicles to be replaced by those variants.

(2) The Secretary of Defense submits to the congressional defense committees the results of an independent analysis carried out with respect to the transportability requirement for the manned ground vehicle variants under the Future Combat Systems program for the purpose of determining whether—

(A) the requirement can be supported by the future-years defense plan and the projected extended planning period inter-theater and intra-theater airlift force structure budget;

(B) the requirement is justified by any likely deployment scenario envisioned by current operational plans; and

(C) the projected unit procurement cost warrants the investment required to deploy those variants.

(3) The Under Secretary of Defense for Acquisition, Technology, and Logistics submits to the congressional defense committees the results of an independent cost estimate, prepared by the cost analysis improvement group of the Office of the Secretary of Defense, with respect to the Future Combat Systems program.

(4) The Secretary of the Army submits to the congressional defense committees a report containing—

(A) the organizational design, quantities, and fielding plan for each of the current force Brigade Combat Teams and the Future Combat Systems Brigade Combat Teams; and

(B) the Future Combat Systems Manned Ground Vehicle research, development, test, and evaluation and procurement plan and budgets through the future-years defense plan, including unit procurement cost for each Future Combat Systems Manned Ground Vehicle variant in constant and current-year dollars.

(5) The Secretary of Defense submits to the congressional defense committees a report describing and evaluating the requirements and budgets for the technology insertion program for integrating Future Combat Systems capabilities into current force programs through the future-years defense plan for the purpose of determining—

(A) the balance in programs and resources between the Future Combat Systems Brigade Combat Teams and the current force Brigade Combat Teams;

(B) the feasibility of accelerating technology insertion into the current force Brigade Combat Teams;

(C) the level of research, development, test, and evaluation and procurement funding to support planned tech-

nology insertions into the current force Brigade Combat Teams through the future-years defense plan; and

(D) the capabilities of a current force Brigade Combat Team equipped with planned technology insertions in 2010, in comparison to a Future Combat Systems Manned Ground Vehicle Brigade Combat Team in 2014.

(b) EXCEPTION FOR NON-LINE-OF-SIGHT CANNON SYSTEM.—This section does not apply with respect to the obligation of funds for systems development and demonstration of the non-line-of-sight cannon system.

SEC. 214. SEPARATE PROGRAM ELEMENTS REQUIRED FOR SIGNIFICANT SYSTEMS DEVELOPMENT AND DEMONSTRATION PROJECTS FOR ARMORED SYSTEMS MODERNIZATION PROGRAM.

(a) PROGRAM ELEMENTS SPECIFIED.—Effective for the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2008 and each fiscal year thereafter, the Secretary of Defense shall ensure that a separate, dedicated program element is assigned to each of the following systems development and demonstration projects of the Armored Systems Modernization program:

(1) Manned Ground Vehicles.

(2) Systems of Systems Engineering and Program Management.

(3) Future Combat Systems Reconnaissance Platforms and Sensors.

(4) Future Combat Systems Unmanned Ground Vehicles.

(5) Unattended Sensors.

(6) Sustainment.

(b) EARLY COMMENCEMENT OF DISPLAY IN BUDGET JUSTIFICATION MATERIALS.—As part of the budget justification materials submitted to Congress in support of the Department of Defense budget for fiscal year 2007, as submitted with the budget of the President under such section 1105(a), the Secretary of the Army shall set forth the budget justification material for the systems development and demonstration projects of the Armored Systems Modernization program identified in subsection (a) as if the projects were already separate program elements.

(c) TECHNOLOGY INSERTION TO CURRENT FORCE.—

(1) REPORT ON ESTABLISHMENT OF ADDITIONAL PROGRAM ELEMENT.—Not later than June 1, 2006, the Secretary of the Army shall submit a report to the congressional defense committees describing the manner in which the costs of integrating Future Combat Systems capabilities into current force programs could be assigned to a separate, dedicated program element and any management issues that would be raised as a result of establishing such a program element.

(2) DISPLAY IN BUDGET JUSTIFICATION MATERIALS.—As part of the budget justification materials submitted to Congress in support of the Department of Defense budget for fiscal year 2007 and each fiscal year thereafter, as submitted with the budget of the President under such section 1105(a), the Secretary of the Army shall set forth the budget justification material for technology insertion to the current force under the Armored Systems Modernization program.

SEC. 215. INITIATION OF PROGRAM TO DESIGN AND DEVELOP NEXT-GENERATION NUCLEAR ATTACK SUBMARINE.

(a) PROGRAM REQUIRED.—The Secretary of the Navy shall initiate a program to design and develop the next-generation of nuclear attack submarines.

(b) OBJECTIVE.—The objective of the program required by subsection (a) is to develop a nuclear attack submarine that meets or exceeds the warfighting capability of a submarine of the current Virginia class at a cost dramatically lower than the cost of a submarine of the Virginia class. The Secretary may meet such objective by modifying the Virginia class of nuclear submarines to incorporate new technology.

(c) REPORT.—

(1) IN GENERAL.—The Secretary of the Navy shall include, with the defense budget justification materials submitted in support of the President's budget for fiscal year 2007 submitted to Congress under section 1105 of title 31, United States Code, a report on the program required by subsection (a).

(2) CONTENTS.—The report shall include—

(A) an outline of the management approach to be used in carrying out the program;

(B) the goals for the program; and

(C) a schedule for the program.

SEC. 216. EXTENSION OF REQUIREMENTS RELATING TO MANAGEMENT RESPONSIBILITY FOR NAVAL MINE COUNTERMEASURES PROGRAMS.

(a) IN GENERAL.—Section 216 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102–190; 105 Stat. 1317), as most recently amended by section 212 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 116 Stat. 2480), is amended—

(1) in subsection (a), by striking "2008" and inserting "2011";

(2) in subsection (b)(1), by inserting after "Secretary of Defense" the following: ", and the Secretary of Defense has forwarded to the congressional defense committees,";

(3) in subsection (b)(2), by inserting before the semicolon at the end the following: "and, by so certifying, ensures that the budget meets the requirements of section 2437 of title 10, United States Code"; and

(4) by striking subsection (c) and inserting the following new subsection (c):

"(c) NOTIFICATION OF CERTAIN PROPOSED CHANGES.—

"(1) IN GENERAL.—With respect to a fiscal year, the Secretary may not carry out any change to the naval mine countermeasures master plan or the budget resources for mine countermeasures with respect to that fiscal year until after the Under Secretary of Defense for Acquisition, Technology, and Logistics submits to the congressional defense committees a notification of the proposed change. Such notification shall describe the nature of the proposed change and the effect of the proposed change on the naval mine countermeasures program or related programs with respect to that fiscal year.

"(2) EXCEPTION.—Paragraph (1) does not apply to a change if both—

"(A) the amount of the change is below the applicable reprogramming threshold; and

"(B) the effect of the change does not affect the validity of the decision to certify.".

(b) NOTICE AND CERTIFICATION BEFORE DECOMMISSIONING OF MHC–51 VESSELS.—The Secretary of the Navy may not decommission any vessel of the MHC–51 mine countermeasures class before the end of the service life of that vessel until—

(1) the Secretary submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on existing capabilities to assume the MHC–51 mission, together with the Secretary's certification that the capabilities of the vessels of the MHC–51 mine countermeasures class are no longer required; and

(2) a period of 30 days has elapsed after the date of receipt of that report and certification by those committees.

SEC. 217. SINGLE SET OF REQUIREMENTS FOR ARMY AND MARINE CORPS HEAVY LIFT ROTORCRAFT PROGRAM.

(a) JOINT REQUIREMENT.—The Secretary of the Army and the Secretary of the Navy shall develop a single set of requirements for the Joint Heavy Lift program for the Army and the Marine Corps.

(b) APPROVAL BY JROC REQUIRED.—The Secretary of Defense may not authorize entry into Systems Development and Demonstration for the next-generation heavy lift rotorcraft until the single joint requirement required by subsection (a) has been approved by the Joint Requirements Oversight Council.

(c) EXCEPTION.—This section does not apply to the CH–53X Heavy Lift Replacement Program.

SEC. 218. REQUIREMENTS FOR DEVELOPMENT OF TACTICAL RADIO COMMUNICATIONS SYSTEMS.

(a) INTERIM TACTICAL RADIO COMMUNICATIONS.—The Secretary of Defense shall—

(1) assess the immediate requirements of the military departments for tactical radio communications systems;

(2) ensure that the military departments rapidly acquire tactical radio communications systems utilizing existing technology or mature systems readily available in the commercial marketplace; and

(3) develop a plan and roadmap for the development, procurement, deployment, and sustainment of interim and future tactical radio communications systems.

(b) JOINT TACTICAL RADIO SYSTEM.—The Secretary of Defense shall apply Department of Defense Instruction 5000.2 to the Joint Tactical Radio System in a manner that does not permit the Milestone B entrance requirements to be waived unless the Secretary certifies that the Department is unable to meet critical national security objectives.

(c) CERTIFICATION OF BUDGETS.—

(1) BUDGETING THROUGH JOINT PROGRAM OFFICE.—The Secretary of Defense shall require that the Secretary of each military department, and the head of each Defense Agency with programs developing components of or research related to the Joint Tactical Radio System transmit such proposed budgets for these activities, including all waveform development activities, for a fiscal year to the head of the single joint program of-

fice designated under section 213 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 117 Stat. 1416) for review and certification under paragraph (2) before submitting such proposed budget to the Under Secretary of Defense (Comptroller).

(2) ACTIONS OF HEAD OF JOINT PROGRAM OFFICE.—The head of the single joint program office designated under section 213 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 117 Stat. 1416) shall review each proposed budget transmitted under paragraph (1) and shall, not later than January 31 of the year preceding the fiscal year for which such budgets are proposed, submit to the Secretary of Defense a report containing comments with respect to all such proposed budgets, together with the certification as to whether such proposed budgets are adequate and whether such proposed budgets provide balanced support for the plan required under subsection (a)(3).

(3) ACTIONS OF SECRETARY OF DEFENSE.—The Secretary of Defense shall, not later than March 31 of the year preceding the fiscal year for which such budgets are proposed, submit to Congress a report on those proposed budgets which the head of the single joint program office has not certified under paragraph (2) to be adequate, including a discussion of the actions that the Secretary proposes to take to address the inadequacy of the proposed budgets.

(d) REPORT ON IMPLEMENTATION REQUIRED.—Not later than May 1, 2006, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the implementation of this section.

SEC. 219. LIMITATION ON SYSTEMS DEVELOPMENT AND DEMONSTRATION OF PERSONNEL RECOVERY VEHICLE.

Not more than 40 percent of the amounts made available pursuant to the authorization of appropriations in section 201 for systems development and demonstration of the Personnel Recovery Vehicle may be obligated until 30 days after the date on which the Secretary of Defense submits to the congressional defense committees each of the following:

(1) The Secretary's certification that the requirements for the Personnel Recovery Vehicle have been validated by the Joint Requirements Oversight Council and that the acquisition schedule has been validated by the Under Secretary of Defense for Acquisition, Technology, and Logistics.

(2) The Secretary's certification that all technologies required to meet the requirements (as validated under paragraph (1)) for the Personnel Recovery Vehicle are mature and will have been demonstrated in a relevant environment before inclusion in production aircraft.

(3) The Secretary's assessment of whether another aircraft, or modification of an aircraft, in the inventory of the Department of Defense can meet the requirements and provide a more cost effective solution (as validated under paragraph (1)) for the Personnel Recovery Vehicle Program.

(4) In the event that the Department chooses to award a contract for the Personnel Recovery Vehicle Program for an air-

craft not in the Department of Defense inventory, the Secretary's explanation of the reasons why the chosen system would be more effective or less expensive in terms of total life-cycle costs.

(5) A statement setting forth the independent cost estimate and manpower estimate (as required by section 2434 of title 10, United States Code) for the Personnel Recovery Vehicle.

SEC. 220. LIMITATION ON VXX HELICOPTER PROGRAM.

(a) LIMITATION.—Of the amounts appropriated or otherwise made available pursuant to the authorization of appropriations in section 201 for the VXX executive helicopter program, not more than 75 percent may be obligated for system development and demonstration of the VXX helicopter until the Secretary of the Navy submits to Congress an event-driven acquisition strategy for Increment Two of the program that includes the completion of at least one phase of operational testing on production representative test vehicles before the initiation of aircraft production. That acquisition strategy shall be developed by the Secretary working the with the Director of Operational Test and Evaluation of the Department of Defense.

(a) REPORT.—Not later than March 15, 2006, the Secretary of the Navy shall submit to the congressional defense committees a report setting forth in detail the acquisition strategy referred to in subsection (a). The report shall, at a minimum, include the following:

(1) A list of the critical technologies required for the production and operation of Increment Two aircraft for the VXX executive helicopter program.

(2) A schedule that accepts no more than moderate risk in either cost or schedule for the demonstration and test of each critical technology listed pursuant to paragraph (1).

(3) A description of the event-based decision points and associated decision criteria that will occur before the initiation of production of Increment Two aircraft.

(4) A description of a proposed operational evaluation using production representative test vehicles to occur before the initiation of production of Increment Two aircraft.

(5) An evaluation of the acquisition strategy for Increment Two aircraft detailed in the report provided by the Director of Operational Test and Evaluation of the Department of Defense.

SEC. 221. REPORT ON TESTING OF INTERNET PROTOCOL VERSION 6.

(a) ADDITIONAL PLAN ELEMENT.—Subsection (b) of section 331 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1850) is amended by adding at the end the following new paragraph:

"(5) A certification by the Chairman of the Joint Chiefs of Staff that the conversion of Department of Defense networks to Internet Protocol version 6 will provide equivalent or better performance and capabilities than that which would be provided by any other combination of available technologies or protocols.".

(b) OFFICIAL RESPONSIBLE FOR OVERSIGHT OF TEST AND EVALUATION PLAN.—Such section is further amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

"(d) OFFICIAL RESPONSIBLE FOR OVERSIGHT OF TEST AND EVALUATION PLAN.—The Secretary of Defense shall designate the Director of Operational Test and Evaluation of the Department of Defense as the official responsible within the Department of Defense for oversight and direction of the test and evaluation plan under this section and for approval of the master test and evaluation plan under this section.".

(c) ANNUAL REPORT.—Subsection (e) of such section (as redesignated by subsection (b)(1)) is amended to read as follows:

"(e) REPORTS.—

"(1) Not later than June 30, 2006, the Secretary of Defense shall submit to the congressional defense committees a report containing the transition plan under subsection (a), updated to the time of the submission of the report.

"(2) For each of fiscal years 2006 through 2008, the Secretary of Defense shall, not later than the end of that fiscal year, submit to the congressional defense committees a report on the testing and evaluation carried out pursuant to subsection (c).".

Subtitle C—Missile Defense Programs

SEC. 231. REPORT ON CAPABILITIES AND COSTS FOR OPERATIONAL BOOST/ASCENT-PHASE MISSILE DEFENSE SYSTEMS.

(a) SECRETARY OF DEFENSE ASSESSMENT.—The Secretary of Defense shall conduct an assessment of the United States missile defense programs that are designed to provide capability against threat ballistic missiles in the boost/ascent phase of flight.

(b) PURPOSE.—The purpose of the assessment shall be to compare and contrast—

(1) capabilities of those programs (if operational) to defeat, while in the boost/ascent phase of flight, ballistic missiles launched from North Korea or a location in the Middle East against the continental United States, Alaska, or Hawaii; and

(2) asset requirements and costs for those programs to become operational with the capabilities referred to in paragraph (1).

(c) REPORT.—Not later than October 1, 2006, the Secretary shall submit to Congress a report providing the results of the assessment.

SEC. 232. ONE-YEAR EXTENSION OF COMPTROLLER GENERAL ASSESSMENTS OF BALLISTIC MISSILE DEFENSE PROGRAMS.

(a) EXTENSION.—Section 232(g) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 10 U.S.C. 2431 note) is amended—

(1) in paragraph (1), by striking "through 2006" and inserting "through 2007"; and

(2) in paragraph (2), by striking "through 2007" and inserting "through 2008".

(b) MODIFICATION OF SUBMITTAL DATE.—Paragraph (2) of such section is further amended by striking "February 15" and inserting "March 15".

SEC. 233. FIELDING OF BALLISTIC MISSILE DEFENSE CAPABILITIES.

Upon approval by the Secretary of Defense, funds authorized to be appropriated for fiscal years 2006 and 2007 for research, devel-

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

SEC. 234. PLANS FOR TEST AND EVALUATION OF OPERATIONAL CAPABILITY OF THE BALLISTIC MISSILE DEFENSE SYSTEM.

(a) TEST AND EVALUATION PLANS FOR BLOCKS.—

(1) PLANS REQUIRED.—With respect to block 06 and each subsequent block of the Ballistic Missile Defense System, the appropriate joint and service operational test and evaluation components of the Department of Defense concerned with the block shall prepare a plan, appropriate for the level of technological maturity of the block, to test, evaluate, and characterize the operational capability of the block.

(2) CONSULTATION AND REVIEW.—The preparation of each plan under this subsection shall be—

(A) carried out in coordination with the Missile Defense Agency; and

(B) subject to the review and approval of the Director of Operational Test and Evaluation.

(b) REPORTS ON TEST AND EVALUATION OF BLOCKS.—At the conclusion of the test and evaluation of block 06 and each subsequent block of the Ballistic Missile Defense System, the Director of Operational Test and Evaluation shall submit to the Secretary of Defense and the congressional defense committees a report providing—

(1) the assessment of the Director as to whether or not the test and evaluation was adequate to evaluate the operational capability of the block; and

(2) the characterization of the Director as to the operational effectiveness, suitability, and survivability of the block, as appropriate for the level of technological maturity of the block tested.

Subtitle D—High-Performance Defense Manufacturing Technology Research and Development

SEC. 241. PILOT PROGRAM FOR IDENTIFICATION AND TRANSITION OF ADVANCED MANUFACTURING PROCESSES AND TECHNOLOGIES.

(a) PILOT PROGRAM REQUIRED.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall conduct a pilot program under the authority of section 2521 of title 10, United States Code, to identify and transition advanced manufacturing processes and technologies the utilization of which would achieve significant productivity and efficiency gains in the defense manufacturing base.

(b) CONSIDERATION OF DEFENSE PRIORITIES.—In carrying out subsection (a), the Under Secretary shall take into consideration the defense priorities established in the most current Joint Warfighting Science and Technology plan, as required under section 270 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 10 U.S.C. 2501 note).

(c) IDENTIFICATION FOR TRANSITION.—In identifying manufacturing processes and technologies for transition to the defense manufacturing base under the pilot program, the Under Secretary shall select the most promising transformational technologies and manufacturing processes, in consultation with the Director of Defense Research and Engineering, the Joint Defense Manufacturing Technology Panel, and other such entities as may be appropriate, including the Director of the Small Business Innovation Research Program.

SEC. 242. TRANSITION OF TRANSFORMATIONAL MANUFACTURING PROCESSES AND TECHNOLOGIES TO DEFENSE MANUFACTURING BASE.

(a) PROTOTYPES AND TEST BEDS.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall undertake the development of prototypes and test beds to validate the manufacturing processes and technologies selected for transition under the pilot program under section 241.

(b) DIFFUSION OF ENHANCEMENTS.—The Under Secretary shall seek the cooperation of industry in adopting such manufacturing processes and technologies through the following:

(1) The Manufacturing Extension Partnership Program.

(2) The identification of incentives for industry to incorporate and utilize such manufacturing processes and technologies.

SEC. 243. MANUFACTURING TECHNOLOGY STRATEGIES.

(a) IN GENERAL.—The Under Secretary of Defense for Acquisition, Technology, and Logistics may—

(1) identify an area of technology where the development of an industry-prepared roadmap for new manufacturing and technology processes applicable to defense manufacturing requirements would be beneficial to the Department of Defense; and

(2) establish a task force, and act in cooperation, with the private sector to map the strategy for the development of manufacturing processes and technologies needed to support technology development in the area identified under paragraph (1).

(b) COMMENCEMENT OF ROADMAPPING.—The Under Secretary shall commence any roadmapping identified pursuant to subsection (a)(1) not later than January 2007.

SEC. 244. REPORT.

(a) IN GENERAL.—Not later than December 31, 2007, the Under Secretary of the Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees a report on the actions undertaken by the Under Secretary under this subtitle during fiscal year 2006.

(b) ELEMENTS.—The report under subsection (a) shall include—

(1) a comprehensive description of the actions undertaken under this subtitle during fiscal year 2006;

(2) an assessment of effectiveness of such actions in enhancing research and development on manufacturing technologies and processes, and the implementation of such within the defense manufacturing base; and

(3) such recommendations as the Under Secretary considers appropriate for additional actions to be undertaken in order to

increase the effectiveness of the actions undertaken under this subtitle in enhancing manufacturing activities within the defense manufacturing base.

SEC. 245. DEFINITIONS.

In this subtitle:

(1) DEFENSE MANUFACTURING BASE.—The term "defense manufacturing base" includes any supplier of the Department of Defense, including a supplier of raw materials.

(2) MANUFACTURING EXTENSION PARTNERSHIP PROGRAM.—The term "Manufacturing Extension Partnership Program" means the Manufacturing Extension Partnership Program of the Department of Commerce.

(3) SMALL BUSINESS INNOVATION RESEARCH PROGRAM.—The term "Small Business Innovation Research Program" has the meaning given that term in section 2500(11) of title 10, United States Code.

Subtitle E—Other Matters

SEC. 251. COMPTROLLER GENERAL REPORT ON PROGRAM ELEMENT STRUCTURE FOR RESEARCH, DEVELOPMENT, TEST, AND EVALUATION PROJECTS.

(a) REPORT REQUIRED.—The Comptroller General shall prepare a report containing assessments of—

(1) the current program element structure and content used to account for projects carried out, or proposed to be carried out, using amounts for research, development, test, and evaluation activities; and

(2) the effectiveness of such program elements, and related budget justification materials, in providing necessary information for budget transparency and oversight by the congressional defense committees.

(b) RECOMMENDATIONS.—The report required by subsection (a) shall also include such recommendations as the Comptroller General considers to be appropriate regarding program element size and content, budget justification material content, and appropriate reprogramming authorities within and between program elements, particularly in connection with highly complex research and development programs that employ the system-of-systems concept.

(c) SUBMISSION.— The report required by subsection (a) shall be submitted to the congressional defense committees not later than February 1, 2007.

SEC. 252. RESEARCH AND DEVELOPMENT EFFORTS FOR PURPOSES OF SMALL BUSINESS RESEARCH.

(a) IN GENERAL.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding at the end the following new subsections:

"(x) RESEARCH AND DEVELOPMENT FOCUS.—

"(1) REVISION AND UPDATE OF CRITERIA AND PROCEDURES OF IDENTIFICATION.—In carrying out subsection (g), the Secretary of Defense shall, not less often than once every 4 years, revise and update the criteria and procedures utilized to identify areas of the research and development efforts of the Department of Defense which are suitable for the provision of funds

under the Small Business Innovation Research Program and the Small Business Technology Transfer Program.

"(2) UTILIZATION OF PLANS.—The criteria and procedures described in paragraph (1) shall be developed through the use of the most current versions of the following plans:

"(A) The Joint Warfighting Science and Technology Plan required under section 270 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 10 U.S.C. 2501 note).

"(B) The Defense Technology Area Plan of the Department of Defense.

"(C) The Basic Research Plan of the Department of Defense.

"(3) INPUT IN IDENTIFICATION OF AREAS OF EFFORT.—The criteria and procedures described in paragraph (1) shall include input in the identification of areas of research and development efforts described in that paragraph from Department of Defense program managers (PMs) and program executive officers (PEOs).

"(y) COMMERCIALIZATION PILOT PROGRAM.—

"(1) IN GENERAL.—The Secretary of Defense and the Secretary of each military department is authorized to create and administer a 'Commercialization Pilot Program' to accelerate the transition of technologies, products, and services developed under the Small Business Innovation Research Program to Phase III, including the acquisition process.

"(2) IDENTIFICATION OF RESEARCH PROGRAMS FOR ACCELERATED TRANSITION TO ACQUISITION PROCESS.—In carrying out the Commercialization Pilot Program, the Secretary of Defense and the Secretary of each military department shall identify research programs of the Small Business Innovation Research Program that have the potential for rapid transitioning to Phase III and into the acquisition process.

"(3) LIMITATION.—No research program may be identified under paragraph (2) unless the Secretary of the military department concerned certifies in writing that the successful transition of the program to Phase III and into the acquisition process is expected to meet high priority military requirements of such military department.

"(4) FUNDING.—For payment of expenses incurred to administer the Commercialization Pilot Program under this subsection, the Secretary of Defense and each Secretary of a military department is authorized to use not more than an amount equal to 1 percent of the funds available to the Department of Defense or the military department pursuant to the Small Business Innovation Research Program. Such funds—

"(A) shall not be subject to the limitations on the use of funds in subsection (f)(2); and

"(B) shall not be used to make Phase III awards.

"(5) EVALUATIVE REPORT.—At the end of each fiscal year, the Secretary of Defense shall submit to the Committee on Armed Services and the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Armed Services and the Committee on Small Business of the House of Representatives an evaluative report regarding activities under

the Commercialization Pilot Program. The report shall include—

"(A) an accounting of the funds used in the Commercialization Pilot Program;

"(B) a detailed description of the Commercialization Pilot Program, including incentives and activities undertaken by acquisition program managers, program executive officers, and prime contractors; and

"(C) a detailed compilation of results achieved by the Commercialization Pilot Program, including the number of small business concerns assisted and the number of projects commercialized.

"(6) SUNSET.—The pilot program under this subsection shall terminate at the end of fiscal year 2009.".

(b) IMPLEMENTATION OF EXECUTIVE ORDER 13329.—Section 9 of the Small Business Act (15 U.S.C. 638), as amended by subsection (a), is further amended—

(1) in subsection (b)—

(A) in paragraph (6), by striking "and" at the end;

(B) in paragraph (7), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(8) to provide for and fully implement the tenets of Executive Order 13329 (Encouraging Innovation in Manufacturing).";

(2) in subsection (g)—

(A) in paragraph (9), by striking "and" at the end;

(B) in paragraph (10), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(11) provide for and fully implement the tenets of Executive Order 13329 (Encouraging Innovation in Manufacturing)."; and

(3) in subsection (o)—

(A) in paragraph (14), by striking "and" at the end;

(B) in paragraph (15), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(16) provide for and fully implement the tenets of Executive Order 13329 (Encouraging Innovation in Manufacturing).".

(c) TESTING AND EVALUATION AUTHORITY.—Section 9(e) of the Small Business Act (15 U.S.C. 638(e)) is amended—

(1) in paragraph (7), by striking "and" at the end;

(2) in paragraph (8), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(9) the term 'commercial applications' shall not be construed to exclude testing and evaluation of products, services, or technologies for use in technical or weapons systems, and further, awards for testing and evaluation of products, services, or technologies for use in technical or weapons systems may be made in either the second or the third phase of the Small Business Innovation Research Program and of the Small Business Technology Transfer Program, as defined in this subsection.".

SEC. 253. REVISED REQUIREMENTS RELATING TO SUBMISSION OF JOINT WARFIGHTING SCIENCE AND TECHNOLOGY PLAN.

(a) BIENNIAL SUBMITTAL.—Section 270 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 10 U.S.C. 2501 note) is amended—

*(1) by striking "**ANNUAL**" in the section heading and inserting "**BIENNIAL**"; and*

(2) by striking "(a) ANNUAL PLAN REQUIRED.—On March 1 of each year" and inserting "Not later than March 1 of each even-numbered year".

(b) REPEAL OF REQUIREMENT FOR INCLUSION OF TECHNOLOGY AREA REVIEW AND ASSESSMENT SUMMARIES WITH JWSTP.—Subsection (b) of such section is repealed.

(c) REQUIREMENT FOR SEPARATE REPORTS ON TECHNOLOGY AREA REVIEW AND ASSESSMENT SUMMARIES.—Whenever the Secretary of Defense provides for the conduct of a study referred to as a Technology Area Review and Assessment, the Secretary shall, not later than March 1 of the year following the year in which that study is conducted, submit to the congressional defense committees a report containing a summary of each such Technology Area Review and Assessment conducted during that year.

SEC. 254. REPORT ON EFFICIENCY OF NAVAL SHIPBUILDING INDUSTRY.

(a) ASSESSMENT OF EFFICIENCY OF NAVAL SHIPBUILDING INDUSTRY.—

(1) ASSESSMENT REQUIRED.—The Secretary of the Navy shall conduct an assessment of the United States naval shipbuilding industry to determine how worldwide shipbuilding industry best practices for innovation, design, and production technologies, processes, and infrastructure could be adopted to improve efficiency in the following areas:

(A) Program design, engineering, and production engineering.

(B) Organization and operating systems.

(C) Steelwork production.

(D) Ship construction and outfitting.

(2) CONTENTS OF ASSESSMENT.—The assessment under paragraph (1) shall include the following:

(A) An identification of any best practice of the worldwide shipbuilding industry that the United States naval shipbuilding industry has not adopted, the adoption of which would lower construction costs.

(B) The estimated cost of adopting any best practice identified under subparagraph (A) and any estimated return on an investment made by a shipyard to adopt such a best practice.

(C) Any recommendation of the Secretary to increase the efficiency of the United States naval shipbuilding industry.

(3) RELATION TO INDEPENDENT NAVY SHIP CONSTRUCTION ASSESSMENT.—The assessment under paragraph (1) shall occur subsequent to, and take into consideration the results of, the study of the cost effectiveness of the ship construction program of the Navy required by section 1014 of the Ronald W. Reagan

National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2041).

(b) REPORT.—Not later than April 1, 2006, the Secretary of the Navy shall submit to the congressional defense committees a report containing the Secretary's findings and conclusions based on the assessment under subsection (a).

SEC. 255. TECHNOLOGY TRANSITION.

(a) CLARIFICATION OF DUTIES OF TECHNOLOGY TRANSITION COUNCIL.—Paragraph (2) of section 2359a(g) of title 10, United States Code, is amended to read as follows:

"(2) The duty of the Council shall be to support the Under Secretary of Defense for Acquisition, Technology, and Logistics in developing policies to facilitate the rapid transition of technologies from science and technology programs into acquisition programs of the Department of Defense.".

(b) REPORT ON TECHNOLOGY TRANSITION.—

(1) REPORT REQUIRED.—The Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report concerning the challenges associated with technology transition from the science and technology programs of the Department of Defense to the acquisition programs of the Department of Defense. The Secretary shall include in the report a strategy to address those challenges. The Secretary shall prepare the report working through the Technology Transition Council of the Department of Defense established under section 2359a(g) of title 10, United States Code.

(2) MATTERS TO BE INCLUDED.—The report shall include the following:

(A) A description of any internal organizational barriers within the Department to technology transition between the technology development, acquisition, and operations components of the Department.

(B) An assessment of the effect of Department acquisition regulations on technology transition.

(C) An assessment of the effects of the requirements validation process and the planning, programming, budgeting, and execution processes of the Department on technology transition.

(D) A description of other challenges associated with technology transition in the Department that are identified by the Secretary.

(E) A Department-wide strategy for pursuing technology transition.

(F) Such recommendations as the Secretary considers appropriate to eliminate internal barriers within the Department to technology transition.

(3) SUBMITTAL DATE.—The report under paragraph (1) shall be submitted not later than nine months after the date of the enactment of this Act.

SEC. 256. PREVENTION, MITIGATION, AND TREATMENT OF BLAST INJURIES.

(a) DESIGNATION OF EXECUTIVE AGENT.—The Secretary of Defense shall designate an executive agent to be responsible for coordi-

nating and managing the medical research efforts and programs of the Department of Defense relating to the prevention, mitigation, and treatment of blast injuries.

(b) GENERAL RESPONSIBILITIES.—The executive agent designated under subsection (a) shall be responsible for—

(1) planning for the medical research and development projects, diagnostic and field treatment programs, and patient tracking and monitoring activities within the Department that relate to combat blast injuries;

(2) efficient execution of such projects, programs, and activities;

(3) enabling the sharing of blast injury health hazards and survivability data collected through such projects, programs, and activities with the programs of the Department of Defense;

(4) working with the Director, Defense Research and Engineering and the Secretaries of the military departments to ensure resources are adequate to also meet non-medical requirements related to blast injury prevention, mitigation, and treatment; and

(5) ensuring that a joint combat trauma registry is established and maintained for the purposes of collection and analysis of contemporary combat casualties, including casualties with traumatic brain injury.

(c) MEDICAL RESEARCH EFFORTS.—

(1) IN GENERAL.—The executive agent designated under subsection (a) shall review and assess the adequacy of medical research efforts of the Department of Defense as of the date of the enactment of this Act relating to the following:

(A) The characterization of blast effects leading to injury, including the injury potential of blasts in various environments.

(B) Medical technologies and protocols to more accurately detect and diagnose blast injuries, including improved discrimination between traumatic brain injuries and mental health disorders.

(C) Enhanced treatment of blast injuries in the field.

(D) Integrated treatment approaches for members of the Armed Forces who have a combination of traumatic brain injuries and mental health disorders or other injuries.

(E) Such other blast injury matters as the executive agent considers appropriate.

(2) REQUIREMENTS FOR RESEARCH EFFORTS.—Based on the assessment under paragraph (1), the executive agent shall establish requirements for medical research efforts described in that paragraph in order to enhance and accelerate those research efforts.

(3) OVERSIGHT OF RESEARCH EFFORTS.—The executive agent shall establish, coordinate, and oversee Department-wide medical research efforts relating to the prevention, mitigation, and treatment of blast injuries, as necessary, to fulfill requirements established under paragraph (2).

(d) OTHER RELATED RESEARCH EFFORTS.—The Director, Defense Research and Engineering, in coordination with the executive agent designated under subsection (a) and the Director of the Joint IED Defeat Task Force, shall—

(1) review and assess the adequacy of current research efforts of the Department on the prevention and mitigation of blast injuries;

(2) based on subsection (c)(1), establish requirements for further research; and

(3) address any deficiencies identified in paragraphs (1) and (2) by establishing, coordinating, and overseeing Department-wide research and development initiatives on the prevention and mitigation of blast injuries, including explosive detection and defeat and personnel and vehicle blast protection.

(e) STUDIES.—The executive agent designated under subsection (a) shall conduct studies on the prevention, mitigation, and treatment of blast injuries, including—

(1) studies to improve the clinical evaluation and treatment approach for blast injuries, with an emphasis on traumatic brain injuries and other consequences of blast injury, including acoustic and eye injuries and injuries resulting from over-pressure wave;

(2) studies on the incidence of traumatic brain injuries attributable to blast injury in soldiers returning from combat;

(3) studies to develop protocols for medical tracking of members of the Armed Forces for up to five years following blast injuries; and

(4) studies to refine and improve educational interventions for blast injury survivors and their families.

(f) TRAINING.—The executive agent designated under subsection (a), in coordination with the Director of the Joint IED Defeat Task Force, shall develop training protocols for medical and non-medical personnel on the prevention, mitigation, and treatment of blast injuries. Those protocols shall be intended to improve field and clinical training on early identification of blast injury consequences, both seen and unseen, including traumatic brain injuries, acoustic injuries, and internal injuries.

(g) INFORMATION SHARING.—The executive agent designated under subsection (a) shall make available the results of relevant medical research and development projects and studies to—

(1) Department of Defense programs focused on—

(A) promoting the exchange of blast health hazards data with blast characterization data and blast modeling and simulation tools; and

(B) encouraging the incorporation of blast hazards data into design and operational features of blast detection, mitigation, and defeat capabilities, such as comprehensive armor systems which provide blast, ballistic, and fire protection for the head, neck, ears, eyes, torso, and extremities; and

(2) traumatic brain injury treatment programs to enhance the evaluation and care of members of the Armed Forces with traumatic brain injuries in medical facilities in the United States and in deployed medical facilities, including those outside the Department of Defense.

(h) REPORTS ON BLAST INJURY MATTERS.—

(1) REPORTS REQUIRED.—Not later than 270 days after the date of the enactment of this Act, and annually thereafter through 2008, the Secretary of Defense shall submit to the Com-

mittee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the efforts and programs of the Department of Defense relating to the prevention, mitigation, and treatment of blast injuries.

(2) ELEMENTS.—Each report under paragraph (1) shall include the following:

(A) A description of the activities undertaken under this section during the two years preceding the report to improve the prevention, mitigation, and treatment of blast injuries.

(B) A consolidated budget presentation for Department of Defense biomedical research efforts and studies related to blast injury for the two fiscal years following the year of the report.

(C) A description of any gaps in the capabilities of the Department and any plans to address such gaps within biomedical research related to blast injury, blast injury diagnostic and treatment programs, and blast injury tracking and monitoring activities.

(D) A description of collaboration, if any, with other departments and agencies of the Federal Government, and with other countries, during the two years preceding the report in efforts for the prevention, mitigation, and treatment of blast injuries.

(E) A description of any efforts during the two years preceding the report to disseminate findings on the diagnosis and treatment of blast injuries through civilian and military research and medical communities.

(F) A description of the status of efforts during the two years preceding the report to incorporate blast injury effects data into appropriate programs of the Department of Defense and into the development of comprehensive force protection systems that are effective in confronting blast, ballistic, and fire threats.

(i) DEADLINE FOR DESIGNATION OF EXECUTIVE AGENT.—The Secretary shall make the designation required by subsection (a) not later than 90 days after the date of the enactment of this Act.

(j) BLAST INJURIES DEFINED.—In this section, the term "blast injuries" means injuries that occur as the result of the detonation of high explosives, including vehicle-borne and person-borne explosive devices, rocket-propelled grenades, and improvised explosive devices.

(k) EXECUTIVE AGENT DEFINED.—In this section, the term "executive agent" has the meaning provided such term in Department of Defense Directive 5101.1.

SEC. 257. MODIFICATION OF REQUIREMENTS FOR ANNUAL REPORT ON DARPA PROGRAM TO AWARD CASH PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.

Subsection (e) of section 2374a of title 10, United States Code, is amended to read as follows:

"(e) ANNUAL REPORT.—(1) Not later than March 1 each year, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the activities undertaken by the Director of the Defense Advanced Research

Projects Agency during the preceding fiscal year under the authority of this section.

"(2) The report for a fiscal year under this subsection shall include the following:

"(A) The results of consultations between the Director and officials of the military departments regarding the areas of research, technology development, or prototype development for which prizes would be awarded under the program under this section.

"(B) A description of the proposed goals of the competitions established under the program, including the areas of research, technology development, or prototype development to be promoted by such competitions and the relationship of such areas to the military missions of the Department.

"(C) The total amount of cash prizes awarded under the program, including a description of the manner in which the amounts of cash prizes awarded and claimed were allocated among the accounts of the Defense Advanced Research Projects Agency for recording as obligations and expenditures.

"(D) The methods used for the solicitation and evaluation of submissions under the program, together with an assessment of the effectiveness of such methods.

"(E) A description of the resources, including personnel and funding, used in the execution of the program, together with a detailed description of the activities for which such resources were used.

"(F) A description of any plans to transition the technologies or prototypes developed as a result of the program into acquisition programs of the Department.".

SEC. 258. DESIGNATION OF FACILITIES AND RESOURCES CONSTITUTING THE MAJOR RANGE AND TEST FACILITY BASE.

(a) DEPARTMENT OF DEFENSE TEST RESOURCE MANAGEMENT CENTER.—Section 196(h) of title 10, United States Code, is amended by striking "Director of Operational Test and Evaluation" and inserting "Secretary of Defense".

(b) INSTITUTIONAL FUNDING OF TEST AND EVALUATION ACTIVITIES.—Section 232(b)(1) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 116 Stat. 2490) is amended by striking "Director of Operational Test and Evaluation" and inserting "Secretary of Defense".

SEC. 259. REPORT ON COOPERATION BETWEEN DEPARTMENT OF DEFENSE AND NATIONAL AERONAUTICS AND SPACE ADMINISTRATION ON RESEARCH, DEVELOPMENT, TEST, AND EVALUATION ACTIVITIES.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Administrator of the National Aeronautics and Space Administration shall jointly submit to Congress a report setting forth the recommendations of the Secretary and the Administrator regarding cooperative activities between the Department of Defense and the National Aeronautics and Space Administration related to research, development, test, and evaluation on areas of mutual interest to the Department and the Administration.

(b) AREAS COVERED.—The areas of mutual interest to the Department of Defense and the National Aeronautics and Space Administration referred to in subsection (a) may include the following:

(1) Aeronautics research.

(2) Facilities, personnel, and support infrastructure.

(3) Propulsion and power technologies.

(4) Space access and operations, including responsive launch and small satellite development.

SEC. 260. DELAYED EFFECTIVE DATE FOR LIMITATION ON PROCUREMENT OF SYSTEMS NOT GPS-EQUIPPED.

(a) DELAYED EFFECTIVE DATE.—Section 152(b) of the National Defense Authorization Act for Fiscal Year 1994 (10 U.S.C. 2281 note) is amended by striking "After September 30, 2005" and inserting "After September 30, 2007".

(b) RATIFICATION OF ACTIONS.—The amendment made by subsection (a) shall be deemed to have taken effect at the close of September 30, 2005, and any obligation or expenditure of funds by the Department of Defense during the period beginning on October 1, 2005, and ending on the date of the enactment of this Act to modify or procure a Department of Defense aircraft, ship, armored vehicle, or indirect-fire weapon system that is not equipped with a Global Positioning System receiver is hereby ratified with respect to the provision of law specified in subsection (a).

SEC. 261. REPORT ON DEVELOPMENT AND USE OF ROBOTICS AND UNMANNED GROUND VEHICLE SYSTEMS.

(a) REPORT REQUIRED.—Not later than nine months after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees a report on the development and utilization of robotics and unmanned ground vehicle systems by the Department of Defense.

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

(1) A description of the utilization of robotics and unmanned ground vehicle systems in current military operations.

(2) A description of the manner in which the development of robotics and unmanned ground vehicle systems capabilities supports current major acquisition programs of the Department of Defense.

(3) A description, including budget estimates, of all Department programs and activities on robotics and unmanned ground vehicle systems for fiscal years 2004 through 2012, including the Joint Robotics Program and other programs and activities relating to research, development, test and evaluation, procurement, and operation and maintenance.

(4) A description of the long-term research and development strategy of the Department on technology for the development and integration of new robotics and unmanned ground vehicle systems capabilities in support of Department missions.

(5) A description of any planned demonstration or experimentation activities of the Department that will support the development and deployment of robotics and unmanned ground vehicle systems by the Department.

(6) A statement of the Department organizations currently participating in the development of new robotics or unmanned

ground vehicle systems capabilities, including the specific missions of each such organization in such efforts.

(7) A description of the activities of the Department to collaborate with industry, academia, and other government and nongovernmental organizations in the development of new capabilities in robotics and unmanned ground vehicle systems.

(8) An assessment of the short-term and long-term ability of the industrial base of the United States to support the production of robotics and unmanned ground vehicle systems to meet Department requirements.

(9) An assessment of the progress being made to achieve the goal established by section 220(a)(2) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–38) that, by 2015, one-third of operational ground combat vehicles be unmanned.

(10) An assessment of international research, technology, and military capabilities in robotics and unmanned ground vehicle systems.

(11) A description of the role and placement of the Joint Robotics Program in the Department.

(12) A description of the mechanisms of the Department for coordinating pre-systems development and demonstration funding for robotics and unmanned ground vehicle systems.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Operation and maintenance funding.
Sec. 302. Working capital funds.
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Sec. 385. Relation to other lands.

Subtitle A—Authorization of Appropriations

SEC. 301. OPERATION AND MAINTENANCE FUNDING.

Funds are hereby authorized to be appropriated for fiscal year 2006 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, in amounts as follows:

(1) For the Army, $24,686,295,000.
(2) For the Navy, $30,538,089,000.
(3) For the Marine Corps, $3,809,526,000.
(4) For the Air Force, $31,117,136,000.
(5) For Defense-wide activities, $18,550,169,000.
(6) For the Army Reserve, $1,992,542,000.

(7) For the Navy Reserve, $1,237,295,000.

(8) For the Marine Corps Reserve, $198,034,000.

(9) For the Air Force Reserve, $2,487,786,000.

(10) For the Army National Guard, $4,478,319,000.

(11) For the Air National Guard, $4,701,991,000.

(12) For the United States Court of Appeals for the Armed Forces, $11,236,000.

(13) For Environmental Restoration, Army, $407,865,000.

(14) For Environmental Restoration, Navy, $305,275,000.

(15) For Environmental Restoration, Air Force, $406,461,000.

(16) For Environmental Restoration, Defense-wide, $28,167,000.

(17) For Environmental Restoration, Formerly Used Defense Sites, $261,921,000.

(18) For Overseas Humanitarian, Disaster, and Civic Aid programs, $61,546,000.

(19) For Cooperative Threat Reduction programs, $415,459,000.

(20) For the Overseas Contingency Operations Transfer Fund, $20,000,000.

SEC. 302. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2006 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds in amounts as follows:

(1) For the Defense Working Capital Funds, $316,340,000.

(2) For the National Defense Sealift Fund, $1,657,717,000.

(3) For the Defense Working Capital Fund, Defense Commissary, $1,155,000,000.

SEC. 303. OTHER DEPARTMENT OF DEFENSE PROGRAMS.

(a) DEFENSE HEALTH PROGRAM.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2006 for expenses, not otherwise provided for, for the Defense Health Program, in the amount of $19,892,594,000, of which—

(1) $19,348,119,000 is for Operation and Maintenance;

(2) $169,156,000 is for Research, Development, Test, and Evaluation; and

(3) $375,319,000 is for Procurement.

(b) CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2006 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, in the amount of $1,425,827,000, of which—

(A) $1,241,514,000 is for Operation and Maintenance;

(B) $67,786,000 is for Research, Development, Test, and Evaluation; and

(C) $116,527,000 is for Procurement.

(2) USE.—Amounts authorized to be appropriated under paragraph (1) are authorized for—

(A) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(B) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

(c) DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2006 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, in the amount of $901,741,000.

(d) DEFENSE INSPECTOR GENERAL.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2006 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, in the amount of $209,687,000, of which—

(1) $208,687,000 is for Operation and Maintenance; and

(2) $1,000,000 is for Procurement.

Subtitle B—Environmental Provisions

SEC. 311. ELIMINATION AND SIMPLIFICATION OF CERTAIN ITEMS REQUIRED IN THE ANNUAL REPORT ON ENVIRONMENTAL QUALITY PROGRAMS AND OTHER ENVIRONMENTAL ACTIVITIES.

Section 2706(b)(2) of title 10, United States Code, is amended—

(1) by striking subparagraphs (D) and (E);

(2) by inserting after subparagraph (C) the following new subparagraph:

"(D) A summary of fines and penalties imposed or assessed against the Department of Defense and the military departments under Federal, State, or local environmental laws during the fiscal year in which the report is submitted and the four preceding fiscal years, which summary shall include—

"(i) a trend analysis of such fines and penalties for military installations inside and outside the United States; and

"(ii) a list of such fines or penalties that exceeded $1,000,000 and the provisions of law under which such fines or penalties were imposed or assessed."; and

(3) by redesignating subparagraph (F) as subparagraph (E) and, in such subparagraph, by striking "and amounts for conferences" and all that follows through "such activities".

SEC. 312. PAYMENT OF CERTAIN PRIVATE CLEANUP COSTS IN CONNECTION WITH DEFENSE ENVIRONMENTAL RESTORATION PROGRAM.

(a) ACTIVITIES AT FORMER DEFENSE PROPERTY SUBJECT TO COVENANT FOR ADDITIONAL REMEDIAL ACTION.—Section 2701(d) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting "any owner of covenant property," after "any Indian tribe,"; and

(B) by inserting "owner," after ", Indian tribe,";

(2) in paragraph (3), by adding at the end the following new sentence: "An agreement under such paragraph with re-

spect to a site also may not change the cleanup standards selected for the site pursuant to law.";

(3) in paragraph (4), by adding at the end the following new subparagraph:

"(C) The term 'owner of covenant property' means an owner of property subject to a covenant provided by the United States in accordance with the requirements of paragraphs (3) and (4) of section 120(h) of CERCLA (42 U.S.C. 9620(h)), so long as the covenant property is the site at which the services procured under paragraph (1) are to be performed."; and

(4) by adding at the end the following new paragraph:

"(5) SAVINGS CLAUSE.—Nothing in this subsection affects the applicability of section 120 of CERCLA (42 U.S.C. 6920) to the Department of Defense or the obligations and responsibilities of the Department of Defense under subsection (h) of such section.".

(b) SOURCE OF FUNDS FOR FORMER BRAC PROPERTY SUBJECT TO COVENANT FOR ADDITIONAL REMEDIAL ACTION.—Section 2703 of such title is amended—

(1) in subsection (g)(1), by striking "The sole source" and inserting "Except as provided in subsection (h), the sole source"; and

(2) by adding at the end the following new subsection:

"(h) SOLE SOURCE OF FUNDS FOR ENVIRONMENTAL REMEDIATION AT CERTAIN BASE REALIGNMENT AND CLOSURE SITES.—In the case of property disposed of pursuant to a base closure law and subject to a covenant that was required to be provided by paragraphs (3) and (4) of section 120(h) of CERCLA (42 U.S.C. 9620(h)), the sole source of funds for services procured under subsection 2701(d)(1) of this title shall be the applicable Department of Defense base closure account. The limitation in this subsection shall expire upon the closure of the applicable base closure account.".

Subtitle C—Workplace and Depot Issues

SEC. 321. MODIFICATION OF AUTHORITY OF ARMY WORKING-CAPITAL FUNDED FACILITIES TO ENGAGE IN COOPERATIVE ACTIVITIES WITH NON-ARMY ENTITIES.

(a) APPLICABILITY OF SUNSET.—Subsection (j) of section 4544 of title 10, United States Code, is amended by striking "September 30, 2009," and all that follows through the end and inserting "September 30, 2009.".

(b) CREDITING OF PROCEEDS OF SALE OF ARTICLES AND SERVICES.—Such section is further amended—

(1) in subsection (d), by striking "subsection (e)" and inserting "subsection (f)";

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

(3) by inserting after subsection (d) the following new subsection (e):

"(e) PROCEEDS CREDITED TO WORKING CAPITAL FUND.—The proceeds received from the sale of an article or service pursuant to a contract or other cooperative arrangement under this section shall

be credited to the working capital fund that incurs the cost of manufacturing the article or performing the service."; and

(4) in subsection (g), as redesignated by paragraph (2), by striking "subsection (e)" and inserting "subsection (f)".

SEC. 322. LIMITATION ON TRANSITION OF FUNDING FOR EAST COAST SHIPYARDS FROM FUNDING THROUGH NAVY WORKING CAPITAL FUND TO DIRECT FUNDING.

(a) LIMITATION.—The Secretary of the Navy may not convert funding for the shipyards of the Navy on the east coast of the United States from funding through the working capital fund of the Navy to funding on a direct basis (also known as "mission funding") before October 1, 2006.

(b) REPORT ON DIRECT FUNDING FOR PUGET SOUND NAVAL SHIPYARD.—

(1) REPORT REQUIRED.—Not later than March 1, 2006, the Secretary shall submit to the congressional defense committees a report that contains the assessment of the Secretary on the effects on Puget Sound Naval Shipyard, Washington, of the conversion of that shipyard from funding through the working capital fund of the Navy to funding on a direct basis.

(2) MATTERS TO BE INCLUDED.—The report under paragraph (1) shall address the effect of the conversion of Puget Sound Naval Shipyard to direct funding on each of the following:

(A) The cost visibility of specific work performed.

(B) The total cost of consolidated ship maintenance operations on an ongoing basis.

(C) The ability to distinguish between depot and intermediate work of consolidated ship maintenance activities.

(D) The costs associated with buyout expenses for the transfer of the shipyards of the Navy on the east coast of the United States from funding through the working capital fund of the Navy to funding on a direct basis.

(E) The flexibility of the shipyard to continue routine ship maintenance operations during a potential funding gap at the beginning of a fiscal year or when expected maintenance costs exceed annual appropriations.

(F) Operational and financial flexibility and responsiveness of funding on a direct basis compared to funding through the working capital fund of the Navy.

(G) Long-term funding for the capital improvement programs of the shipyard.

(H) Compliance with section 2460 of title 10, United States Code, which defines the work that is considered to be depot-level maintenance and repair versus work that is considered to be a major modification of a weapons system.

(I) Compliance with section 2466 of title 10, United States Code, which limits the amount of depot-level maintenance and repair workload of the Department of Navy that is performed by non-Federal Government personnel in any fiscal year to not more than 50 percent of the total depot workload reported to the Department in that fiscal year.

(J) Compliance with sections 1115 and 1116 of title 31, United States Code, which require agencies to set annual

performance goals, measure performance toward the achievement of those goals, and publicly report on progress.

(K) Compliance with chapter 35 of title 31, United States Code, which requires audited financial statements to include the ability to properly charge and account for reimbursable workload.

(3) GOVERNMENT ACCOUNTABILITY OFFICE REVIEW.—Not later than 60 days after the date on which the report required under paragraph (1) is submitted, the Comptroller General shall submit to the congressional defense committees a review of the report, which shall include the Comptroller General's assessment of whether the report adequately addresses each of the matters specified under paragraph (2).

(c) REPORT ON PROPOSED CONGRESSIONAL BUDGET EXHIBITS FOR NAVY MISSION-FUNDED SHIPYARDS.—

(1) REPORT REQUIRED.—Not later than March 1, 2006, the Secretary shall submit to the congressional defense committees a report that proposes congressional budget exhibits for use in connection with the funding of Navy shipyards on a direct basis.

(2) MATTERS TO BE INCLUDED.—The report under paragraph (1) shall comprehensively address the following:

(A) The establishment of annual categories, metrics, and measurements to objectively compare the performance of each shipyard over time with respect to the following:

(i) Schedule adherence.

(ii) Quality of work.

(iii) Cost management.

(iv) Administrative efficiency.

(v) Number of hulls for which repairs are completed during the fiscal year.

(vi) Number of hulls that are in the process of being repaired at the end of the fiscal year.

(B) Capital replenishment for each shipyard.

(C) Workload indicators to determine whether each shipyard is effectively utilized.

(D) Annual budget management reports to enable effective monitoring of each shipyard with respect to the following:

(i) Obligation authority from Department of the Navy accounts, including operation and maintenance funds for the Atlantic Fleet, the Pacific Fleet, and the Naval Sea Systems Command and procurement funds for the Navy shipbuilding and conversion account and the other procurement accounts.

(ii) Obligation authority provided by reimbursement from non-Department of the Navy sources, including other Department of Defense accounts, foreign military sales accounts, other Federal Government agency accounts, and non-Federal Government sources.

(iii) Costs and expenses of military personnel, civilian personnel, materiels, contracts, travel, supplies, overhead, and other costs.

(iv) Capital expenditures.

(v) Military construction.

(vi) Base operating support.

(vii) Facilities sustainment, restoration, and modernization.

(viii) Personnel and labor management, including military end strengths, civilian end strengths, military man-days, and civilian man-days.

(3) CONGRESSIONAL BUDGET OFFICE REVIEW.—Not later than 60 days after the date on which the report required under paragraph (1) is submitted, the Director of the Congressional Budget Office shall submit to the congressional defense committees a review of the report, which shall include the Director's assessment of whether the report comprehensively addresses each of the matters specified in subparagraphs (A) through (D) of paragraph (2).

SEC. 323. ARMAMENT RETOOLING AND MANUFACTURING SUPPORT INITIATIVE MATTERS.

(a) INCLUSION OF ADDITIONAL FACILITIES WITHIN ARMS INITIATIVE.—Section 4551(2) of title 10, United States Code, is amended by inserting ", or a Government-owned, contractor-operated depot for the storage, maintenance, renovation, or demilitarization of ammunition," after "manufacturing facility".

(b) ADDITIONAL CONSIDERATION FOR USE OF FACILITIES.—Section 4554(b)(2) of such title is amended by adding at the end the following new subparagraph:

"(D) The demilitarization and storage of conventional ammunition.".

(c) ADDITIONAL POLICY OBJECTIVES WITH RESPECT TO AMMUNITION FACILITIES AND CAPACITY.—Section 4552 of such title is amended in paragraphs (1) and (8) by inserting ", storage, maintenance, renovation, and demilitarization" after "manufacturing".

(d) BROADENING OF PURPOSE OF ARMS INITIATIVE WITH RESPECT TO WORK FORCE SKILLS.—Section 4533(b)(3) of such title is amended by striking "in manufacturing processes that are".

SEC. 324. SENSE OF CONGRESS REGARDING DEPOT MAINTENANCE.

(a) FINDINGS.—Congress finds the following:

(1) The Depot Maintenance Strategy and Master Plan of the Air Force reflects the essential requirements for the Air Force to maintain a ready and controlled source of organic technical competence, thereby ensuring an effective and timely response to national defense contingencies and emergency requirements.

(2) Since the publication of the Depot Maintenance Strategy and Master Plan of the Air Force in 2002, the Air Force has made great progress toward modernizing all three of its depots, in order to maintain the status of those depots as "world class" maintenance repair and overhaul operations.

(3) One of the central components of the Depot Maintenance Strategy and Master Plan of the Air Force is the commitment of the Air Force to allocate $150,000,000 each fiscal year for six years, beginning in fiscal year 2004, for recapitalization and investment, including the procurement of technologically advanced facilities and equipment, of the Nation's three Air Force depots.

(4) The funds expended to date have ensured that transformation projects, such as the initial implementation of "Lean" and "Six Sigma" production techniques, have achieved great success in reducing the time necessary to perform depot maintenance on aircraft.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Air Force should be commended for the implementation of its Depot Maintenance Strategy and Master Plan and, in particular, meeting the capital investment strategy pursuant to the Plan; and

(2) the Air Force should remain committed to the depot maintenance process improvement initiatives and the investments and recapitalization projects pursuant to the Depot Maintenance Strategy and Master Plan.

Subtitle D—Extension of Program Authorities

SEC. 331. EXTENSION OF AUTHORITY TO PROVIDE LOGISTICS SUPPORT AND SERVICES FOR WEAPONS SYSTEMS CONTRACTORS.

Section 365(g)(1) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 116 Stat. 2521; 10 U.S.C. 2302 note) is amended by striking "September 30, 2007" and inserting "September 30, 2010".

SEC. 332. EXTENSION OF PERIOD FOR REIMBURSEMENT FOR CERTAIN PROTECTIVE, SAFETY, OR HEALTH EQUIPMENT PURCHASED BY OR FOR MEMBERS OF THE ARMED FORCES DEPLOYED IN CONTINGENCY OPERATIONS.

(a) EXTENSION.—Section 351(a)(3) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1857) is amended by striking "July 31, 2004" and inserting "April 1, 2006".

(b) FUNDING.—Amounts for reimbursements made under section 351 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 after the date of the enactment of this Act shall be derived from supplemental appropriations for the Department of Defense for fiscal year 2006 for military operations in Iraq and Afghanistan and the Global War on Terrorism, contingent upon such appropriations being enacted.

Subtitle E—Outsourcing

SEC. 341. PUBLIC-PRIVATE COMPETITION.

(a) PUBLIC-PRIVATE COMPETITION REQUIRED PRIOR TO CONVERSION OF CERTAIN DEPARTMENT OF DEFENSE FUNCTIONS.—Subsection (a) of section 2461 of title 10, United States Code, is amended to read as follows:

"(a) PUBLIC-PRIVATE COMPETITION.—(1) A function of the Department of Defense performed by 10 or more Department of Defense civilian employees may not be converted, in whole or in part, to performance by a contractor unless the conversion is based on the results of a public-private competition that—

"(A) formally compares the cost of performance of the function by Department of Defense civilian employees with the cost of performance by a contractor;

"(B) creates an agency tender, including a most efficient organization plan, in accordance with Office of Management and Budget Circular A–76, as implemented on May 29, 2003;

"(C) includes the issuance of a solicitation;

"(D) determines whether the submitted offers meet the needs of the Department of Defense with respect to factors other than cost, including quality and reliability;

"(E) examines the cost of performance of the function by Department of Defense civilian employees and the cost of performance of the function by one or more contractors to demonstrate whether converting to performance by a contractor will result in savings to the Government over the life of the contract, including—

"(i) the estimated cost to the Government (based on offers received) for performance of the function by a contractor;

"(ii) the estimated cost to the Government for performance of the function by Department of Defense civilian employees; and

"(iii) an estimate of all other costs and expenditures that the Government would incur because of the award of such a contract;

"(F) requires continued performance of the function by Department of Defense civilian employees unless the difference in the cost of performance of the function by a contractor compared to the cost of performance of the function by Department of Defense civilian employees would, over all performance periods required by the solicitation, be equal to or exceed the lesser of—

"(i) 10 percent of the personnel-related costs for performance of that function in the agency tender; or

"(ii) $10,000,000; and

"(G) examines the effect of performance of the function by a contractor on the military mission associated with the performance of the function.

"(2) A function that is performed by the Department of Defense and is reengineered, reorganized, modernized, upgraded, expanded, or changed to become more efficient, but still essentially provides the same service, shall not be considered a new requirement.

"(3) In no case may a function being performed by Department of Defense personnel be—

"(A) modified, reorganized, divided, or in any way changed for the purpose of exempting the conversion of the function from the requirements of this section; or

"(B) converted to performance by a contractor to circumvent a civilian personnel ceiling.".

(b) CONGRESSIONAL NOTIFICATION.—Subsection (b) of such section is amended—

(1) in paragraph (1)—

(A) by striking "to analyze" and all that follows through "private sector" and inserting "a public-private competition under subsection (a)";

(B) in subparagraph (A), by striking "to be analyzed for possible change" and inserting "for which such public-private competition is to be conducted";

(C) in subparagraph (C), by inserting "Department of Defense" before "civilian employee";

(D) in subparagraph (D), by striking "the analysis" both places it appears and inserting "the public-private competition"; and

(E) in subparagraph (E)—

(i) by striking "commercial or industrial type" before "function"; and

(ii) by striking "persons who are not civilian employees of the Department of Defense" and inserting "a contractor";

(2) by striking paragraphs (2) and (3) and inserting the following new paragraph (2):

"(2) The report required under paragraph (1) shall include an examination the potential economic effect of performance of the function by a contractor on—

"(A) Department of Defense civilian employees who would be affected by such a conversion in performance; and

"(B) the local community and the Government, if more than 50 Department of Defense civilian employees perform the function.";

(3) by redesignating paragraph (4) as paragraph (3); and

(4) in paragraph (3), as so redesignated—

(A) in subparagraph (A)—

(i) by striking "where a commercial" and all that follows through "performance" and inserting "where a public-private competition is conducted"; and

(ii) by striking "the analysis" both places it appears and inserting "the public private competition"; and

(B) in subparagraph (B), by striking "the commercial" and all that follows through "to which objected" and inserting "the function for which the public-private competition was conducted for which the objection was submitted".

(c) CONSOLIDATION AND RESTATEMENT OF REPORTING PROVISIONS.—

(1) CONSOLIDATION AND RESTATEMENT.—Section 2462 of such title is amended to read as follows:

"§ 2462. Reports on public-private competition

"(a) REPORT ON PUBLIC-PRIVATE COMPETITION RESULTS.—(1) Upon the completion of a public-private competition under section 2461 of this title, the Secretary of Defense shall submit to Congress a report containing the results of the public-private competition required by subsection (a) of such section.

"(2) Each report under this subsection shall include the following:

"(A) The date on which the public-private competition was commenced.

"(B) The number of Department of Defense civilian employees who were performing the function when the public-private competition was commenced and the number of such employees

whose employment was or will be terminated or otherwise affected by converting to performance of the function by a contractor or by implementation of the most efficient organization of the function.

"(C) The Secretary's certification that the Government's calculation of the cost of performance of the function by Department of Defense civilian employees is based on an estimate of the most cost effective manner for performance of the function by Department of Defense civilian employees that meets the needs of the Department with respect to factors other than cost, including quality and reliability.

"(D) The Secretary's certification that the public-private competition did not include any predetermined personnel constraint or limitation in terms of man years, end strength, full-time equivalent positions, or maximum number of employees.

"(E) The Secretary's certification that the entire public-private competition is available for examination.

"(F) In the case of a function performed at a Center of Industrial and Technical Excellence designated under section 2474(a) of this title or an Army ammunition plant, a description of the effect that the manner of performance of the function, and administration of the resulting contract if any, will have on the overhead costs of the center or ammunition plant, as the case may be.

"(G) A schedule for implementing the results of the public-private competition.

"(3)(A) No decision made on the basis of a public-private competition under section 2461 of this title may be implemented until after the submission of a report under paragraph (1).

"(B) Notwithstanding subparagraph (A), in the case of function performed at a Center of Industrial and Technical Excellence designated under section 2474(a) of this title or an Army ammunition plant, the conversion of the function to performance by a contractor may not begin until at least 60 days after the submission of a report under paragraph (1).

"(b) ANNUAL REPORT.—Not later than June 30 of each year, the Secretary of Defense shall submit to Congress a written report, which shall include the following:

"(1) An estimate of the percentage of functions (other than functions that are inherently governmental) that Department of Defense civilian employees will perform and an estimate of the percentage of such functions that contractors will perform during the fiscal year during which the report is submitted.

"(2) The results of public-private competitions conducted under section 2461 of this title that were completed during the preceding fiscal year, including each of the following:

"(A) The number of such competitions completed during such fiscal year and the number of Department of Defense civilian employees performing functions for which such a competition was conducted.

"(B) The percentage of such competitions that resulted in the continued performance of a function by Department of Defense civilian employees.

"(C) The percentage of such competitions that resulted in the conversion of a function to performance by a contractor.

"(D) The percentage of the Department of Defense civilian employees identified pursuant to subparagraph (A) whose positions will be converted to performance by contractors or eliminated as a result of implementing the results of such competitions.

"(3) The results of monitoring the performance of Department functions under section 2461a of this title, including for each function subject to monitoring, each of the following:

"(A) The cost of the public-private competition conducted under section 2461 of this title.

"(B) The cost of performing the function before such competition compared to the costs incurred after implementing the conversion, reorganization, or reengineering actions recommended pursuant to the competition.

"(C) The actual savings derived from the implementation of the recommendations made pursuant to such competition, if any, compared to the anticipated savings that were to result from the conversion, reorganization, or reengineering actions.".

(2) WAIVER FOR SMALL FUNCTIONS AND CONFORMING AMENDMENTS.—Section 2461 of such title, as amended by subsections (a) and (b), is further amended—

(A) by striking subsections (c), (d), (f) and (g); and

(B) by redesignating subsections (e) and (h) as subsections (c) and (d) respectively.

(3) CORRECTION OF TERMINOLOGY.—The heading for subsection (c) of such section, as redesignated by paragraph (2), is amended by striking "WAIVER" and inserting "EXEMPTION".

(d) PERFORMANCE MONITORING.—Section 2461a of such title is amended—

(1) by striking subsections (a), (c), and (d);

(2) by redesignating subsections (b) and (e) as subsections (a) and (b) respectively;

(3) in subsection (a), as so redesignated—

(A) in paragraph (1)—

(i) by striking "establish a system for monitoring" and inserting "monitor"; and

(ii) by striking "a workforce review" and inserting "a public-private competition conducted under section 2461 of this title";

(B) in paragraph (2), by striking all and inserting the following:

"(2) In carrying out paragraph (1), the Secretary shall—

"(A) compare the cost of performing the function before the public-private competition to the cost of performing the function after the implementation of the results of the public-private competition; and

"(B) identify any actual savings of the Department of Defense after the implementation of the results of the public-private competition and compare such savings to the estimated savings identified pursuant to section 2461(a)(1)(E) of this title for that public-private competition;"; and

(C) in paragraph (3), by inserting "pursuant to such a public-private competition" after "reengineering of the function"; and

(4) in subsection (b), as so redesignated, by striking "workforce reviews" and inserting "public-private competitions conducted under section 2461 of this title".

(e) INAPPLICABILITY TO BEST-VALUE SOURCE SELECTION PILOT PROGRAM.—Subsection (a)(1)(E) of section 2461 of title 10, United States Code, as amended by subsection (a), shall not apply with respect to the pilot program for best-value source selection for performance of information technology services authorized by section 336 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 117 Stat. 1444; 10 U.S.C. 2461 note).

(f) REPEAL OF REDUNDANT PROVISION.—Section 2463 of such title is repealed.

(g) CLERICAL AND CONFORMING AMENDMENTS.—

(1) SECTION 2461.—Section 2461(c) of such title, as redesignated by subsection (c), is amended by striking "Subsections (a) through (c) and subsection (g)" and inserting "This section".

(2) HEADINGS.—

(A) 2461.—The heading for section 2461 of such title is amended to read as follows:

"§ 2461. Public-private competition required before conversion to contractor performance".

(B) 2461(b).—The heading for subsection (b) of such section is amended to read as follows:

"(b) CONGRESSIONAL NOTIFICATION.—".

(C) 2461a.—The heading for section 2461a of such title is amended to read as follows:

"§ 2461a. Development and implementation of system for monitoring cost saving resulting from public-private competitions".

(3) PUBLIC LAW 108–375.—Section 327 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 10 U.S.C. 2461 note) is repealed.

(4) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 146 of title 10, United States Code, is amended by striking the items relating to sections 2461 through 2463 and inserting the following new items:

"2461. Public-private competition required before conversion to contractor performance.
"2461a. Development and implementation of system for monitoring cost saving resulting from public-private competitions.
"2462. Reports on public-private competition.".

SEC. 342. CONTRACTING FOR PROCUREMENT OF CERTAIN SUPPLIES AND SERVICES.

Section 8014(a)(3) of the Department of Defense Appropriations Act, 2005 (Public law 108–287; 118 Stat. 972) is amended—

(1) in subparagraph (A), by inserting ", payment that could be used in lieu of such a plan, health savings account, or medical savings account" after "health insurance plan"; and

(2) in subparagraph (B), by striking "that requires" and all that follows through the end and inserting "that does not comply with the requirements of any Federal law governing the pro-

vision of health care benefits by Government contractors that would be applicable if the contractor performed the activity or function under the contract.".

SEC. 343. PERFORMANCE OF CERTAIN WORK BY FEDERAL GOVERNMENT EMPLOYEES.

(a) GUIDELINES.—

(1) IN GENERAL.—The Secretary of Defense shall prescribe guidelines and procedures for ensuring that consideration is given to using Federal Government employees for work that is currently performed or would otherwise be performed under Department of Defense contracts.

(2) CRITERIA.—The guidelines and procedures prescribed under paragraph (1) shall provide for special consideration to be given to contracts that—

(A) have been performed by Federal Government employees at any time on or after October 1, 1980;

(B) are associated with the performance of inherently governmental functions;

(C) were not awarded on a competitive basis; or

(D) have been determined by a contracting officer to be poorly performed due to excessive costs or inferior quality.

(b) USE OF FLEXIBLE HIRING AUTHORITY.—The Secretary shall include the use of the flexible hiring authority available through the National Security Personnel System in order to facilitate performance by Federal Government employees of new requirements and work that is performed under Department of Defense contracts.

(c) DEFINITIONS.—In this section:

(1) The term "National Security Personnel System" means the human resources management system established under the authority of section 9902 of title 5, United States Code.

(2) The term "inherently governmental function" has the meaning given that term in section 5 of the Federal Activities Inventory Reform Act of 1998 (Public Law 105–270; 112 Stat. 2384; 31 U.S.C. 501 note).

SEC. 344. EXTENSION OF TEMPORARY AUTHORITY FOR CONTRACTOR PERFORMANCE OF SECURITY-GUARD FUNCTIONS.

Section 332(c) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 116 Stat. 2513) is amended—

(1) by striking "2006" each place it appears and inserting "2007"; and

(2) in paragraph (1), by striking ", except that" and all that follows through the end and inserting a period.

Subtitle F—Analysis, Strategies, and Reports

SEC. 351. REPORT ON DEPARTMENT OF ARMY PROGRAMS FOR PREPOSITIONING OF EQUIPMENT AND OTHER MATERIEL.

(a) SECRETARY OF ARMY ASSESSMENT.—The Secretary of the Army shall conduct an assessment of the programs of the Department of Army for the prepositioning of equipment and other materiel stocks. The assessment shall focus on how such programs are

configured to support the evolving goals of the Department of Army and shall include an identification of each of the following:

(1) The key operational capabilities currently available in both the afloat and ashore prepositioned stocks of the Army, organized by geographic region, including inventory levels in brigade sets, operational projects, and sustainment programs.

(2) Any significant shortfalls that exist in such stocks, particularly in combat and support equipment, spare parts, and munitions, and how the Army would mitigate those shortfalls in the event of a new conflict.

(3) The maintenance condition of prepositioned equipment and supplies, especially the key "pacing" items in brigade sets, including the percentage currently maintained at the Technical Manual -10/20 standard required by the Army.

(4) The percentage of required cyclic maintenance performed on all stocks for each of fiscal years 2003, 2004, and 2005, and the quality control procedures used to ensure that such maintenance was completed according to Army standards.

(5) Whether the oversight mechanisms and internal management reports of the Army with respect to such stocks are adequate and ensure an accurate portrayal of the readiness of such stocks.

(6) The funding allocated and expended for prepositioning programs for each fiscal year beginning with fiscal year 2000, organized by region, and an assessment of whether the funding levels for such programs have been adequate to maintain program readiness.

(7) The facilities used to store and maintain brigade sets, organized by region, and whether those facilities provide adequate (or excess) capacity for the current and future mission.

(8) The current funding for the war reserve, the sufficiency of the war reserve inventory, and the effect of the war reserve on the ability of the Army to conduct operations.

(b) REPORT.—Not later than March 1, 2006, the Secretary shall submit to Congress a report on the assessment under subsection (a). The report shall include each of the matters specified in paragraphs (1) through (8) of that subsection.

(c) COMPTROLLER GENERAL REVIEW.—Not later than 120 days after the date of the receipt of the report under subsection (b), the Comptroller General shall submit to Congress a review of the assessment conducted by the Secretary of the Army under subsection (a). The review under this subsection shall include the following:

(1) The Comptroller General's assessment of whether the assessment by the Secretary of the Army under subsection (a) comprehensively addresses each of the matters specified in paragraphs (1) through (8) of that subsection.

(2) The extent to which any shortfall or other issue reported by the Secretary of the Army or identified by the Comptroller General has been addressed and an assessment of any plan to address any remaining such shortfalls in the future.

SEC. 352. REPORTS ON BUDGET MODELS USED FOR BASE OPERATIONS SUPPORT, SUSTAINMENT, AND FACILITIES RECAPITALIZATION.

(a) REPORTS REQUIRED.—Not later than March 30 of each of the calendar years 2006 through 2010, the Secretary of Defense

shall submit to the congressional defense committees a report describing the models used to prepare the budget requests for base operations support, sustainment, and facilities recapitalization submitted to Congress by the President under section 1105(a) of title 31, United States Code, for the next fiscal year.

(b) CONTENT OF REPORTS.—The report for a fiscal year under subsection (a) shall include the following:

(1) An explanation of the methodology used to develop each model and, if there have been any changes to the methodology since the previous report, an explanation of the changes and the reasons therefor.

(2) A description of the items contained in each model.

(3) An explanation of whether the models are being applied to each military department and Defense Agency under common definitions of base operations support, sustainment, and facilities recapitalization and, if common definitions are not being used, an explanation of the differences and the reasons therefor.

(4) A description of the requested funding levels for base operations support, sustainment, and facilities recapitalization for the fiscal year covered by the report and the funding goals established for base operations support, sustainment, and facilities recapitalization for at least the four succeeding fiscal years.

(5) If the requested funding levels for base operations support, sustainment, and facilities recapitalization for the fiscal year covered by the report deviate from the goals for that fiscal year contained in the preceding report, or the funding goals established for succeeding fiscal years deviate from the goals for those fiscal years contained in the preceding report, a justification for the funding levels and goals and an explanation of the reasons for the changes from the preceding report.

SEC. 353. ARMY TRAINING STRATEGY FOR BRIGADE-BASED COMBAT TEAMS AND FUNCTIONAL SUPPORTING BRIGADES.

(a) TRAINING STRATEGY.—

(1) STRATEGY REQUIRED.—The Secretary of the Army shall develop and implement a strategy for the training of brigade-based combat teams and functional supporting brigades in order to ensure the readiness of such teams and brigades.

(2) ELEMENTS.—The training strategy under paragraph (1) shall include the following:

(A) A statement of the purpose of training for brigade-based combat teams and functional supporting brigades.

(B) Performance goals for both active-component and reserve-component brigade-based combat teams and functional supporting brigades, including goals for live, virtual, and constructive training.

(C) Metrics to quantify training performance against the performance goals specified under subparagraph (B).

(D) A process to report the status of collective training to Army leadership for monitoring the training performance of brigade-based combat teams and functional supporting brigades.

(E) A model to quantify, and to forecast, operation and maintenance funding required for each fiscal year to attain the performance goals specified under subparagraph (B).

(3) TIMING OF IMPLEMENTATION.—The Secretary of the Army shall develop and implement the training strategy under paragraph (1) as soon as practicable.

(b) REPORT.—

(1) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report on the training strategy developed under subsection (a).

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) A discussion of the training strategy developed under subsection (a), including a description of the performance goals and metrics developed under that subsection.

(B) A discussion and description of the training ranges and other essential elements required to support the training strategy.

(C) A list of the funding requirements, shown by fiscal year and set forth in a format consistent with the future-years defense program to accompany the budget of the President under section 221 of title 10, United States Code, necessary to meet the requirements of the training ranges and other essential elements described under subparagraph (B).

(D) A schedule for the implementation of the training strategy.

(c) COMPTROLLER GENERAL REVIEW OF IMPLEMENTATION.—

(1) IN GENERAL.—The Comptroller General shall monitor the implementation of the training strategy developed under subsection (a).

(2) REPORT.—Not later than 180 days after the date on which the Secretary of the Army submits the report under subsection (b), the Comptroller General shall submit to the congressional defense committees a report containing the assessment of the Comptroller General of the current progress of the Army in implementing the training strategy.

SEC. 354. REPORT REGARDING EFFECT ON MILITARY READINESS OF UNDOCUMENTED IMMIGRANTS TRESPASSING UPON OPERATIONAL RANGES.

(a) REPORT CONTAINING ASSESSMENT AND RESPONSE PLAN.—Not later than April 15, 2006, the Secretary of Defense shall submit to Congress a report containing—

(1) an assessment of the impact on military readiness caused by undocumented immigrants whose entry into the United States involves trespassing upon operational ranges of the Department of Defense; and

(2) a plan for the implementation of measures to prevent such trespass.

(b) PREPARATION AND ELEMENTS OF ASSESSMENT.—The assessment required by subsection (a)(1) shall be prepared by the Secretary of Defense. The assessment shall include the following:

(1) A listing of the operational ranges adversely affected by the trespass of undocumented immigrants upon operational ranges.

(2) A description of the types of range activities affected by such trespass.

(3) A determination of the amount of time lost for range activities, and the increased costs incurred, as a result of such trespass.

(4) An evaluation of the nature and extent of such trespass and means of travel.

(5) An evaluation of the factors that contribute to the use by undocumented immigrants of operational ranges as a means to enter the United States.

(6) A description of measures currently in place to prevent such trespass, including the use of barriers to vehicles and persons, military patrols, border patrols, and sensors.

(c) PREPARATION AND ELEMENTS OF PLAN.—The plan required by subsection (a)(2) shall be prepared jointly by the Secretary of Defense and the Secretary of Homeland Security. The plan shall include the following:

(1) The types of measures to be implemented to improve prevention of trespass of undocumented immigrants upon operational ranges, including the specific physical methods, such as barriers and increased patrols or monitoring, to be implemented and any legal or other policy changes recommended by the Secretaries.

(2) The costs of, and timeline for, implementation of the plan.

(d) IMPLEMENTATION REPORTS.—Not later than September 15, 2006, March 15, 2007, September 15, 2007, and March 15, 2008, the Secretary of Defense shall submit to Congress a report detailing the progress made by the Department of Defense, during the period covered by the report, in implementing measures recommended in the plan required by subsection (a)(2) to prevent undocumented immigrants from trespassing upon operational ranges. Each report shall include the number and types of mitigation measures implemented and the success of such measures in preventing such trespass.

(e) DEFINITIONS.—In this section, the terms "operational range" and "range activities" have the meaning given those terms in section 101(e) of title 10, United States Code.

SEC. 355. REPORT REGARDING MANAGEMENT OF ARMY LODGING.

(a) REPORT ON MERITS AND IMPACTS OF PRIVATIZATION.—The Secretary of the Army shall submit to Congress a report containing the results of a study evaluating the merits of privatization of Army lodging. The study should consider at a minimum the following:

(1) The potential overall costs and benefits of privatization of Army lodging.

(2) Whether current lodging agreements with the Army and Air Force Exchange Service to provide hospitality telecommunication services would be impacted by privatization and whether the proposed change will have an impact on funds contributed to morale, welfare, and recreation accounts.

(3) Whether privatization of Army lodging will result in significant cost increases to members of the Armed Forces or other eligible patrons or the loss of such lodging if it is determined that management of such lodging is not a profitable marketing venture.

(4) Whether privatization of Army lodging will provide ancillary support facilities and services that might impact the Army and Air Force Exchange Service and to what extent such facilities and services may impact the funds contributed to morale, welfare, and recreation accounts.

(5) The number of Army lodging personnel who would be impacted by privatization and the total personnel-related costs that could occur as a result of privatization.

(b) ARMY AND AIR FORCE EXCHANGE SERVICE PARTICIPATION IN PRIVATIZATION.—The Army and Air Force Exchange Service shall submit to Congress a report commenting on the feasibility of its participation in privatization of Army lodging. The report should include at a minimum the following:

(1) The potential overall costs and benefits of an Army and Air Force Exchange Service partnership in Army lodging.

(2) Whether the Army and Air Force Exchange Service can adequately participate as a partner in the management of Army lodging, including whether such participation could enhance the quality of lodging and improve access to such lodging when provided through a nonprofit organization versus a partnership with a for-profit corporation.

(3) Whether there are certain benefits, including cost benefits, to having the Army and Air Force Exchange Service become the partner with the Army that would not exist were the Army to partner with a private sector entity.

(4) The number of Army lodging personnel who would be impacted by an Army and Air Force Exchange Service partnership and the total personnel related costs that could occur as a result of such partnership.

(c) LIMITATION PENDING SUBMISSION OF REPORT.—Until the Secretary of the Army submits the report required by subsection (a) to Congress, the Secretary may not solicit or consider any request for qualifications that would privatize Army lodging beyond the level of privatization identified for inclusion in Group A of the Privatization of Army Lodging Initiative.

SEC. 356. COMPTROLLER GENERAL REPORT ON CORROSION PREVENTION AND MITIGATION PROGRAMS OF THE DEPARTMENT OF DEFENSE.

(a) REPORT REQUIRED.—Not later than April 1, 2007, the Comptroller General shall submit to the congressional defense committees a report on the effectiveness of the corrosion prevention and mitigation programs of the Department of Defense.

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

(1) An assessment of the document of the Department of Defense entitled "Long-Term Strategy to Reduce Corrosion and the Effects of Corrosion on the Military Equipment and Infrastructure of the Department of Defense" and dated November 2004.

(2) An assessment of the adequacy for purposes of the strategy set forth in that document of the funding requested in the budgets of the President for fiscal years 2006 and 2007, as submitted to Congress pursuant to section 1105(a) of title 31, United States Code, and the associated Future-Years Defense Program under section 221 of title 10, United States Code.

(3) An assessment of the adequacy and effectiveness of the organizational structure of the Department of Defense in implementing that strategy.

(4) An assessment of the progress made as of the date of the report in establishing throughout the Department common metrics, definitions, and procedures on corrosion prevention and mitigation.

(5) An assessment of the progress made as of the date of the report in establishing a baseline estimate of the scope of the corrosion problems of the Department.

(6) An assessment of the extent to which the strategy of the Department on corrosion prevention and mitigation has been revised to incorporate the recommendations contained in the report of the Defense Science Board on corrosion control issued in October 2004.

(7) An assessment of the implementation of the corrosion prevention and mitigation programs of the Department during fiscal year 2006.

(8) Such recommendations as the Comptroller General considers appropriate for addressing any shortfalls or areas of potential improvement identified in the review for purposes of the report.

SEC. 357. STUDY ON USE OF BIODIESEL AND ETHANOL FUEL.

(a) IN GENERAL.—The Secretary of Defense shall conduct a study on the use of biodiesel and ethanol fuel by the Armed Forces and the Defense Agencies and any measures that can be taken to increase such use.

(b) ELEMENTS.—The study shall include—

(1) an evaluation of the historical utilization of biodiesel and ethanol fuel by the Armed Forces and the Defense Agencies, including the quantity of biodiesel and ethanol fuel acquired by the Department of Defense for the Armed Forces and the Defense Agencies during the 5-year period ending on the date of the report under subsection (c);

(2) a review and assessment of potential requirements for increased use of biodiesel and ethanol fuel within the Department of Defense and any research and development efforts required to meet those increased requirements;

(3) based on the review under paragraph (2), a forecast of the requirements of the Armed Forces and the Defense Agencies for biodiesel and ethanol fuels for each of fiscal years 2007 through 2012;

(4) an assessment of the current and future commercial availability of biodiesel and ethanol fuel, including facilities for the production, storage, transportation, distribution, and commercial sale of such fuel;

(5) an assessment of the utilization by the Department of Defense of the commercial infrastructure for ethanol fuel as described in paragraph (4);

(6) a review of the actions of the Department of Defense to coordinate with State, local, and private entities to support the expansion and use of alternative fuel refueling stations that are accessible to the public; and

(7) an assessment of the fueling infrastructure on military installations in the United States, including storage and dis-

tribution facilities, that could be adapted or converted for the delivery of biodiesel and ethanol fuel, including—

(A) an assessment of cost of the adaptation or conversion of such infrastructure to the delivery of biodiesel and ethanol fuel; and

(B) an assessment of the feasibility and advisability of that adaptation or conversion.

(c) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the study conducted under this section.

(d) DEFINITIONS.—In this section:

(1) The term "ethanol fuel" means fuel that is 85 percent ethyl alcohol.

(2) The term "biodiesel" means a diesel fuel substitute produced from nonpetroleum renewable resources that meets the registration requirements for fuels and fuel additives established by the Environmental Protection Agency under section 211 of the Clean Air Act (42 U.S.C. 7545).

SEC. 358. REPORT ON EFFECTS OF WINDMILL FARMS ON MILITARY READINESS.

Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the effects of windmill farms on military readiness, including an assessment of the effects on the operations of military radar installations of the proximity of windmill farms to such installations and of technologies that could mitigate any adverse effects on military operations identified.

SEC. 359. REPORT ON SPACE-AVAILABLE TRAVEL FOR CERTAIN DISABLED VETERANS AND GRAY-AREA RETIREES.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the feasibility of providing transportation on Department of Defense aircraft on a space-available basis for—

(1) veterans with a service-connected disability rating of 50 percent or higher;

(2) members and former members of a reserve component under 60 years of age who, but for age, would be eligible for retired pay under chapter 1223 of title 10, United States Code; and

(3) dependents of persons described in paragraph (1) or (2).

(b) CONSULTATION.—The Secretary of Defense shall prepare the report in consultation with the Secretary of Veterans Affairs.

SEC. 360. REPORT ON JOINT FIELD TRAINING AND EXPERIMENTATION ON STABILITY, SECURITY, TRANSITION, AND RECONSTRUCTION OPERATIONS.

Not later than February 1, 2007, the Secretary of Defense shall submit to the congressional defense committees a report on joint field training and experimentation conducted to address matters relating to stability, security, transition, and reconstruction operations during fiscal years 2005 and 2006. The report shall include—

(1) a description of each such joint field training and experimentation event, including a description of the participation

of other Federal departments and agencies and of the participation of allied and coalition partners;

(2) the findings of the Secretary as a result of such joint field training and experimentation; and

(3) such recommendations as the Secretary considers appropriate in light of such joint field training and experimentation, including recommendations with respect to legislative or administrative action and recommendations for any funding required to implement such action.

SEC. 361. REPORTS ON BUDGETING RELATING TO SUSTAINMENT OF KEY MILITARY EQUIPMENT.

(a) REPORTS REQUIRED.—In each of 2006, 2007, and 2008, at or about the time that the budget of the President is submitted to Congress that year under section 1105(a) of title 31, United States Code, the Secretary of Defense shall submit to Congress a report on the budgeting of the Department of Defense for the sustainment of key military equipment.

(b) REPORT ELEMENTS.—The report required by subsection (a) for a year shall set forth the following:

(1) A description of the current strategies of the Department of Defense for sustaining key military equipment, and for any modernization that will be required of such equipment.

(2) A description of the amounts required for the Department for the fiscal year beginning in such year in order to fully fund the strategies described in paragraph (1).

(3) A description of the amounts requested for the Department for such fiscal year in order to fully fund such strategies.

(4) A description of the risks, if any, of failing to fund such strategies in the amounts required to fully fund such strategies (as specified in paragraph (2)).

(5) A description of the actions being taken by the Department of Defense to mitigate the risks described in paragraph (4).

(c) KEY MILITARY EQUIPMENT DEFINED.—In this section, the term "key military equipment"—

(1) means—

(A) major weapons systems that are essential to accomplishing the national defense strategy; and

(B) other military equipment, such as major command, control, communications, computer, intelligence, surveillance, and reconnaissance (C4ISR) equipment, and systems designed to prevent fratricide, that is critical to the readiness of military units; and

(2) includes equipment reviewed in the report of the Comptroller General of the United States numbered GAO–06–141.

SEC. 362. REPEAL OF AIR FORCE REPORT ON MILITARY INSTALLATION ENCROACHMENT ISSUES.

Section 315 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1843) is repealed.

Subtitle G—Other Matters

SEC. 371. SUPERVISION AND MANAGEMENT OF DEFENSE BUSINESS TRANSFORMATION AGENCY.

Section 192 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(e) SPECIAL RULE FOR DEFENSE BUSINESS TRANSFORMATION AGENCY.—(1) The Defense Business Transformation Agency shall be supervised by the vice chairman of the Defense Business System Management Committee.

"(2) Notwithstanding the results of any periodic review under subsection (c) with regard to the Defense Business Transformation Agency, the Secretary of Defense shall designate that the Agency be managed cooperatively by the Deputy Under Secretary of Defense for Business Transformation and the Deputy Under Secretary of Defense for Financial Management.".

SEC. 372. CODIFICATION AND REVISION OF LIMITATION ON MODIFICATION OF MAJOR ITEMS OF EQUIPMENT SCHEDULED FOR RETIREMENT OR DISPOSAL.

(a) IN GENERAL.—Chapter 134 of title 10, United States Code, is amended by inserting after section 2244 the following new section:

"§ 2244a. Equipment scheduled for retirement or disposal: limitation on expenditures for modifications

"(a) PROHIBITION.—Except as otherwise provided in this section, the Secretary of a military department may not carry out a modification of an aircraft, weapon, vessel, or other item of equipment that the Secretary plans to retire or otherwise dispose of within five years after the date on which the modification, if carried out, would be completed.

"(b) EXCEPTIONS.—

"(1) EXCEPTION FOR BELOW-THRESHOLD MODIFICATIONS.—The prohibition in subsection (a) does not apply to a modification for which the cost is less than $100,000.

"(2) EXCEPTION FOR TRANSFER OF REUSABLE ITEMS OF VALUE.—The prohibition in subsection (a) does not apply to a modification in a case in which—

"(A) the reusable items of value, as determined by the Secretary, installed on the item of equipment as part of such modification will, upon the retirement or disposal of the item to be modified, be removed from such item of equipment, refurbished, and installed on another item of equipment; and

"(B) the cost of such modification (including the cost of the removal and refurbishment of reusable items of value under subparagraph (A)) is less than $1,000,000.

"(3) EXCEPTION FOR SAFETY MODIFICATIONS.—The prohibition in subsection (a) does not apply to a safety modification.

"(c) WAIVER AUTHORITY.—The Secretary concerned may waive the prohibition in subsection (a) in the case of any modification otherwise subject to that subsection if the Secretary determines that carrying out the modification is in the national security interest of the United States. Whenever the Secretary issues such a waiver, the

Secretary shall notify the congressional defense committees in writing.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2244 the following new item:

"2244a. Equipment scheduled for retirement or disposal: limitation on expenditures for modifications.".

(c) CONFORMING REPEAL.—Section 8053 of the Department of Defense Appropriations Act, 1998 (Public Law 105–56; 10 U.S.C. 2241 note) is repealed.

SEC. 373. LIMITATION ON PURCHASE OF INVESTMENT ITEMS WITH OPERATION AND MAINTENANCE FUNDS.

(a) LIMITATION ON USE OF OPERATION AND MAINTENANCE FUNDS.—Chapter 134 of title 10, United States Code, is amended by inserting after section 2245 the following new section:

"§ 2245a. Use of operation and maintenance funds for purchase of investment items: limitation

"Funds appropriated to the Department of Defense for operation and maintenance may not be used to purchase any item (including any item to be acquired as a replacement for an item) that has an investment item unit cost that is greater than $250,000.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2245 the following new item:

"2245a. Use of operation and maintenance funds for purchase of investment items: limitation.".

SEC. 374. OPERATION AND USE OF GENERAL GIFT FUNDS OF THE DEPARTMENT OF DEFENSE AND COAST GUARD.

Section 2601 of title 10, United States Code, is amended to read as follows:

"§ 2601. General gift funds

"(a) GENERAL AUTHORITY TO ACCEPT GIFTS.—Subject to subsection (d)(2), the Secretary concerned may accept, hold, administer, and spend any gift, devise, or bequest of real property, personal property, or money made on the condition that the gift, devise, or bequest be used for the benefit, or in connection with, the establishment, operation, or maintenance, of a school, hospital, library, museum, cemetery, or other institution or organization under the jurisdiction of the Secretary.

"(b) ADDITIONAL AUTHORITY TO ACCEPT GIFTS TO BENEFIT CERTAIN MEMBERS, DEPENDENTS, AND CIVILIAN EMPLOYEES.—(1) Subject to subsection (d)(2), the Secretary concerned may accept, hold, administer, and spend any gift, devise, or bequest of real property, personal property, money, or services made on the condition that the gift, devise, or bequest be used for the benefit of—

"(A) members of the armed forces, including members performing full-time National Guard duty under section 502(f) of title 32, who incur a wound, injury, or illness while in the line of duty;

"(B) civilian employees of the Department of Defense who incur a wound, injury, or illness while in the line of duty;

"(C) dependents of such members or employees; and

"(D) survivors of such members or employees who are killed.

"(2) The Secretary concerned may not accept a gift of services from a foreign government or international organization under this subsection. A gift of real property, personal property, or money from a foreign government or international organization may be accepted under this subsection only if the gift is not designated for a specific individual.

"(3) The Secretary of Defense shall prescribe regulations specifying the conditions that may be attached to a gift, devise, or bequest accepted under this subsection.

"(4) The authority to accept gifts, devises, or bequests under this subsection expires on December 31, 2007.

"(c) GIFT FUNDS.—Gifts and bequests of money, and the proceeds of the sale of property, received under subsection (a) or (b) shall be deposited in the Treasury in the following accounts:

"(1) The Department of the Army General Gift Fund, in the case of deposits made by the Secretary of the Army.

"(2) The Department of the Navy General Gift Fund, in the case of deposits made by the Secretary of the Navy.

"(3) The Department of the Air Force General Gift Fund, in the case of deposits made by the Secretary of the Air Force.

"(4) The Coast Guard General Gift Fund, in the case of deposits made by the Secretary of Homeland Security.

"(5) The Department of Defense General Gift Fund, in the case of deposits made by the Secretary of Defense.

"(d) USE OF GIFTS; PROHIBITIONS.—(1) Except as provided in paragraph (2), property and money accepted under subsection (a) or (b) may be used by the Secretary concerned, and services accepted under subsection (b) may be performed, without further specific authorization in law.

"(2) Property and money may not be accepted under subsection (a) and property, money, and services may not be accepted under subsection (b)—

"(A) if the use of the property or money or the performance of the services in connection with any program, project, or activity would result in the violation of any prohibition or limitation otherwise applicable to such program, project, or activity;

"(B) if the conditions attached to the property, money, or services are inconsistent with applicable law or regulations;

"(C) if the Secretary concerned determines that the use of the property or money or the performance of the services would reflect unfavorably on the ability of the Department of Defense or the Coast Guard, any employee of the Department or Coast Guard, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner; or

"(D) if the Secretary concerned determines that the use of the property or money or the performance of the services would compromise the integrity or appearance of integrity of any program of the Department of Defense or Coast Guard, or any individual involved in such a program.

"(3) The Secretary concerned may disburse funds deposited in a gift fund referred to in subsection (c) for the purposes specified in subsections (a) and (b), subject to the terms of the gift, devise, or bequest.

"(e) PAYMENT OF EXPENSES.—The Secretary concerned may pay all necessary expenses in connection with the conveyance or transfer of a gift, devise, or bequest accepted under this section.

"(f) TREATMENT OF GIFTS.—For the purposes of Federal income, estate, and gift taxes, any property or money accepted under subsection (a) and any property, money, or services accepted under subsection (b) shall be considered as a gift, devise, or bequest to or for the use of the United States.

"(g) MANAGEMENT OF FUNDS.—In the case of each gift fund referred to in subsection (c), the Secretary of the Treasury, upon the request of the Secretary concerned, may retain money, securities, and the proceeds of the sale of securities in the gift fund and may invest money and reinvest the proceeds of the sale of securities in the gift fund in securities of the United States or in securities guaranteed as to principal and interest by the United States. The interest and profits accruing from those securities shall be deposited to the credit of the gift fund and may be disbursed as provided in subsection (d).

"(h) COMPTROLLER GENERAL REVIEW.—The Comptroller General shall make periodic audits of gifts, devises, and bequests accepted under subsection (a) or (b) at such intervals as the Comptroller General determines to be warranted. The Comptroller General shall submit to Congress a report on the results of each such audit.

"(i) DEFINITIONS.—In this section:

"(1) The term 'Secretary concerned' includes the Secretary of Defense.

"(2) The term 'services' includes activities that benefit the morale, welfare, or recreation of members of the armed forces and their dependents or are related or incidental to the conveyance of a gift, devise, or bequest of real property or personal property under subsection (a) or (b).".

SEC. 375. INCLUSION OF PACKET BASED TELEPHONY IN DEPARTMENT OF DEFENSE TELECOMMUNICATIONS BENEFIT.

(a) INCLUSION IN BENEFIT.—Subsection (a) of section 344 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 117 Stat. 1448) is amended by inserting "packet based telephony service," after "prepaid phone cards,".

(b) INCLUSION OF INTERNET TELEPHONY IN DEPLOYMENT OF ADDITIONAL TELEPHONE EQUIPMENT.—Subsection (e) of such section is amended—

(1) by inserting "or Internet service" after "additional telephones";

(2) by inserting "or packet based telephony" after "to facilitate telephone"; and

(3) by inserting "or Internet access" after "installation of telephones".

(c) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in the heading for subsection (a), by striking "PREPAID PHONE CARDS" and inserting "BENEFIT"; and

(2) in the heading for subsection (e), by inserting "OR INTERNET ACCESS" after "TELEPHONE EQUIPMENT".

SEC. 376. LIMITATION ON FINANCIAL MANAGEMENT IMPROVEMENT AND AUDIT INITIATIVES WITHIN DEPARTMENT OF DEFENSE.

(a) LIMITATION.—During fiscal year 2006, the Secretary of Defense may not obligate or expend any funds for the purpose of any financial management improvement activity relating to the preparation, processing, or auditing of financial statements until the Secretary submits to the congressional defense committees each of the following:

(1) A comprehensive and integrated financial management improvement plan that—

(A) describes specific actions to be taken to correct financial management deficiencies that impair the ability of the Department of Defense to prepare timely, reliable, and complete financial management information; and

(B) systematically ties such actions to process and control improvements and business systems modernization efforts described in the business enterprise architecture and transition plan required by section 2222 of title 10, United States Code.

(2) A written determination that each financial management improvement activity to be undertaken is—

(A) consistent with the financial management improvement plan submitted pursuant to paragraph (1); and

(B) likely to improve internal controls or otherwise result in sustained improvements in the ability of the Department to produce timely, reliable, and complete financial management information.

(b) EXCEPTION.—The limitation under subsection (a) shall not apply to an activity directed exclusively at assessing the adequacy of internal controls and remediating any inadequacy identified pursuant to such an assessment.

SEC. 377. PROVISION OF WELFARE OF SPECIAL CATEGORY RESIDENTS AT NAVAL STATION GUANTANAMO BAY, CUBA.

(a) IN GENERAL.—The Secretary of the Navy may provide for the general welfare, including subsistence, housing, and health care, of any person at Naval Station Guantanamo Bay, Cuba, who is designated by the Secretary, not later than 90 days after the date of the enactment of this Act, as a "special category resident".

(b) PROHIBITION ON CONSTRUCTION OF NEW FACILITIES.—The authorization under subsection (a) shall not be construed as an authorization for the construction of a new housing facility or medical treatment facility.

(c) PRIOR USE OF FUNDS.—Any obligation or expenditure of funds for the general welfare of any person described in subsection (a) before the date of the enactment of this Act is deemed to be not subject to the provisions of chapter 13 of title 31, United States Code.

SEC. 378. COMMEMORATION OF SUCCESS OF THE ARMED FORCES IN OPERATION ENDURING FREEDOM AND OPERATION IRAQI FREEDOM.

(a) CELEBRATION HONORING MILITARY EFFORTS IN OPERATION ENDURING FREEDOM AND OPERATION IRAQI FREEDOM.—The President may—

(1) designate a day of celebration to honor the soldiers, sailors, airmen, and Marines of the Armed Forces who have served in Operation Enduring Freedom or Operation Iraqi Freedom and have returned to the United States; and

(2) issue a proclamation calling on the people of the United States to observe that day with appropriate ceremonies and activities.

(b) PARTICIPATION OF ARMED FORCES IN CELEBRATION.—

(1) PARTICIPATION AUTHORIZED.—Members and units of the Armed Forces may participate in activities associated with a day of celebration designated under subsection (a) that are held in Washington, District of Columbia.

(2) AVAILABILITY OF FUNDS.—Subject to paragraph (4), amounts authorized to be appropriated for the Department of Defense for fiscal year 2006 may be used to cover costs associated with the participation of members and units of the Armed Forces in the activities described in paragraph (1).

(3) ACCEPTANCE OF PRIVATE CONTRIBUTIONS.—(A) Notwithstanding any other provision of law, the Secretary of Defense may accept cash contributions from private individuals and entities for the purposes of covering the costs of the participation of members and units of the Armed Forces in the activities described in paragraph (1). Amounts so accepted shall be deposited in an account established for purposes of this paragraph.

(B) Amounts accepted under subparagraph (A) may be used for the purposes described in that subparagraph until expended.

(4) LIMITATION.—The total amount of funds described in paragraph (2) that are available for the purpose set forth in that paragraph may not exceed the amount equal to—

(A) $20,000,000, minus

(B) the amount of any cash contributions accepted by the Secretary under paragraph (3).

(c) AWARD OF RECOGNITION ITEMS.—

(1) AUTHORITY TO AWARD.—Under regulations prescribed by the Secretary of Defense, appropriate recognition items may be awarded to any individual who served honorably as a member of the Armed Forces in Operation Enduring Freedom or Operation Iraqi Freedom during the Global War on Terrorism. The purpose of the award of such items is to recognize the contribution of such individuals to the success of the United States in those operations.

(2) RECOGNITION ITEMS DEFINED.—In this subsection, the term "recognition items" means recognition items authorized for presentation under section 2261 of title 10, United States Code (as added by section 589 of this Act).

Subtitle H—Utah Test and Training Range

SEC. 381. DEFINITIONS.

In this subtitle:

(1) The term "covered wilderness" means the wilderness area designated by this subtitle and wilderness study areas located near lands withdrawn for military use and beneath special use airspace critical to the support of military test and

training missions at the Utah Test and Training Range, including the Deep Creek, Fish Springs, Swasey Mountain, Howell Peak, Notch Peak, King Top, Wah Wah Mountain, and Conger Mountain units designated by the Department of the Interior.

(2) The term "Utah Test and Training Range" means those portions of the military operating area of the Utah Test and Training Area located solely in the State of Utah. The term includes the Dugway Proving Ground.

(3) The term "Wilderness Act" means Public Law 88–577, approved September 3, 1964 (16 U.S.C. 1131 et seq.).

SEC. 382. MILITARY OPERATIONS AND OVERFLIGHTS, UTAH TEST AND TRAINING RANGE.

(a) FINDINGS.—The Congress finds the following:

(1) The testing and development of military weapons systems and the training of military forces are critical to ensuring the national security of the United States.

(2) The Utah Test and Training Range in the State of Utah is a unique and irreplaceable national asset at the core of the test and training mission of the Department of Defense.

(3) The Cedar Mountain Wilderness Area designated by section 384, as well as several wilderness study areas, are located near lands withdrawn for military use or are beneath special use airspace critical to the support of military test and training missions at the Utah Test and Training Range.

(4) The Utah Test and Training Range and special use airspace withdrawn for military uses create unique management circumstances for the covered wilderness in this subtitle, and it is not the intent of Congress that passage of this subtitle shall be construed as establishing a precedent with respect to any future national conservation area or wilderness designation.

(5) Continued access to the special use airspace and lands that comprise the Utah Test and Training Range, under the terms and conditions described in this subtitle, is a national security priority and is not incompatible with the protection and proper management of the natural, environmental, cultural, and other resources of such lands.

(b) OVERFLIGHTS.—Nothing in this subtitle or the Wilderness Act shall preclude low-level overflights and operations of military aircraft, helicopters, missiles, or unmanned aerial vehicles over the covered wilderness, including military overflights and operations that can be seen or heard within the covered wilderness.

(c) SPECIAL USE AIRSPACE AND TRAINING ROUTES.—Nothing in this subtitle or the Wilderness Act shall preclude the designation of new units of special use airspace, the expansion of existing units of special use airspace, or the use or establishment of military training routes over the covered wilderness.

(d) COMMUNICATIONS AND TRACKING SYSTEMS.—Nothing in this subtitle shall prevent any required maintenance of existing communications, instrumentation, or electronic tracking systems (or infrastructure supporting such systems) or prevent the installation of new communication, instrumentation, or other equipment necessary for effective testing and training to meet military requirements in wilderness study areas located beneath special use airspace comprising the Utah Test and Training Range, including the Deep Creek, Fish Springs, Swasey Mountain, Howell Peak, Notch

Peak, King Top, Wah Wah Mountain, and Conger Mountain units designated by the Department of Interior, so long as the Secretary of the Interior, after consultation with the Secretary of the Air Force, determines that the installation and maintenance of such systems, when considered both individually and collectively, comply with section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782).

(e) EMERGENCY ACCESS AND RESPONSE.—Nothing in this subtitle or the Wilderness Act shall preclude the continuation of the memorandum of understanding in existence as of the date of the enactment of this Act between the Department of the Interior and the Department of the Air Force with respect to emergency access and response.

(f) PROHIBITION ON GROUND MILITARY OPERATIONS.—Except as provided in subsections (d) and (e), nothing in this section shall be construed to permit a military operation to be conducted on the ground in covered wilderness in the Utah Test and Training Range unless such ground operation is otherwise permissible under Federal law and consistent with the Wilderness Act.

SEC. 383. ANALYSIS OF MILITARY READINESS AND OPERATIONAL IMPACTS IN PLANNING PROCESS FOR FEDERAL LANDS IN UTAH TEST AND TRAINING RANGE.

The Secretary of the Interior shall develop, maintain, and revise land use plans pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) for Federal lands located in the Utah Test and Training Range in consultation with the Secretary of Defense. As part of the required consultation in connection with a proposed revision of a land use plan, the Secretary of Defense shall prepare and transmit to the Secretary of the Interior an analysis of the military readiness and operational impacts of the proposed revision within six months of a request from the Secretary of the Interior.

SEC. 384. DESIGNATION AND MANAGEMENT OF CEDAR MOUNTAIN WILDERNESS, UTAH.

(a) DESIGNATION.—Certain Federal lands in Tooele County, Utah, as generally depicted on the map entitled "Cedar Mountain Wilderness" and dated March 7, 2004, are hereby designated as wilderness and, therefore, as a component of the National Wilderness Preservation System to be known as the Cedar Mountain Wilderness Area.

(b) WITHDRAWAL.—Subject to valid existing rights, the Federal lands in the Cedar Mountain Wilderness Area are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws, from location, entry, and patent under the United States mining laws, and from disposition under all laws pertaining to mineral and geothermal leasing, and mineral materials, and all amendments to such laws.

(c) MAP AND DESCRIPTION.—

(1) TRANSMITTAL.—As soon as practicable after the date of the enactment of this Act, the Secretary of the Interior shall transmit a map and legal description of the Cedar Mountain Wilderness Area to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(2) LEGAL EFFECT.—The map and legal description shall have the same force and effect as if included in this Act, except that the Secretary of the Interior may correct clerical and typographical errors in the map and legal description.

(3) AVAILABILITY.—The map and legal description shall be on file and available for public inspection in the office of the Director of the Bureau of Land Management and the office of the State Director of the Bureau of Land Management in the State of Utah.

(d) ADMINISTRATION.—Subject to valid existing rights and this subtitle, the Cedar Mountain Wilderness Area shall be administered by the Secretary of the Interior in accordance with the provisions of the Wilderness Act, except that any reference in such provisions to the effective date of the Wilderness Act (or any similar reference) shall be deemed to be a reference to the date of the enactment of this Act.

(e) LAND ACQUISITION.—Any lands or interest in lands within the boundaries of the Cedar Mountain Wilderness Area acquired by the United States after the date of the enactment of this Act shall be added to and administered as part of the Cedar Mountain Wilderness Area.

(f) FISH AND WILDLIFE MANAGEMENT.—As provided in section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this subtitle shall be construed as affecting the jurisdiction of the State of Utah with respect to fish and wildlife on the Federal lands located in that State.

(g) GRAZING.—Within the Cedar Mountain Wilderness Area, the grazing of livestock, where established before the date of the enactment of this Act, shall be permitted to continue subject to such reasonable regulations, policies, and practices as the Secretary of the Interior considers necessary, as long as such regulations, policies, and practices fully conform with and implement the intent of Congress regarding grazing in such areas, as such intent is expressed in the Wilderness Act, section 101(f) of Public Law 101–628 (104 Stat. 4473), and appendix A of the Report of the Committee on Interior and Insular Affairs to accompany H.R. 2570 of the 101st Congress (H. Rept. 101–405).

(h) BUFFER ZONES.—Congress does not intend for the designation of the Cedar Mountain Wilderness Area to lead to the creation of protective perimeters or buffer zones around the wilderness area. The fact that nonwilderness activities or uses can be seen or heard within the wilderness area shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.

(i) RELEASE FROM WILDERNESS STUDY AREA STATUS.—The lands identified as the Browns Spring Cherrystem on the map entitled "Proposed Browns Spring Cherrystem" and dated May 11, 2004, are released from their status as a wilderness study area, and shall no longer be subject to the requirements of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)) pertaining to the management of wilderness study areas in a manner that does not impair the suitability of those areas for preservation of wilderness.

SEC. 385. RELATION TO OTHER LANDS.

Nothing in this subtitle shall be construed to affect any Federal lands located outside of the covered wilderness or the management of such lands.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.
Sec. 402. Revision in permanent active duty end strength minimum levels.
Sec. 403. Additional authority for increases of Army and Marine Corps active duty end strengths for fiscal years 2007 through 2009.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.
Sec. 412. End strengths for reserves on active duty in support of the reserves.
Sec. 413. End strengths for military technicians (dual status).
Sec. 414. Fiscal year 2006 limitation on number of non-dual status technicians.
Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.

Subtitle C—Authorization of Appropriations

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

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

(a) IN GENERAL.—The Armed Forces are authorized strengths for active duty personnel as of September 30, 2006, as follows:

(1) The Army, 512,400.

(2) The Navy, 352,700.

(3) The Marine Corps, 179,000.

(4) The Air Force, 357,400.

(b) LIMITATION.—

(1) ARMY.—The authorized strength for the Army provided in paragraph (1) of subsection (a) for active duty personnel for fiscal year 2006 is subject to the condition that costs of active duty personnel of the Army for that fiscal year in excess of 482,400 shall be paid out of funds authorized to be appropriated for that fiscal year for a contingent emergency reserve fund or as an emergency supplemental appropriation.

(2) MARINE CORPS.—The authorized strength for the Marine Corps provided in paragraph (3) of subsection (a) for active duty personnel for fiscal year 2006 is subject to the condition that costs of active duty personnel of the Marine Corps for that fiscal year in excess of 175,000 shall be paid out of funds authorized to be appropriated for that fiscal year for a contingent emergency reserve fund or as an emergency supplemental appropriation.

SEC. 402. REVISION IN PERMANENT ACTIVE DUTY END STRENGTH MINIMUM LEVELS.

Section 691(b) of title 10, United States Code, is amended by striking paragraphs (1) through (4) and inserting the following:

"(1) For the Army, 502,400.

"(2) For the Navy, 352,700.
"(3) For the Marine Corps, 179,000.
"(4) For the Air Force, 357,400.".

SEC. 403. ADDITIONAL AUTHORITY FOR INCREASES OF ARMY AND MARINE CORPS ACTIVE DUTY END STRENGTHS FOR FISCAL YEARS 2007 THROUGH 2009.

Effective October 1, 2006, the text of section 403 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1863) is amended to read as follows:

"(a) AUTHORITY.—

"(1) ARMY.—For each of fiscal years 2007, 2008, and 2009, the Secretary of Defense may, as the Secretary determines necessary for the purposes specified in paragraph (3), establish the active-duty end strength for the Army at a number greater than the number otherwise authorized by law up to the number equal to the fiscal-year 2006 baseline plus 20,000.

"(2) MARINE CORPS.—For each of fiscal years 2007, 2008, and 2009, the Secretary of Defense may, as the Secretary determines necessary for the purposes specified in paragraph (3), establish the active-duty end strength for the Marine Corps at a number greater than the number otherwise authorized by law up to the number equal to the fiscal-year 2006 baseline plus 5,000.

"(3) PURPOSE OF INCREASES.—The purposes for which increases may be made in Army and Marine Corps active duty end strengths under paragraphs (1) and (2) are—

"(A) to support operational missions; and

"(B) to achieve transformational reorganization objectives, including objectives for increased numbers of combat brigades and battalions, increased unit manning, force stabilization and shaping, and rebalancing of the active and reserve component forces.

"(4) FISCAL-YEAR 2006 BASELINE.—In this subsection, the term 'fiscal-year 2006 baseline', with respect to the Army and Marine Corps, means the active-duty end strength authorized for those services in section 401 of the National Defense Authorization Act for Fiscal Year 2006.

"(5) ACTIVE-DUTY END STRENGTH.—In this subsection, the term 'active-duty end strength' means the strength for active-duty personnel of one of the Armed Forces as of the last day of a fiscal year.

"(b) RELATIONSHIP TO PRESIDENTIAL WAIVER AUTHORITY.—Nothing in this section shall be construed to limit the President's authority under section 123a of title 10, United States Code, to waive any statutory end strength in a time of war or national emergency.

"(c) RELATIONSHIP TO OTHER VARIANCE AUTHORITY.—The authority under subsection (a) is in addition to the authority to vary authorized end strengths that is provided in subsections (e) and (f) of section 115 of title 10, United States Code.

"(d) BUDGET TREATMENT.—

"(1) FISCAL YEAR 2007 BUDGET.—The budget for the Department of Defense for fiscal year 2007 as submitted to Congress

shall comply, with respect to funding, with subsections (c) and (d) of section 691 of title 10, United States Code.

"(2) OTHER INCREASES.—If the Secretary of Defense plans to increase the Army or Marine Corps active duty end strength for a fiscal year under subsection (a), then the budget for the Department of Defense for that fiscal year as submitted to Congress shall include the amounts necessary for funding that active duty end strength in excess of the fiscal year 2006 active duty end strength authorized for that service under section 401 of the National Defense Authorization Act for Fiscal Year 2006.".

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2006, as follows:

(1) The Army National Guard of the United States, 350,000.

(2) The Army Reserve, 205,000.

(3) The Navy Reserve, 73,100.

(4) The Marine Corps Reserve, 39,600.

(5) The Air National Guard of the United States, 106,800.

(6) The Air Force Reserve, 74,000.

(7) The Coast Guard Reserve, 10,000.

(b) ADJUSTMENTS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

Whenever such units or such individual members are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2006, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 27,396.

(2) The Army Reserve, 15,270.

(3) The Navy Reserve, 13,392.

(4) The Marine Corps Reserve, 2,261.

(5) The Air National Guard of the United States, 13,123.

(6) The Air Force Reserve, 2,290.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).

The minimum number of military technicians (dual status) as of the last day of fiscal year 2006 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army Reserve, 7,649.

(2) For the Army National Guard of the United States, 25,563.

(3) For the Air Force Reserve, 9,852.

(4) For the Air National Guard of the United States, 22,971.

SEC. 414. FISCAL YEAR 2006 LIMITATION ON NUMBER OF NON-DUAL STATUS TECHNICIANS.

(a) LIMITATIONS.—

(1) NATIONAL GUARD.—Within the limitation provided in section 10217(c)(2) of title 10, United States Code, the number of non-dual status technicians employed by the National Guard as of September 30, 2006, may not exceed the following:

(A) For the Army National Guard of the United States, 1,600.

(B) For the Air National Guard of the United States, 350.

(2) ARMY RESERVE.—The number of non-dual status technicians employed by the Army Reserve as of September 30, 2006, may not exceed 695.

(3) AIR FORCE RESERVE.—The number of non-dual status technicians employed by the Air Force Reserve as of September 30, 2006, may not exceed 90.

(b) NON-DUAL STATUS TECHNICIANS DEFINED.—In this section, the term "non-dual status technician" has the meaning given that term in section 10217(a) of title 10, United States Code.

SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

During fiscal year 2006, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

(1) The Army National Guard of the United States, 17,000.

(2) The Army Reserve, 13,000.

(3) The Naval Reserve, 6,200.

(4) The Marine Corps Reserve, 3,000.

(5) The Air National Guard of the United States, 16,000.

(6) The Air Force Reserve, 14,000.

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

There is hereby authorized to be appropriated to the Department of Defense for military personnel for fiscal year 2006 a total of $108,942,746,000. The authorization in the preceding sentence supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2006.

SEC. 422. ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2006 from the Armed Forces Retirement Home Trust Fund the sum of $58,281,000 for the operation of the Armed Forces Retirement Home.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

Sec. 501. Temporary increase in percentage limits on reduction of time-in-grade requirements for retirement in grade upon voluntary retirement.
Sec. 502. Two-year renewal of temporary authority to reduce minimum length of commissioned service required for voluntary retirement as an officer.
Sec. 503. Exclusion from active-duty general and flag officer distribution and strength limitations of officers on leave pending separation or retirement or between senior positions.
Sec. 504. Consolidation of grade limitations on officer assignment and insignia practice known as frocking.
Sec. 505. Clarification of deadline for receipt by promotion selection boards of certain communications from eligible officers.
Sec. 506. Furnishing to promotion selection boards of adverse information on officers eligible for promotion to certain senior grades.
Sec. 507. Applicability of officer distribution and strength limitations to officers serving in intelligence community positions.
Sec. 508. Grades of the Judge Advocates General.
Sec. 509. Authority to retain permanent professors at the Naval Academy beyond 30 years of active commissioned service.
Sec. 510. Authority for designation of a general/flag officer position on the Joint Staff to be held by reserve component general or flag officer on active duty.

Subtitle B—Reserve Component Management

Sec. 511. Separation at age 64 for reserve component senior officers.
Sec. 512. Modification of strength-in-grade limitations applicable to Reserve flag officers in active status.
Sec. 513. Military technicians (dual status) mandatory separation.
Sec. 514. Military retirement credit for certain service by National Guard members performed while in a State duty status immediately after the terrorist attacks of September 11, 2001.
Sec. 515. Redesignation of the Naval Reserve as the Navy Reserve.
Sec. 516. Clarification of certain authorities relating to the Commission on the National Guard and Reserves.
Sec. 517. Report on employment matters for members of the reserve components.
Sec. 518. Defense Science Board study on deployment of members of the National Guard and Reserves in the Global War on Terrorism.
Sec. 519. Sense of Congress on certain matters relating to the National Guard and Reserves.
Sec. 520. Pilot program on enhanced quality of life for members of the Army Reserve and their families.

Subtitle C—Education and Training

PART I—DEPARTMENT OF DEFENSE SCHOOLS GENERALLY

Sec. 521. Authority for National Defense University award of degree of Master of Science in Joint Campaign Planning and Strategy.
Sec. 522. Authority for certain professional military education schools to receive faculty research grants for certain purposes.

PART II—UNITED STATES NAVAL POSTGRADUATE SCHOOL

Sec. 523. Revision to mission of the Naval Postgraduate School.
Sec. 524. Modification of eligibility for position of President of the Naval Postgraduate School.
Sec. 525. Increased enrollment for eligible defense industry employees in the defense product development program at Naval Postgraduate School.
Sec. 526. Instruction for enlisted personnel by the Naval Postgraduate School.

PART III—RESERVE OFFICERS' TRAINING CORPS

Sec. 531. Repeal of limitation on amount of financial assistance under ROTC scholarship programs.
Sec. 532. Increase in annual limit on number of ROTC scholarships under Army Reserve and National Guard program.
Sec. 533. Procedures for suspending financial assistance and subsistence allowance for Senior ROTC cadets and midshipmen on the basis of health-related conditions.
Sec. 534. Eligibility of United States nationals for appointment to the Senior Reserve Officers' Training Corps.
Sec. 535. Promotion of foreign language skills among members of the Reserve Officers' Training Corps.
Sec. 536. Designation of Ike Skelton Early Commissioning Program Scholarships.

PART IV—OTHER MATTERS

Sec. 537. Enhancement of educational loan repayment authorities.
Sec. 538. Payment of expenses of members of the Armed Forces to obtain professional credentials.
Sec. 539. Use of Reserve Montgomery GI Bill benefits and benefits for mobilized members of the Selected Reserve and National Guard for payments for licensing or certification tests.
Sec. 540. Modification of educational assistance for reserves supporting contingency and other operations.

Subtitle D—General Service Requirements

Sec. 541. Ground combat and other exclusion policies.
Sec. 542. Uniform citizenship or residency requirements for enlistment in the Armed Forces.
Sec. 543. Increase in maximum age for enlistment.
Sec. 544. Increase in maximum term of original enlistment in regular component.
Sec. 545. National Call to Service program.
Sec. 546. Reports on information provided to potential recruits and to new entrants into the Armed Forces on "stop loss" authorities and initial period of military service obligation.

Subtitle E—Military Justice and Legal Assistance Matters

Sec. 551. Offense of stalking under the Uniform Code of Military Justice.
Sec. 552. Rape, sexual assault, and other sexual misconduct under Uniform Code of Military Justice.
Sec. 553. Extension of statute of limitations for murder, rape, and child abuse offenses under the Uniform Code of Military Justice.
Sec. 554. Reports by officers and senior enlisted members of conviction of criminal law.
Sec. 555. Clarification of authority of military legal assistance counsel to provide military legal assistance without regard to licensing requirements.
Sec. 556. Use of teleconferencing in administrative sessions of courts-martial.
Sec. 557. Sense of Congress on applicability of Uniform Code of Military Justice to Reserves on inactive-duty training overseas.

Subtitle F—Matters Relating to Casualties

Sec. 561. Authority for members on active duty with disabilities to participate in Paralympic Games.

Sec. 562. Policy and procedures on casualty assistance to survivors of military decedents.
Sec. 563. Policy and procedures on assistance to severely wounded or injured service members.
Sec. 564. Designation by members of the Armed Forces of persons authorized to direct the disposition of member remains.

Subtitle G—Assistance to Local Educational Agencies for Defense Dependents Education

Sec. 571. Expansion of authorized enrollment in Department of Defense dependents schools overseas.
Sec. 572. Assistance to local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.
Sec. 573. Impact aid for children with severe disabilities.
Sec. 574. Continuation of impact aid assistance on behalf of dependents of certain members despite change in status of member.

Subtitle H—Decorations and Awards

Sec. 576. Eligibility for Operation Enduring Freedom campaign medal.

Subtitle I—Consumer Protection Matters

Sec. 577. Requirement for regulations on policies and procedures on personal commercial solicitations on Department of Defense installations.
Sec. 578. Consumer education for members of the Armed Forces and their spouses on insurance and other financial services.
Sec. 579. Report on predatory lending practices directed at members of the Armed Forces and their dependents.

Subtitle J—Reports and Sense of Congress Statements

Sec. 581. Report on need for a personnel plan for linguists in the Armed Forces.
Sec. 582. Sense of Congress that colleges and universities give equal access to military recruiters and ROTC in accordance with the Solomon Amendment and requirement for report to Congress.
Sec. 583. Sense of Congress concerning study of options for providing homeland defense education.
Sec. 584. Sense of Congress recognizing the diversity of the members of the Armed Forces serving in Operation Iraqi Freedom and Operation Enduring Freedom and honoring their sacrifices and the sacrifices of their families.

Subtitle K—Other Matters

Sec. 589. Expansion and enhancement of authority to present recognition items for recruitment and retention purposes.
Sec. 590. Extension of date of submittal of report of Veterans' Disability Benefits Commission.
Sec. 591. Recruitment and enlistment of home-schooled students in the Armed Forces.
Sec. 592. Modification of requirement for certain intermediaries under certain authorities relating to adoptions.
Sec. 593. Adoption leave for members of the Armed Forces adopting children.
Sec. 594. Addition of information to be covered in mandatory preseparation counseling.
Sec. 595. Report on Transition Assistance Programs.
Sec. 596. Improvement to Department of Defense capacity to respond to sexual assault affecting members of the Armed Forces.
Sec. 597. Authority for appointment of Coast Guard flag officer as Chief of Staff to the President.
Sec. 598. Prayer at military service academy activities.
Sec. 599. Modification of authority to make military working dogs available for adoption.

Subtitle A—Officer Personnel Policy

SEC. 501. TEMPORARY INCREASE IN PERCENTAGE LIMITS ON REDUCTION OF TIME-IN-GRADE REQUIREMENTS FOR RETIREMENT IN GRADE UPON VOLUNTARY RETIREMENT.

Section 1370(a)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

"(F) Notwithstanding subparagraph (E), during the period ending on December 31, 2007, the number of lieutenant colonels and colonels of the Air Force, and the number of commanders and captains of the Navy, for whom a reduction is made under this section during any fiscal year in the period of service-in-grade otherwise required under this paragraph may not exceed four percent of the authorized active-duty strength for that fiscal year for officers of that armed force in that grade.".

SEC. 502. TWO-YEAR RENEWAL OF TEMPORARY AUTHORITY TO REDUCE MINIMUM LENGTH OF COMMISSIONED SERVICE REQUIRED FOR VOLUNTARY RETIREMENT AS AN OFFICER.

(a) ARMY.—Section 3911(b) of title 10, United States Code, is amended—

(1) by inserting "(1)" after "(b)";

(2) in paragraph (1), as so designated, by striking "during the period beginning on October 1, 1990, and ending on December 31, 2001" and inserting "during the period specified in paragraph (2),"; and

(3) by adding at the end the following new paragraph:

"(2) The period specified in this paragraph is the period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2006 and ending on December 31, 2008.".

(b) NAVY AND MARINE CORPS.—Section 6323(a)(2) of such title is amended—

(1) by inserting "(A)" after "(2)";

(2) in subparagraph (A), as so designated, by striking "during the period beginning on October 1, 1990, and ending on December 31, 2001" and inserting "during the period specified in subparagraph (B),"; and

(3) by adding at the end the following new subparagraph:

"(B) The period specified in this subparagraph is the period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2006 and ending on December 31, 2008.".

(c) AIR FORCE.—Section 8911(b) of such title is amended—

(1) by inserting "(1)" after "(b)";

(2) in paragraph (1), as so designated, by striking "during the period beginning on October 1, 1990, and ending on December 31, 2001" and inserting "during the period specified in paragraph (2),"; and

(3) by adding at the end the following new paragraph:

"(2) The period specified in this paragraph is the period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2006 and ending on December 31, 2008.".

SEC. 503. EXCLUSION FROM ACTIVE-DUTY GENERAL AND FLAG OFFICER DISTRIBUTION AND STRENGTH LIMITATIONS OF OFFICERS ON LEAVE PENDING SEPARATION OR RETIREMENT OR BETWEEN SENIOR POSITIONS.

(a) DISTRIBUTION LIMITATIONS.—Section 525 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(e) In determining the total number of general officers or flag officers of an armed force on active duty for purposes of this section, the following officers shall not be counted:

"(1) An officer of that armed force in the grade of brigadier general or above or, in the case of the Navy, in the grade of rear admiral (lower half) or above, who is on leave pending the retirement, separation, or release of that officer from active duty, but only during the 60-day period beginning on the date of the commencement of such leave of such officer.

"(2) An officer of that armed force who has been relieved from a position designated under section 601(a) of this title and is under orders to assume another such position, but only during the 60-day period beginning on the date on which those orders are published.".

(b) ACTIVE-DUTY STRENGTH LIMITATIONS.—

(1) IN GENERAL.—Section 526 of such title is amended by adding at the end the following new subsection:

"(e) EXCLUSION OF CERTAIN OFFICERS PENDING SEPARATION OR RETIREMENT OR BETWEEN SENIOR POSITIONS.—The limitations of this section do not apply to a general or flag officer who is covered by an exclusion under section 525(e) of this title.".

(2) CONFORMING AMENDMENT.—The heading of subsection (d) of such section is amended by striking "CERTAIN OFFICERS" and inserting "CERTAIN RESERVE OFFICERS".

(c) PROHIBITION OF FROCKING TO GRADES ABOVE MAJOR GENERAL AND REAR ADMIRAL.—Section 777(a) of such title is amended by inserting "in a grade below the grade of major general or, in the case of the Navy, rear admiral," after "An officer" in the first sentence.

SEC. 504. CONSOLIDATION OF GRADE LIMITATIONS ON OFFICER ASSIGNMENT AND INSIGNIA PRACTICE KNOWN AS FROCKING.

Section 777(d) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking "brigadier generals and Navy rear admirals (lower half)" and inserting "colonels, Navy captains, brigadier generals, and rear admirals (lower half)"; and

(B) by striking "the grade of" and all that follows through "30" and inserting "the next higher grade may not exceed 85";

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

SEC. 505. CLARIFICATION OF DEADLINE FOR RECEIPT BY PROMOTION SELECTION BOARDS OF CERTAIN COMMUNICATIONS FROM ELIGIBLE OFFICERS.

(a) OFFICERS ON ACTIVE-DUTY LIST.—Section 614(b) of title 10, United States Code, is amended in the first sentence by inserting "the day before" after "not later than".

(b) OFFICERS ON RESERVE ACTIVE-STATUS LIST.—Section 14106 of such title is amended in the second sentence by inserting "the day before" after "not later than".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on March 1, 2006, and shall apply with respect to selection boards convened on or after that date.

SEC. 506. FURNISHING TO PROMOTION SELECTION BOARDS OF ADVERSE INFORMATION ON OFFICERS ELIGIBLE FOR PROMOTION TO CERTAIN SENIOR GRADES.

(a) OFFICERS ON ACTIVE-DUTY LIST.—

(1) IN GENERAL.—Section 615(a) of title 10, United States Code, is amended—

(A) by redesignating paragraphs (3), (4), (5), and (6) as paragraphs (4), (5), (6), and (7), respectively; and

(B) by inserting after paragraph (2) the following new paragraph (3):

"(3) In the case of an eligible officer considered for promotion to a grade above colonel or, in the case of the Navy, captain, any credible information of an adverse nature, including any substantiated adverse finding or conclusion from an officially documented investigation or inquiry, shall be furnished to the selection board in accordance with standards and procedures set out in the regulations prescribed by the Secretary of Defense pursuant to paragraph (1).".

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

(A) in paragraph (4), as redesignated by paragraph (1)(A) of this subsection, by striking "paragraph (2)" and inserting "paragraphs (2) and (3)";

(B) in paragraph (5), as so redesignated, by striking "and (3)" and inserting ", (3), and (4)";

(C) in paragraph (6), as so redesignated—

(i) in the matter preceding subparagraph (A), by inserting ", or in paragraph (3)," after "paragraph (2)"; and

(ii) in subparagraph (B), by inserting "or (3), as applicable" after "paragraph (2)"; and

(D) in subparagraph (A) of paragraph (7), as so redesignated, by inserting "or (3)" after "paragraph (2)(B)".

(b) RESERVE OFFICERS.—

(1) IN GENERAL.—Section 14107(a) of title 10, United States Code, is amended—

(A) by redesignating paragraphs (3), (4), (5), and (6) as paragraphs (4), (5), (6), and (7), respectively; and

(B) by inserting after paragraph (2) the following new paragraph (3):

"(3) In the case of an eligible officer considered for promotion to a grade above colonel or, in the case of the Navy, captain, any credible information of an adverse nature, including any substantiated adverse finding or conclusion from an officially documented investigation or inquiry, shall be furnished to the selection board in accordance with standards and procedures set out in the regulations prescribed by the Secretary of Defense pursuant to paragraph (1).".

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

(A) in paragraph (4), as redesignated by paragraph (1)(A) of this subsection, by striking "paragraph (2)" and inserting "paragraphs (2) and (3)";

(B) in paragraph (5), as so redesignated, by striking "and (3)" and inserting ", (3), and (4)";

(C) in paragraph (6), as so redesignated—

(i) in the matter preceding subparagraph (A), by inserting ", or in paragraph (3)," after "paragraph (2)"; and

(ii) in subparagraph (B), by inserting "or (3), as applicable" after "paragraph (2)"; and

(D) in subparagraph (A) of paragraph (7), as so redesignated, by inserting "or (3)" after "paragraph (2)(B)".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2006, and shall apply with respect to promotion selection boards convened on or after that date.

SEC. 507. APPLICABILITY OF OFFICER DISTRIBUTION AND STRENGTH LIMITATIONS TO OFFICERS SERVING IN INTELLIGENCE COMMUNITY POSITIONS.

(a) IN GENERAL.—Section 528 of title 10, United States Code, is amended to read as follows:

"§ 528. Exclusion: officers serving in certain intelligence positions

"(a) EXCLUSION OF OFFICER SERVING IN CERTAIN CIA POSITIONS.—When either of the individuals serving in a position specified in subsection (b) is an officer of the armed forces, one of those officers, while serving in that position, shall be excluded from the limitations in sections 525 and 526 of this title.

"(b) COVERED POSITIONS.—The positions referred to in this subsection are the following:

"(1) Director of the Central Intelligence Agency.

"(2) Deputy Director of the Central Intelligence Agency.

"(c) ASSOCIATE DIRECTOR OF CIA FOR MILITARY SUPPORT.—An officer of the armed forces serving in the position of Associate Director of the Central Intelligence Agency for Military Support, while serving in that position, shall be excluded from the limitations in sections 525 and 526 of this title.

"(d) OFFICERS SERVING IN OFFICE OF DNI.—A general or flag officer of the armed forces assigned to a position in the Office of the Director of National Intelligence designated by agreement between the Secretary of Defense and the Director of National Intelligence, while serving in that position, shall be excluded from the limitations in sections 525 and 526 of this title, except that not more than five such officers may be so excluded at any time.".

(b) CLERICAL AMENDMENT.—The item relating to such section in the table of sections at the beginning of chapter 32 of such title is amended to read as follows:

"528. Exclusion: officers serving in certain intelligence positions.".

SEC. 508. GRADES OF THE JUDGE ADVOCATES GENERAL.

(a) JUDGE ADVOCATE GENERAL OF THE ARMY.—Section 3037(a) of title 10, United States Code, is amended by striking the last sentence and inserting the following new sentences: "The Judge Advocate General, while so serving, shall hold a grade not lower than

major general. An officer appointed as Assistant Judge Advocate General who holds a lower regular grade shall be appointed in the regular grade of major general.".

(b) JUDGE ADVOCATE GENERAL OF THE NAVY.—Section 5148(b) of such title is amended by striking the last sentence and inserting the following new sentence: "The Judge Advocate General, while so serving, shall hold a grade not lower than rear admiral or major general, as appropriate.".

(c) JUDGE ADVOCATE GENERAL OF THE AIR FORCE.—Section 8037(a) of such title is amended by striking the last sentence and inserting the following new sentence: "The Judge Advocate General, while so serving, shall hold a grade not lower than major general.".

SEC. 509. AUTHORITY TO RETAIN PERMANENT PROFESSORS AT THE NAVAL ACADEMY BEYOND 30 YEARS OF ACTIVE COMMISSIONED SERVICE.

(a) WAIVER OF MANDATORY RETIREMENT FOR YEARS OF SERVICE.—

(1) LIEUTENANT COLONELS AND COMMANDERS.—Section 633 of title 10, United States Code, is amended—

(A) by striking "Except an" and all that follows through "except as provided" and inserting "(a) 28 YEARS OF ACTIVE COMMISSIONED SERVICE.—Except as provided in subsection (b) and as provided"; and

(B) by adding at the end the following:

"(b) EXCEPTIONS.—Subsection (a) does not apply to the following:

"(1) An officer of the Navy or Marine Corps who is an officer designated for limited duty to whom section 5596(e) or 6383 of this title applies.

"(2) An officer of the Navy or Marine Corps who is a permanent professor at the United States Naval Academy.".

(2) COLONELS AND NAVY CAPTAINS.—Section 634 of such title is amended—

(A) by striking "Except an" and all that follows through "except as provided" and inserting "(a) 30 YEARS OF ACTIVE COMMISSIONED SERVICE.—Except as provided in subsection (b) and as provided"; and

(B) by adding at the end the following:

"(b) EXCEPTIONS.—Subsection (a) does not apply to the following:

"(1) An officer of the Navy who is designated for limited duty to whom section 6383(a)(4) of this title applies.

"(2) An officer of the Navy or Marine Corps who is a permanent professor at the United States Naval Academy.".

(b) AUTHORITY FOR RETENTION OF PERMANENT PROFESSORS BEYOND 30 YEARS.—

(1) AUTHORITY.—Chapter 603 of such title is amended by inserting after section 6969 the following new section:

"§ 6970. Permanent professors: retirement for years of service; authority for deferral

"(a) RETIREMENT FOR YEARS OF SERVICE.—(1) Except as provided in subsection (b), an officer of the Navy or Marine Corps serving as a permanent professor at the Naval Academy in the grade of commander or lieutenant colonel who is not on a list of officers

recommended for promotion to the grade of captain or colonel, as the case may be, shall, if not earlier retired, be retired on the first day of the month after the month in which the officer completes 28 years of active commissioned service.

"(2) Except as provided in subsection (b), an officer of the Navy or Marine Corps serving as a permanent professor at the Naval Academy in the grade of captain or colonel who is not on a list of officers recommended for promotion to the grade of rear admiral (lower half) or brigadier general, as the case may be, shall, if not earlier retired, be retired on the first day of the month after the month in which the officer completes 30 years of active commissioned service.

"(b) CONTINUATION ON ACTIVE DUTY.—(1) An officer subject to retirement under subsection (a) may have his retirement deferred and be continued on active duty by the Secretary of the Navy.

"(2) Subject to section 1252 of this title, the Secretary of the Navy shall determine the period of any continuation on active duty under this section.

"(c) ELIGIBILITY FOR PROMOTION.—A permanent professor at the Naval Academy in the grade of commander or lieutenant colonel who is continued on active duty as a permanent professor under subsection (b) remains eligible for consideration for promotion to the grade of captain or colonel, as the case may be.

"(d) RETIRED GRADE AND RETIRED PAY.—Each officer retired under this section—

"(1) unless otherwise entitled to a higher grade, shall be retired in the grade determined under section 1370 of this title; and

"(2) is entitled to retired pay computed under section 6333 of this title.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 6969 the following new item:

"6970. Permanent professors: retirement for years of service; authority for deferral.".

(c) MANDATORY RETIREMENT AT AGE 64.—

(1) REORGANIZATION AND STANDARDIZATION.—Chapter 63 of such title is amended by inserting after section 1251 the following new section:

"§ 1252. Age 64: permanent professors at academies

"(a) MANDATORY RETIREMENT FOR AGE.—Unless retired or separated earlier, each regular commissioned officer of the Army, Navy, Air Force, or Marine Corps covered by subsection (b) shall be retired on the first day of the month following the month in which the officer becomes 64 years of age.

"(b) COVERED OFFICERS.—This section applies to the following officers:

"(1) An officer who is a permanent professor or the director of admissions of the United States Military Academy.

"(2) An officer who is a permanent professor at the United States Naval Academy.

"(3) An officer who is a permanent professor or the registrar of the United States Air Force Academy.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1251 the following new item:

"1252. Age 64: permanent professors at academies.".

(3) CONFORMING AMENDMENT.—Section 1251(a) of such title is amended—

(A) in the first sentence, by inserting ", a permanent professor at the United States Naval Academy," after "Air Force Academy"; and

(B) by striking the second sentence.

(d) CONFORMING AMENDMENTS RELATING TO COMPUTATION OF RETIRED PAY.—

(1) AGE 64 RETIREMENT.—Chapter 71 of such title is amended—

(A) in the table in section 1401(a), by inserting at the bottom of the column under the heading "For sections", in the entry for Formula Number 5, the following: "1252"; and

(B) in the table in section 1406(b)(1), by inserting at the bottom of the first column the following: "1252".

(2) YEARS-OF-SERVICE RETIREMENT.—Section 6333(a) of such title is amended—

(A) in the matter preceding the table, by inserting "6970 or" after "section"; and

(B) in the table, by inserting "6970" immediately below "6325(b)" in the column under the heading "For sections", in the entry for Formula B.

SEC. 510. AUTHORITY FOR DESIGNATION OF A GENERAL/FLAG OFFICER POSITION ON THE JOINT STAFF TO BE HELD BY RESERVE COMPONENT GENERAL OR FLAG OFFICER ON ACTIVE DUTY.

Section 526(b)(2)(A) of title 10, United States Code, is amended by inserting ", and a general and flag officer position on the Joint Staff," after "combatant commands".

Subtitle B—Reserve Component Management

SEC. 511. SEPARATION AT AGE 64 FOR RESERVE COMPONENT SENIOR OFFICERS.

Section 14512(a) of title 10, United States Code, is amended—

(1) by inserting "(1)" before "Unless retired,";

(2) by striking "who is Chief" and all that follows through "of a State," and inserting "who is specified in paragraph (2)"; and

(3) by adding at the end the following new paragraph:

"(2) Paragraph (1) applies to a reserve officer of the Army or Air Force who is any of the following:

"(A) The Chief of the National Guard Bureau.

"(B) The Chief of the Army Reserve, Chief of the Air Force Reserve, Director of the Army National Guard, or Director of the Air National Guard.

"(C) An adjutant general.

"(D) If a reserve officer of the Army, the commanding general of the troops of a State.".

SEC. 512. MODIFICATION OF STRENGTH-IN-GRADE LIMITATIONS APPLICABLE TO RESERVE FLAG OFFICERS IN ACTIVE STATUS.

(a) LINE OFFICERS.—The table in paragraph (1) of section 12004(c) of title 10, United States Code, is amended by striking "28" in the item relating to Line officers and inserting "33".

(b) MEDICAL DEPARTMENT STAFF CORPS OFFICERS.—Such table is further amended by striking "9" in the item relating to Medical Department staff corps officers and inserting "5".

(c) SUPPLY CORPS OFFICERS.—Paragraph (2)(A) of such section is amended by striking "seven" and inserting "six".

(d) CONFORMING AMENDMENT.—Paragraph (1) of such section is further amended in the matter preceding the table by striking "39" and inserting "40".

SEC. 513. MILITARY TECHNICIANS (DUAL STATUS) MANDATORY SEPARATION.

(a) DEFERRAL OF SEPARATION.—Section 10216 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(f) DEFERRAL OF MANDATORY SEPARATION.—The Secretary of the Army shall implement personnel policies so as to allow a military technician (dual status) who continues to meet the requirements of this section for dual status to continue to serve beyond a mandatory removal date for officers, and any applicable maximum years of service limitation, until the military technician (dual status) reaches age 60 and attains eligibility for an unreduced annuity (as defined in section 10218(c) of this title).".

(b) EFFECTIVE DATE.—The Secretary of the Army shall implement subsection (f) of section 10216 of title 10, United States Code, as added by subsection (a), not later than 90 days after the date of the enactment of this Act.

SEC. 514. MILITARY RETIREMENT CREDIT FOR CERTAIN SERVICE BY NATIONAL GUARD MEMBERS PERFORMED WHILE IN A STATE DUTY STATUS IMMEDIATELY AFTER THE TERRORIST ATTACKS OF SEPTEMBER 11, 2001.

(a) RETIREMENT CREDIT.—Service of a member of the Ready Reserve of the Army National Guard or Air National Guard described in subsection (b) shall be deemed to be service creditable under section 12732(a)(2)(A)(i) of title 10, United States Code.

(b) COVERED SERVICE.—Service referred to in subsection (a) is full-time State active duty service that a member of the National Guard performed on or after September 11, 2001, and before October 1, 2002, in any of the counties specified in subsection (c) to support a Federal declaration of emergency following the terrorist attacks on the United States of September 11, 2001.

(c) COVERED COUNTIES.—The counties referred to in subsection (b) are the following:

(1) In the State of New York: Bronx, Kings, New York (boroughs of Brooklyn and Manhattan), Queens, Richmond, Delaware, Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk, Sullivan, Ulster, and Westchester.

(2) In the State of Virginia: Arlington.

(d) APPLICABILITY.—Subsection (a) shall take effect as of September 11, 2001.

SEC. 515. REDESIGNATION OF THE NAVAL RESERVE AS THE NAVY RESERVE.

(a) REDESIGNATION OF RESERVE COMPONENT.—

(1) REDESIGNATION.—The reserve component of the Armed Forces known as the Naval Reserve is redesignated as the Navy Reserve.

(2) CONFORMING REPEAL.—Section 517 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1884; 10 U.S.C. 10101 note) is repealed.

(b) CONFORMING AMENDMENTS TO TITLE 10, UNITED STATES CODE.—

(1) TEXT AMENDMENTS.—Title 10, United States Code, is amended by striking "Naval Reserve" each place it appears in the following provisions and inserting "Navy Reserve":

(A) Section 513(a).
(B) Section 516.
(C) Section 526(b)(2)(C)(i).
(D) Section 971(a).
(E) Section 5001(a)(1).
(F) Section 5143.
(G) Section 5596(c).
(H) Section 6323(f).
(I) Section 6327.
(J) Section 6330(b).
(K) Section 6331(a)(2).
(L) Section 6336.
(M) Section 6389.
(N) Section 6911(c)(1).
(O) Section 6913(a).
(P) Section 6915.
(Q) Section 6954(b)(3).
(R) Section 6956(a)(2).
(S) Section 6959.
(T) Section 7225.
(U) Section 7226.
(V) Section 7605(1).
(W) Section 7852.
(X) Section 7853.
(Y) Section 7854.
(Z) Section 10101(3).
(AA) Section 10108.
(BB) Section 10172.
(CC) Section 10301(a)(7).
(DD) Section 10303.
(EE) Section 12004(e)(2).
(FF) Section 12005.
(GG) Section 12010.
(HH) Section 12011(a)(2).
(II) Section 12012(a).
(JJ) Section 12103.
(KK) Section 12205.
(LL) Section 12207(b)(2).
(MM) Section 12732.

(NN) Section 12774(b) (other than the first place it appears).

(OO) Section 14002(b).

(PP) Section 14101(a)(1).

(QQ) Section 14107(d).

(RR) Section 14302(a)(1)(A).

(SS) Section 14313(b).

(TT) Section 14501(a).

(UU) Section 14512(b).

(VV) Section 14705(a).

(WW) Section 16201(d)(1)(B)(ii).

(2) SUBSECTION CAPTION AMENDMENTS.—Such title is further amended in sections 971(a) and 5143(a) by striking "NAVAL RESERVE" and inserting "NAVY RESERVE".

(3) SECTION HEADING AMENDMENTS.—Such title is further amended as follows:

(A) The heading of section 5143 is amended to read as follows:

"§ 5143. Office of Navy Reserve: appointment of Chief".

(B) The heading of section 6327 is amended to read as follows:

"§ 6327. Officers and enlisted members of the Navy Reserve and Marine Corps Reserve: 30 years; 20 years; retired pay".

(C) The heading of section 6389 is amended to read as follows:

"§ 6389. Navy Reserve and Marine Corps Reserve; officers: elimination from active status; computation of total commissioned service".

(D) The heading of section 7225 is amended to read as follows:

"§ 7225. Navy Reserve flag".

(E) The heading of section 7226 is amended to read as follows:

"§ 7226. Navy Reserve yacht pennant".

(F) The heading of section 10108 is amended to read as follows:

"§ 10108. Navy Reserve: administration".

(G) The heading of section 10172 is amended to read as follows:

"§ 10172. Navy Reserve Force".

(H) The heading of section 10303 is amended to read as follows:

"§ 10303. Navy Reserve Policy Board".

(I) The heading of section 12010 is amended to read as follows:

"§ 12010. Computations for Navy Reserve and Marine Corps Reserve: rule when fraction occurs in final result".

(J) The heading of section 14306 is amended to read as follows:

"§ 14306. Establishment of promotion zones: Navy Reserve and Marine Corps Reserve running mate system".

(4) TABLES OF SECTIONS AMENDMENTS.—Such title is further amended as follows:

(A) The item relating to section 5143 in the table of sections at the beginning of chapter 513 is amended to read as follows:

"5143. Office of Navy Reserve: appointment of Chief.".

(B) The item relating to section 6327 in the table of sections at the beginning of chapter 571 is amended to read as follows:

"6327. Officers and enlisted members of the Navy Reserve and Marine Corps Reserve: 30 years; 20 years; retired pay.".

(C) The item relating to section 6389 in the table of sections at the beginning of chapter 573 is amended to read as follows:

"6389. Navy Reserve and Marine Corps Reserve; officers: elimination from active status; computation of total commissioned service.".

(D) The items relating to sections 7225 and 7226 in the table of sections at the beginning of chapter 631 are amended to read as follows:

"7225. Navy Reserve flag.
"7226. Navy Reserve yacht pennant.".

(E) The item relating to section 10108 in the table of sections at the beginning of chapter 1003 is amended to read as follows:

"10108. Navy Reserve: administration.".

(F) The item relating to section 10172 in the table of sections at the beginning of chapter 1006 is amended to read as follows:

"10172. Navy Reserve Force.".

(G) The item relating to section 10303 in the table of sections at the beginning of chapter 1009 is amended to read as follows:

"10303. Navy Reserve Policy Board.".

(H) The item relating to section 12010 in the table of sections at the beginning of chapter 1201 is amended to read as follows:

"12010. Computations for Navy Reserve and Marine Corps Reserve: rule when fraction occurs in final result.".

(I) The item relating to section 14306 in the table of sections at the beginning of chapter 1405 is amended to read as follows:

"14306. Establishment of promotion zones: Navy Reserve and Marine Corps Reserve running mate system.".

(c) CONFORMING AMENDMENT TO TITLE 14, UNITED STATES CODE.—Section 705 of title 14, United States Code, is amended by striking "Naval Reserve" each place it appears and inserting "Navy Reserve".

(d) CONFORMING AMENDMENTS TO TITLE 37, UNITED STATES CODE.—

(1) TEXT AMENDMENTS.—Title 37, United States Code, is amended by striking "Naval Reserve" each place it appears in the following provisions and inserting "Navy Reserve":

(A) Section 101(24)(C).

(B) Section 201(d).

(C) Section 205(a)(2)(I).

(D) Section 301c(d).

(E) Section 319(a).

(F) Section 905.

(2) SUBSECTION CAPTION AMENDMENT.—Section 301c(d) of such title is further amended by striking "NAVAL RESERVE" and inserting "NAVY RESERVE".

(e) CONFORMING AMENDMENTS TO TITLE 38, UNITED STATES CODE.—Title 38, United States Code, is amended by striking "Naval Reserve" each place it appears in the following provisions and inserting "Navy Reserve":

(1) Section 101(27)(B).

(2) Section 3002(6)(C).

(3) Section 3202(1)(C)(iii).

(4) Section 3452(a)(3)(C).

(f) CONFORMING AMENDMENTS TO OTHER CODIFIED TITLES.—

(1) TITLE 5, UNITED STATES CODE.—Section 2108(1)(B) of title 5, United States Code, is amended by striking "Naval Reserve" and inserting "Navy Reserve".

(2) TITLE 18, UNITED STATES CODE.—Section 2387(b) of title 18, United States Code, is amended by striking "Naval Reserve" and inserting "Navy Reserve".

(3) TITLE 46, UNITED STATES CODE.—Title 46, United States Code, is amended as follows:

(A) Sections 8103(g) and 8302(g) are amended by striking "Naval Reserve" each place it appears and inserting "Navy Reserve".

(B) The heading of section 8103 is amended to read as follows:

"§ 8103. Citizenship and Navy Reserve requirements".

(C) The table of sections at the beginning of chapter 81 is amended by striking the item relating to section 8103 and inserting the following new item:

"8103. Citizenship and Navy Reserve requirements.".

(g) CONFORMING AMENDMENTS TO OTHER LAWS.—

(1) Section 2301(4)(C) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6671(4)(C)) is amended by striking "Naval Reserve" and inserting "Navy Reserve".

(2) The Merchant Marine Act, 1936 is amended—

(A) by striking "Naval Reserve" each place it appears in sections 301(b) (46 U.S.C. App. 1131(b)), 1303 (46 U.S.C.

App. 1295b), and 1304 (46 U.S.C. App. 1295c) and inserting "Navy Reserve"; and

(B) by striking "NAVAL RESERVE" in sections 1303(c) and 1304(h) and inserting "NAVY RESERVE":

(3) The Military Selective Service Act is amended—

(A) in section 6(a)(1) (50 U.S.C. App. 456(a)(1)), by striking "United States Naval Reserves" and inserting "members of the United States Navy Reserve"; and

(B) in section 16(i) (50 U.S.C. App. 466(i)), by striking "Naval Reserve" and inserting "Navy Reserve".

(h) OTHER REFERENCES.—Any reference in any law, regulation, document, record, or other paper of the United States to the Naval Reserve, other than a reference to the Naval Reserve regarding the United States Naval Reserve Retired List, shall be considered to be a reference to the Navy Reserve.

SEC. 516. CLARIFICATION OF CERTAIN AUTHORITIES RELATING TO THE COMMISSION ON THE NATIONAL GUARD AND RESERVES.

(a) NATURE OF COMMISSION.—Subsection (a) of section 513 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1880) is amended by inserting "in the legislative branch" after "There is established".

(b) PAY OF MEMBERS.—Subsection (e)(1) of such section is amended by striking "except that" and all that follows through the end and inserting "except that—

"(A) in applying the first sentence of subsection (a) of section 957 of such Act to the Commission, 'may' shall be substituted for 'shall'; and

"(B) in applying subsections (a), (c)(2), and (e) of section 957 of such Act to the Commission, 'level IV of the Executive Schedule' shall be substituted for 'level V of the Executive Schedule'.".

(c) TECHNICAL AMENDMENT.—Subsection (c)(2)(C) of such section is amended by striking "section 404(a)(4)" and inserting "section 416(a)(4)".

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 28, 2004, as if included in the enactment of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005.

SEC. 517. REPORT ON EMPLOYMENT MATTERS FOR MEMBERS OF THE RESERVE COMPONENTS.

(a) REQUIREMENT FOR REPORT.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report on problems faced by members of the reserve components with respect to employment as a result of being ordered to perform full-time National Guard duty or being ordered to active duty.

(b) SPECIFIC MATTERS.—In preparing the report under subsection (a), the Comptroller General shall include the following:

(1) TYPE OF EMPLOYERS.—An estimate of the number of employers of members of the reserve components who are private-sector employers and the number who are public-sector employers.

(2) SIZE OF EMPLOYERS.—An estimate of the number of employers of members of the reserve components who employ fewer than 50 full-time employees.

(3) SELF-EMPLOYED.—An estimate of the number of members of the reserve components who are self-employed.

(4) NATURE OF BUSINESS.—A description of the nature of the business of employers of members of the reserve components.

(5) REEMPLOYMENT DIFFICULTIES.—A description of difficulties faced by members of the reserve components in gaining reemployment after having performed full-time National Guard duty or active duty, including difficulties faced by members who are disabled as a result of their service.

SEC. 518. DEFENSE SCIENCE BOARD STUDY ON DEPLOYMENT OF MEMBERS OF THE NATIONAL GUARD AND RESERVES IN THE GLOBAL WAR ON TERRORISM.

(a) STUDY REQUIRED.—The Defense Science Board shall conduct a study on the length and frequency of the deployment of members of the National Guard and the Reserves as a result of the global war on terrorism.

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

(1) An identification of the current range of lengths and frequencies of deployments of members of the National Guard and the Reserves.

(2) An assessment of the consequences for force structure, morale, and mission capability of deployments of members of the National Guard and the Reserves in the course of the global war on terrorism that are lengthy, frequent, or both.

(3) An identification of the optimal length and frequency of deployments of members of the National Guard and the Reserves during the global war on terrorism.

(4) An identification of mechanisms to reduce the length, frequency, or both of deployments of members of the National Guard and the Reserves during the global war on terrorism.

(c) REPORT.—Not later than May 1, 2006, the Defense Science Board shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the study required by subsection (a). The report shall include the results of the study and such recommendations as the Defense Science Board considers appropriate in light of the study.

SEC. 519. SENSE OF CONGRESS ON CERTAIN MATTERS RELATING TO THE NATIONAL GUARD AND RESERVES.

It is the sense of Congress—

(1) to recognize the important and integral role played by members of the Active Guard and Reserve and military technicians (dual status) in the efforts of the Armed Forces; and

(2) to urge the Secretary of Defense to promptly resolve issues relating to appropriate authority for payment of reenlistment bonuses stemming from reenlistment contracts entered into between January 14, 2005, and April 17, 2005, involving members of the Army National Guard and military technicians (dual status).

SEC. 520. PILOT PROGRAM ON ENHANCED QUALITY OF LIFE FOR MEMBERS OF THE ARMY RESERVE AND THEIR FAMILIES.

(a) PILOT PROGRAM REQUIRED.—

(1) IN GENERAL.—The Secretary of the Army shall carry out a pilot program to assess the feasibility and advisability of using a coalition of military and civilian community personnel in order to enhance the quality of life for members of the Army Reserve and their families.

(2) LOCATIONS.—The Secretary shall carry out the pilot program in areas of the United States in which members of the Army Reserve and their families are concentrated. The Secretary shall select one area in two States for purposes of the pilot program.

(b) PARTICIPATING PERSONNEL.—A coalition of personnel under the pilot program shall include—

(1) military personnel; and

(2) appropriate members of the civilian community, such as clinicians and teachers, who volunteer for participation in the coalition.

(c) REPORT.—Not later than April 1, 2007, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the pilot program carried out under this section. The report shall include—

(1) a description of the pilot program;

(2) an assessment of the benefits of using a coalition of military and civilian community personnel in order to enhance the quality of life for members of the Army Reserve and their families; and

(3) such recommendations for legislative or administrative action as the Secretary considers appropriate in light of the pilot program.

Subtitle C—Education and Training

PART I—DEPARTMENT OF DEFENSE SCHOOLS GENERALLY

SEC. 521. AUTHORITY FOR NATIONAL DEFENSE UNIVERSITY AWARD OF DEGREE OF MASTER OF SCIENCE IN JOINT CAMPAIGN PLANNING AND STRATEGY.

(a) JOINT FORCES STAFF COLLEGE PROGRAM.—Section 2163 of title 10, United States Code, is amended to read as follows:

"§ 2163. National Defense University: master of science degrees

"(a) AUTHORITY TO AWARD SPECIFIED DEGREES.—The President of the National Defense University, upon the recommendation of the faculty of the respective college or other school within the University, may confer the master of science degrees specified in subsection (b).

"(b) AUTHORIZED DEGREES.—The following degrees may be awarded under subsection (a):

"(1) MASTER OF SCIENCE IN NATIONAL SECURITY STRATEGY.—The degree of master of science in national security strat-

egy, to graduates of the University who fulfill the requirements of the program of the National War College.

"(2) MASTER OF SCIENCE IN NATIONAL RESOURCE STRATEGY.—The degree of master of science in national resource strategy, to graduates of the University who fulfill the requirements of the program of the Industrial College of the Armed Forces.

"(3) MASTER OF SCIENCE IN JOINT CAMPAIGN PLANNING AND STRATEGY.—The degree of master of science in joint campaign planning and strategy, to graduates of the University who fulfill the requirements of the program of the Joint Advanced Warfighting School at the Joint Forces Staff College.

"(c) REGULATIONS.—The authority provided by this section shall be exercised under regulations prescribed by the Secretary of Defense.".

(b) CLERICAL AMENDMENT.—The item relating to section 2163 in the table of sections at the beginning of chapter 108 of such title is amended to read as follows:

"2163. National Defense University: master of science degrees.".

(c) EFFECTIVE DATE.—Paragraph (3) of section 2163(b) of title 10, United States Code, as amended by subsection (a), shall take effect for degrees awarded after May 2005.

SEC. 522. AUTHORITY FOR CERTAIN PROFESSIONAL MILITARY EDUCATION SCHOOLS TO RECEIVE FACULTY RESEARCH GRANTS FOR CERTAIN PURPOSES.

(a) NATIONAL DEFENSE UNIVERSITY.—Section 2165 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(e) ACCEPTANCE OF FACULTY RESEARCH GRANTS.—(1) The Secretary of Defense may authorize the President of the National Defense University to accept qualifying research grants. Any such grant may only be accepted if the work under the grant is to be carried out by a professor or instructor of one of the institutions comprising the University for a scientific, literary, or educational purpose.

"(2) A qualifying research grant under this subsection is a grant that is awarded on a competitive basis by an entity referred to in paragraph (3) for a research project with a scientific, literary, or educational purpose.

"(3) A grant may be accepted under this subsection only from a corporation, fund, foundation, educational institution, or similar entity that is organized and operated primarily for scientific, literary, or educational purposes.

"(4) The Secretary shall establish an account for administering funds received as research grants under this subsection. The President of the University shall use the funds in the account in accordance with applicable provisions of the regulations and the terms and condition of the grants received.

"(5) Subject to such limitations as may be provided in appropriations Acts, appropriations available for the National Defense University may be used to pay expenses incurred by the University in applying for, and otherwise pursuing, the award of qualifying research grants.

"(6) The Secretary shall prescribe regulations for the administration of this subsection.".

(b) ARMY WAR COLLEGE.—

(1) IN GENERAL.—Chapter 407 of such title is amended by adding at the end the following new section:

"§ 4417. United States Army War College: acceptance of grants for faculty research for scientific, literary, and educational purposes

"(a) ACCEPTANCE OF RESEARCH GRANTS.—The Secretary of the Army may authorize the Commandant of the United States Army War College to accept qualifying research grants. Any such grant may only be accepted if the work under the grant is to be carried out by a professor or instructor of the College for a scientific, literary, or educational purpose.

"(b) QUALIFYING GRANTS.—A qualifying research grant under this section is a grant that is awarded on a competitive basis by an entity referred to in subsection (c) for a research project with a scientific, literary, or educational purpose.

"(c) ENTITIES FROM WHICH GRANTS MAY BE ACCEPTED.—A grant may be accepted under this section only from a corporation, fund, foundation, educational institution, or similar entity that is organized and operated primarily for scientific, literary, or educational purposes.

"(d) ADMINISTRATION OF GRANT FUNDS.—The Secretary shall establish an account for administering funds received as research grants under this section. The Commandant shall use the funds in the account in accordance with applicable provisions of the regulations and the terms and condition of the grants received.

"(e) RELATED EXPENSES.—Subject to such limitations as may be provided in appropriations Acts, appropriations available for the Army War College may be used to pay expenses incurred by the College in applying for, and otherwise pursuing, the award of qualifying research grants.

"(f) REGULATIONS.—The Secretary shall prescribe regulations for the administration of this section.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"4417. United States Army War College: acceptance of grants for faculty research for scientific, literary, and educational purposes.".

(c) UNITED STATES NAVAL POSTGRADUATE SCHOOL.—

(1) IN GENERAL.—Chapter 605 of such title is amended by adding at the end the following new section:

"§ 7050. Grants for faculty research for scientific, literary, and educational purposes: acceptance; authorized grantees

"(a) ACCEPTANCE OF RESEARCH GRANTS.—The Secretary of the Navy may authorize the President of the Naval Postgraduate School to accept qualifying research grants. Any such grant may only be accepted if the work under the grant is to be carried out by a professor or instructor of the School for a scientific, literary, or educational purpose.

"(b) QUALIFYING GRANTS.—A qualifying research grant under this section is a grant that is awarded on a competitive basis by an

entity referred to in subsection (c) for a research project with a scientific, literary, or educational purpose.

"(c) ENTITIES FROM WHICH GRANTS MAY BE ACCEPTED.—A grant may be accepted under this section only from a corporation, fund, foundation, educational institution, or similar entity that is organized and operated primarily for scientific, literary, or educational purposes.

"(d) ADMINISTRATION OF GRANT FUNDS.—The Secretary shall establish an account for administering funds received as research grants under this section. The President of the Naval Postgraduate School shall use the funds in the account in accordance with applicable provisions of the regulations and the terms and condition of the grants received.

"(e) RELATED EXPENSES.—Subject to such limitations as may be provided in appropriations Acts, appropriations available for the Naval Postgraduate School may be used to pay expenses incurred by the School in applying for, and otherwise pursuing, the award of qualifying research grants.

"(f) REGULATIONS.—The Secretary shall prescribe regulations for the administration of this section.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"7050. Grants for faculty research for scientific, literary, and educational purposes: acceptance, authorized grantees.".

(d) NAVAL WAR COLLEGE AND MARINE CORPS UNIVERSITY.—

(1) IN GENERAL.—Chapter 609 of such title is amended by adding at the end the following new sections:

"§ 7103. Naval War College: acceptance of grants for faculty research for scientific, literary, and educational purposes

"(a) ACCEPTANCE OF RESEARCH GRANTS.—The Secretary of the Navy may authorize the President of the Naval War College to accept qualifying research grants. Any such grant may only be accepted if the work under the grant is to be carried out by a professor or instructor of the College for a scientific, literary, or educational purpose.

"(b) QUALIFYING GRANTS.—A qualifying research grant under this section is a grant that is awarded on a competitive basis by an entity referred to in subsection (c) for a research project with a scientific, literary, or educational purpose.

"(c) ENTITIES FROM WHICH GRANTS MAY BE ACCEPTED.—A grant may be accepted under this section only from a corporation, fund, foundation, educational institution, or similar entity that is organized and operated primarily for scientific, literary, or educational purposes.

"(d) ADMINISTRATION OF GRANT FUNDS.—The Secretary shall establish an account for administering funds received as research grants under this section. The President of the Naval War College shall use the funds in the account in accordance with applicable provisions of the regulations and the terms and condition of the grants received.

"(e) RELATED EXPENSES.—Subject to such limitations as may be provided in appropriations Acts, appropriations available for the

Naval War College may be used to pay expenses incurred by the College in applying for, and otherwise pursuing, the award of qualifying research grants.

"(f) REGULATIONS.—The Secretary shall prescribe regulations for the administration of this section.

"§ 7104. Marine Corps University: acceptance of grants for faculty research for scientific, literary, and educational purposes

"(a) ACCEPTANCE OF RESEARCH GRANTS.—The Secretary of the Navy may authorize the President of the Marine Corps University to accept qualifying research grants. Any such grant may only be accepted if the work under the grant is to be carried out by a professor or instructor of one of the institutions comprising the University for a scientific, literary, or educational purpose.

"(b) QUALIFYING GRANTS.—A qualifying research grant under this section is a grant that is awarded on a competitive basis by an entity referred to in subsection (c) for a research project with a scientific, literary, or educational purpose.

"(c) ENTITIES FROM WHICH GRANTS MAY BE ACCEPTED.—A grant may be accepted under this section only from a corporation, fund, foundation, educational institution, or similar entity that is organized and operated primarily for scientific, literary, or educational purposes.

"(d) ADMINISTRATION OF GRANT FUNDS.—The Secretary shall establish an account for administering funds received as research grants under this section. The President of the Marine Corps University shall use the funds in the account in accordance with applicable provisions of the regulations and the terms and condition of the grants received.

"(e) RELATED EXPENSES.—Subject to such limitations as may be provided in appropriations Acts, appropriations available for the Marine Corps University may be used to pay expenses incurred by the University in applying for, and otherwise pursuing, the award of qualifying research grants.

"(f) REGULATIONS.—The Secretary shall prescribe regulations for the administration of this section.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new items:

"7103. Naval War College: acceptance of grants for faculty research for scientific, literary, and educational purposes.
"7104. Marine Corps University: acceptance of grants for faculty research for scientific, literary, and educational purposes.".

(e) UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY.—Section 9314 of such title is amended by adding at the end the following new subsection:

"(d) ACCEPTANCE OF RESEARCH GRANTS.—(1) The Secretary of the Air Force may authorize the Commandant of the United States Air Force Institute of Technology to accept qualifying research grants. Any such grant may only be accepted if the work under the grant is to be carried out by a professor or instructor of the Institute for a scientific, literary, or educational purpose.

"(2) A qualifying research grant under this subsection is a grant that is awarded on a competitive basis by an entity referred to in

paragraph (3) for a research project with a scientific, literary, or educational purpose.

"(3) A grant may be accepted under this subsection only from a corporation, fund, foundation, educational institution, or similar entity that is organized and operated primarily for scientific, literary, or educational purposes.

"(4) The Secretary shall establish an account for administering funds received as research grants under this section. The Commandant of the Institute shall use the funds in the account in accordance with applicable provisions of the regulations and the terms and condition of the grants received.

"(5) Subject to such limitations as may be provided in appropriations Acts, appropriations available for the Institute may be used to pay expenses incurred by the Institute in applying for, and otherwise pursuing, the award of qualifying research grants.

"(6) The Secretary shall prescribe regulations for the administration of this subsection.".

(f) AIR WAR COLLEGE.—

(1) IN GENERAL.—Chapter 907 of such title is amended by adding at the end the following new section:

"§ 9417. Air War College: acceptance of grants for faculty research for scientific, literary, and educational purposes

"(a) ACCEPTANCE OF RESEARCH GRANTS.—The Secretary of the Air Force may authorize the Commandant of the Air War College to accept qualifying research grants. Any such grant may only be accepted if the work under the grant is to be carried out by a professor or instructor of the College for a scientific, literary, or educational purpose.

"(b) QUALIFYING GRANTS.—A qualifying research grant under this section is a grant that is awarded on a competitive basis by an entity referred to in subsection (c) for a research project with a scientific, literary, or educational purpose.

"(c) ENTITIES FROM WHICH GRANTS MAY BE ACCEPTED.—A grant may be accepted under this section only from a corporation, fund, foundation, educational institution, or similar entity that is organized and operated primarily for scientific, literary, or educational purposes.

"(d) ADMINISTRATION OF GRANT FUNDS.—The Secretary shall establish an account for administering funds received as research grants under this section. The Commandant shall use the funds in the account in accordance with applicable provisions of the regulations and the terms and condition of the grants received.

"(e) RELATED EXPENSES.—Subject to such limitations as may be provided in appropriations Acts, appropriations available for the Air War College may be used to pay expenses incurred by the College in applying for, and otherwise pursuing, the award of qualifying research grants.

"(f) REGULATIONS.—The Secretary shall prescribe regulations for the administration of this section.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"9417. Air War College: acceptance of grants for faculty research for scientific, literary, and educational purposes.".

PART II—UNITED STATES NAVAL POSTGRADUATE SCHOOL

SEC. 523. REVISION TO MISSION OF THE NAVAL POSTGRADUATE SCHOOL.

(a) INCLUSION OF PROFESSIONAL EDUCATION AND RESEARCH OPPORTUNITIES.—The text of section 7041 of title 10, United States Code, is amended to read as follows:

" There is a United States Naval Postgraduate School, the primary function of which is to provide advanced instruction and professional and technical education and research opportunities for commissioned officers of the naval service in—

"(1) their practical and theoretical duties;

"(2) the science, physics, and systems engineering of current and future naval warfare doctrine, operations, and systems; and

"(3) the integration of naval operations and systems into joint, combined, and multinational operations.".

(b) CONFORMING AMENDMENT.—Section 7042(b)(1) of such title is amended by striking "and technical education of students" and inserting "and professional and technical education of students and the provision of research opportunities for students".

SEC. 524. MODIFICATION OF ELIGIBILITY FOR POSITION OF PRESIDENT OF THE NAVAL POSTGRADUATE SCHOOL.

Subsection (a) of section 7042 of title 10, United States Code, is amended to read as follows:

"(a)(1) The President of the Naval Postgraduate School shall be one of the following:

"(A) An officer of the Navy in a grade not below the grade of captain who is detailed to such position.

"(B) A civilian individual having qualifications appropriate to the position of President of the Naval Postgraduate School who is assigned to such position.

"(2) The President of the Naval Postgraduate School shall be detailed or assigned to such position by the Secretary of the Navy, upon the recommendation of the Chief of Naval Operations.

"(3) An individual assigned to the position of President of the Naval Postgraduate School under paragraph (1)(B) shall serve in that position for a term of not more than five years and may be reassigned to that position for an additional term of up to five years.

"(4) The qualifications appropriate for selection for detail or assignment to the position of President of the Naval Postgraduate School include the following:

"(A) A doctorate degree in a field of study relevant to the mission and function of the Naval Postgraduate School, in the case of a civilian, or a doctorate or master's degree in such a field of study, in the case of an officer of the Navy.

"(B) A comprehensive understanding of the Navy, the Department of Defense, and joint and combined operations.

"(C) Leadership experience at the senior level in a large and diverse organization.

"(D) Demonstrated ability to foster and encourage a program of research in order to sustain academic excellence.

"(E) Other qualifications, as determined by the Secretary of the Navy.".

SEC. 525. INCREASED ENROLLMENT FOR ELIGIBLE DEFENSE INDUSTRY EMPLOYEES IN THE DEFENSE PRODUCT DEVELOPMENT PROGRAM AT NAVAL POSTGRADUATE SCHOOL.

Section 7049(a) of title 10, United States Code, is amended—

(1) by inserting "and systems engineering" after "curriculum related to defense product development"; and

(2) by striking "10" and inserting "25".

SEC. 526. INSTRUCTION FOR ENLISTED PERSONNEL BY THE NAVAL POSTGRADUATE SCHOOL.

(a) EXPANDED ELIGIBILITY FOR INSTRUCTION.—Section 7045 of title 10, United States Code, is amended—

(1) in subsection (a)(2)—

(A) by redesignating subparagraph (C) as subparagraph (D);

(B) by inserting after subparagraph (B) the following new subparagraph (C):

"(C) The Secretary may permit an eligible enlisted member of the Navy or Marine Corps to receive instruction from the Postgraduate School in certificate programs and courses required for the performance of the member's duties."; and

(C) in subparagraph (D), as so redesignated, by striking "(A) and (B)" and inserting "(A), (B), and (C)"; and

(2) in subsection (b)(2), by striking "(a)(2)(C)" and inserting "(a)(2)(D)".

(b) LIMITATION ON DEGREE AWARDS.—Such section is further amended by adding at the end the following new subsection:

"(d) The Secretary may not award a baccalaureate, masters, or doctorate degree to an enlisted member based upon instruction received at the Postgraduate School under subsection (a)(2)(C).".

(c) REPORT ON RATIONALE AND PLANS OF THE NAVY TO PROVIDE ENLISTED MEMBERS AN OPPORTUNITY TO OBTAIN GRADUATE DEGREES.—The Secretary of the Navy shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the plans, if any, of the Secretary, and the rationale for those plans, for a program to provide enlisted members of the Navy with opportunities to pursue graduate degree programs either through Navy schools or paid for by the Navy in return for an additional service obligation. The report shall include the following:

(1) The underlying philosophy and objectives supporting a decision to provide opportunities for graduate degrees to enlisted members of the Navy.

(2) An overall description of how the award of a graduate degree to an enlisted member would fit in an integrated, progressive, coordinated, and systematic way into the goals and requirements of the Navy for enlisted career development and for professional education, together with a discussion of a wider requirement, if any, for programs for the award of associate and baccalaureate degrees to enlisted members, particularly in the

career fields under consideration for the pilot program referred to in subsection (d).

(3) A discussion of the scope and details of the plan to ensure that Navy enlisted members have the requisite academic baccalaureate degrees as a prerequisite for undertaking graduate-level work.

(4) Identification of the specific enlisted career fields for which the Secretary has determined that a graduate degree should be a requirement, as well as the rationale for that determination.

(5) A description of the concept of the Secretary for the process and mechanism of providing graduate degrees to enlisted members, including, at a minimum, the Secretary's plan for whether the degree programs would be provided through civilian or military degree-granting institutions and whether through in-resident or distance learning or some combination thereof.

(6) A description of the plan to ensure proper and effective utilization of enlisted members following the award of a graduate degree.

(d) PLAN FOR PILOT PROGRAM.—In addition to the report under subsection (c), the Secretary of the Navy may submit a plan for a pilot program to make available opportunities to pursue graduate degree programs to a limited number of Navy enlisted members in a specific, limited set of critical career fields. Such a plan shall include, as a minimum, the following:

(1) The specific objectives of the pilot program.

(2) An identification of the specific enlisted career fields from which candidates for the program would be drawn, the numbers and prerequisite qualifications of initial candidates, and the process for selecting the enlisted members who would initially participate.

(3) The process and mechanism for providing the degrees, described in the same manner as specified under subsection (c)(5), and a general description of course content.

(4) An analysis of the cost effectiveness of using Navy, other service, or civilian degree granting institutions in the program.

(5) The plan for post-graduation utilization of the enlisted members who obtain graduate degrees under the program.

(6) The criteria and plan for assessing whether the objectives of the program are met.

PART III—RESERVE OFFICERS' TRAINING CORPS

SEC. 531. REPEAL OF LIMITATION ON AMOUNT OF FINANCIAL ASSISTANCE UNDER ROTC SCHOLARSHIP PROGRAMS.

(a) GENERAL ROTC PROGRAM.—Section 2107(c) of title 10, United States Code, is amended—

(1) by striking paragraph (4); and

(2) in paragraph (5)(B), by striking ", (3), or (4)" and inserting "or (3)".

(b) ARMY RESERVE AND ARMY NATIONAL GUARD PROGRAM.—Section 2107a(c) of such title is amended by striking paragraph (3).

(c) EFFECTIVE DATE.—Paragraph (4) of section 2107(c) of title 10, United States Code, and paragraph (3) of section 2107a(c) of such title, as in effect on the day before the date of the enactment of this Act, shall continue to apply in the case of any individual selected before the date of the enactment of this Act for appointment as a cadet or midshipman under section 2107 or 2107a of such title.

SEC. 532. INCREASE IN ANNUAL LIMIT ON NUMBER OF ROTC SCHOLARSHIPS UNDER ARMY RESERVE AND NATIONAL GUARD PROGRAM .

Section 2107a(h) of title 10, United States Code, is amended by striking "208" and inserting "416".

SEC. 533. PROCEDURES FOR SUSPENDING FINANCIAL ASSISTANCE AND SUBSISTENCE ALLOWANCE FOR SENIOR ROTC CADETS AND MIDSHIPMEN ON THE BASIS OF HEALTH-RELATED CONDITIONS.

(a) REQUIREMENTS.—Section 2107 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(j)(1) Payment of financial assistance under this section for, and payment of a monthly subsistence allowance under section 209 of title 37 to, a cadet or midshipman appointed under this section may be suspended on the basis of health-related incapacity of the cadet or midshipman only in accordance with regulations prescribed under paragraph (2).

"(2) The Secretary of Defense shall prescribe in regulations the policies and procedures for suspending payments under paragraph (1). The regulations shall apply uniformly to all of the military departments. The regulations shall include the following matters:

"(A) The standards of health-related fitness that are to be applied.

"(B) Requirements for—

"(i) the health-related condition and prognosis of a cadet or midshipman to be determined, in relation to the applicable standards prescribed under subparagraph (A), by a health care professional on the basis of a medical examination of the cadet or midshipman; and

"(ii) the Secretary concerned to take into consideration the determinations made under clause (i) with respect to such condition in deciding whether to suspend payment in the case of such cadet or midshipman on the basis of that condition.

"(C) A requirement for the Secretary concerned to transmit to a cadet or midshipman proposed for suspension under this subsection a notification of the proposed suspension together with the determinations made under subparagraph (B)(i) in the case of the proposed suspension.

"(D) A procedure for a cadet or midshipman proposed for suspension under this subsection to submit a written response to the proposal for suspension, including any supporting information.

"(E) Requirements for—

"(i) one or more health-care professionals to review, in the case of such a response of a cadet or midshipman, each health-related condition and prognosis addressed in the re-

sponse, taking into consideration the matters submitted in such response; and

"(ii) the Secretary concerned to take into consideration the determinations made under clause (i) with respect to such condition in making a final decision regarding whether to suspend payment in the case of such cadet or midshipman on the basis of that condition, and the conditions under which such suspension may be lifted.".

(b) TIME FOR PROMULGATION OF REGULATIONS.—The Secretary of Defense shall prescribe the regulations required under subsection (j) of section 2107 of title 10, United States Code (as added by subsection (a)), not later than May 1, 2006.

SEC. 534. ELIGIBILITY OF UNITED STATES NATIONALS FOR APPOINTMENT TO THE SENIOR RESERVE OFFICERS' TRAINING CORPS.

(a) IN GENERAL.—Section 2107(b)(1) of title 10, United States Code, is amended by inserting "or national" after "citizen".

(b) ARMY RESERVE OFFICERS TRAINING PROGRAMS.—Section 2107a(b)(1)(A) of such title is amended by inserting "or national" after "citizen".

(c) ELIGIBILITY FOR APPOINTMENT AS COMMISSIONED OFFICERS.—Section 532(f) of such title is amended by inserting ", or for a United States national otherwise eligible for appointment as a cadet or midshipman under section 2107(a) of this title or as a cadet under section 2107a of this title," after "for permanent residence".

SEC. 535. PROMOTION OF FOREIGN LANGUAGE SKILLS AMONG MEMBERS OF THE RESERVE OFFICERS' TRAINING CORPS.

(a) IN GENERAL.—The Secretary of Defense shall support the acquisition of foreign language skills among cadets and midshipmen in the Reserve Officers' Training Corps, including through the development and implementation of—

(1) incentives for cadets and midshipmen to participate in study of a foreign language, including special emphasis for Arabic, Chinese, and other "strategic languages", as defined by the Secretary of Defense in consultation with other relevant agencies; and

(2) a recruiting strategy to target foreign language speakers, including members of heritage communities, to participate in the Reserve Officers' Training Corps.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Armed Services the Senate and the Committee on Armed Services of the House of Representatives a report on the actions taken to carry out this section.

SEC. 536. DESIGNATION OF IKE SKELTON EARLY COMMISSIONING PROGRAM SCHOLARSHIPS.

Section 2107a of title 10, United States Code, is amended by adding at the end the following new subsection:

"(j) Financial assistance provided under this section to a cadet appointed at a military junior college is designated as, and shall be known as, an 'Ike Skelton Early Commissioning Program Scholarship'.".

PART IV—OTHER MATTERS

SEC. 537. ENHANCEMENT OF EDUCATIONAL LOAN REPAYMENT AUTHORITIES.

(a) ADDITIONAL LOANS ELIGIBLE FOR REPAYMENT.—Paragraph (1) of section 2171(a) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking "or" at the end;

(2) in subparagraph (C), by striking the period at the end and inserting "; or"; and

(3) by inserting after subparagraph (C) the following new subparagraph:

"(D) any loan incurred for educational purposes made by a lender that is—

"(i) an agency or instrumentality of a State;

"(ii) a financial or credit institution (including an insurance company) that is subject to examination and supervision by an agency of the United States or any State;

"(iii) a pension fund approved by the Secretary for purposes of this section; or

"(iv) a non-profit private entity designated by a State, regulated by such State, and approved by the Secretary for purposes of this section.".

(b) ELIGIBILITY OF OFFICERS.—Paragraph (2) of such section is amended by striking "an enlisted member in a military specialty" and inserting "a member in an officer program or military specialty".

SEC. 538. PAYMENT OF EXPENSES OF MEMBERS OF THE ARMED FORCES TO OBTAIN PROFESSIONAL CREDENTIALS.

(a) IN GENERAL.—Chapter 101 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2015. Payment of expenses to obtain professional credentials

"(a) AUTHORITY.—The Secretary of Defense and the Secretary of Homeland Security, with respect to the Coast Guard when it is not operating as a service in the Navy, may pay for—

"(1) expenses for members of the armed forces to obtain professional credentials, including expenses for professional accreditation, State-imposed and professional licenses, and professional certification; and

"(2) examinations to obtain such credentials.

"(b) LIMITATION.—The authority under subsection (a) may not be used to pay the expenses of a member to obtain professional credentials that are a prerequisite for appointment in the armed forces.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"2015. Payment of expenses to obtain professional credentials.".

SEC. 539. USE OF RESERVE MONTGOMERY GI BILL BENEFITS AND BENEFITS FOR MOBILIZED MEMBERS OF THE SELECTED RESERVE AND NATIONAL GUARD FOR PAYMENTS FOR LICENSING OR CERTIFICATION TESTS.

(a) CHAPTER 1606.—Section 16131 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(j)(1) Subject to paragraph (3), the amount of educational assistance payable under this chapter for a licensing or certification test described in section 3452(b) of title 38 is the lesser of $2,000 or the fee charged for the test.

"(2) The number of months of entitlement charged in the case of any individual for such licensing or certification test is equal to the number (including any fraction) determined by dividing the total amount of educational assistance paid such individual for such test by the full-time monthly institutional rate of educational assistance which, but for paragraph (1), such individual would otherwise be paid under subsection (b).

"(3) In no event shall payment of educational assistance under this subsection for such a test exceed the amount of the individual's available entitlement under this chapter.".

(b) CHAPTER 1607.—Section 16162 of such title is amended by adding at the end the following new subsection:

"(e) AVAILABILITY OF ASSISTANCE FOR LICENSING AND CERTIFICATION TESTS.—The provisions of section 16131(j) of this title shall apply to the provision of educational assistance under this chapter, except that, in applying such section under this chapter, the reference to subsection (b) in paragraph (2) of such section is deemed to be a reference to subsection (c) of this section.".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to a licensing or certification test administered on or after the date of the enactment of this Act.

SEC. 540. MODIFICATION OF EDUCATIONAL ASSISTANCE FOR RESERVES SUPPORTING CONTINGENCY AND OTHER OPERATIONS.

(a) OFFICIAL RECEIVING ELECTIONS OF BENEFITS.—Section 16163(e) of title 10, United States Code, is amended by striking "Secretary concerned" and inserting "Secretary of Veterans Affairs".

(b) EXCEPTION TO IMMEDIATE TERMINATION OF ASSISTANCE.—Section 16165 of such title is amended—

(1) by striking "Educational assistance" and inserting "(a) IN GENERAL.—Except as provided in subsection (b), educational assistance"; and

(2) by adding at the end the following new subsection:

"(b) EXCEPTION.—Under regulations prescribed by the Secretary of Defense, educational assistance may be provided under this chapter to a member of the Selected Reserve of the Ready Reserve who incurs a break in service in the Selected Reserve of not more than 90 days if the member continues to serve in the Ready Reserve during and after such break in service.".

Subtitle D—General Service Requirements

SEC. 541. GROUND COMBAT AND OTHER EXCLUSION POLICIES.

(a) IN GENERAL.—

(1) Chapter 37 of title 10, United States Code, is amended by inserting after section 651 the following new section:

"§ 652. Notice to Congress of proposed changes in units, assignments, etc. to which female members may be assigned

"(a) RULE FOR GROUND COMBAT PERSONNEL POLICY.—(1) If the Secretary of Defense proposes to make any change described in paragraph (2)(A) or (2)(B) to the ground combat exclusion policy or proposes to make a change described in paragraph (2)(C), the Secretary shall, before any such change is implemented, submit to Congress a report providing notice of the proposed change. Such a change may then be implemented only after the end of a period of 30 days of continuous session of Congress (excluding any day on which either House of Congress is not in session) following the date on which the report is received.

"(2) A change referred to in paragraph (1) is a change that—

"(A) closes to female members of the armed forces any category of unit or position that at that time is open to service by such members;

"(B) opens to service by female members of the armed forces any category of unit or position that at that time is closed to service by such members; or

"(C) opens or closes to the assignment of female members of the armed forces any military career designator as described in paragraph (6).

"(3) The Secretary shall include in any report under paragraph (1)—

"(A) a detailed description of, and justification for, the proposed change; and

"(B) a detailed analysis of legal implication of the proposed change with respect to the constitutionality of the application of the Military Selective Service Act (50 App. U.S.C. 451 et seq.) to males only.

"(4) In this subsection, the term 'ground combat exclusion policy' means the military personnel policies of the Department of Defense and the military departments, as in effect on October 1, 1994, by which female members of the armed forces are restricted from assignment to units and positions below brigade level whose primary mission is to engage in direct combat on the ground.

"(5) For purposes of this subsection, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die.

"(6) For purposes of this subsection, a military career designator is one that is related to military operations on the ground as of May 18, 2005, and applies—

"(A) for enlisted members and warrant officers, to military occupational specialties, specialty codes, enlisted designators, enlisted classification codes, additional skill identifiers, and special qualification identifiers; and

"(B) for officers (other than warrant officers), to officer areas of concentration, occupational specialties, specialty codes, designators, additional skill identifiers, and special qualification identifiers.

"(b) OTHER PERSONNEL POLICY CHANGES.—(1) Except in a case covered by section 6035 of this title or by subsection (a), whenever the Secretary of Defense proposes to make a change to military personnel policies described in paragraph (2), the Secretary shall, not less than 30 days before such change is implemented, submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives notice, in writing, of the proposed change.

"(2) Paragraph (1) applies to a proposed military personnel policy change, other than a policy change covered by subsection (a), that would make available to female members of the armed forces assignment to any of the following that, as of the date of the proposed change, is closed to such assignment:

"(A) Any type of unit not covered by subsection (a).

"(B) Any class of combat vessel.

"(C) Any type of combat platform.".

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 651 the following new item:

"652. Notice to Congress of proposed changes in units, assignments, etc. to which female members may be assigned.".

(b) REPORT ON IMPLEMENTATION OF DEPARTMENT OF DEFENSE POLICIES WITH REGARD TO THE ASSIGNMENT OF WOMEN.—Not later than March 31, 2006, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report of the Secretary's review of the current and future implementation of the policy regarding the assignment of women as articulated in the Secretary of Defense memorandum, dated January 13, 1994, and entitled, "Direct Ground Combat Definition and Assignment Rule". In conducting that review, the Secretary shall closely examine Army unit modularization efforts, and associated personnel assignment policies, to ensure their compliance with the Department of Defense policy articulated in the January 1994 memorandum.

(c) CONFORMING REPEAL.—Section 542 of the National Defense Authorization Act for Fiscal Year 1994 (10 U.S.C. 113 note) is repealed.

SEC. 542. UNIFORM CITIZENSHIP OR RESIDENCY REQUIREMENTS FOR ENLISTMENT IN THE ARMED FORCES.

(a) UNIFORM REQUIREMENTS.—Section 504 of title 10, United States Code, is amended—

(1) by inserting "(a) INSANITY, DESERTION, FELONS, ETC.—" before "No person"; and

(2) by adding at the end the following new subsection:

"(b) CITIZENSHIP OR RESIDENCY.—(1) A person may be enlisted in any armed force only if the person is one of the following:

"(A) A national of the United States, as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)).

"(B) An alien who is lawfully admitted for permanent residence, as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)).

"(C) A person described in section 341 of one of the following compacts:

"(i) The Compact of Free Association between the Federated States of Micronesia and the United States (section 201(a) of Public Law 108–188 (117 Stat. 2784; 48 U.S.C. 1921 note)).

"(ii) The Compact of Free Association between the Republic of the Marshall Islands and the United States (section 201(b) of Public Law 108–188 (117 Stat. 2823; 48 U.S.C. 1921 note)).

"(iii) The Compact of Free Association between Palau and the United States (section 201 of Public Law 99–658 (100 Stat. 3678; 48 U.S.C. 1931 note)).

"(2) Notwithstanding paragraph (1), the Secretary concerned may authorize the enlistment of a person not described in paragraph (1) if the Secretary determines that such enlistment is vital to the national interest.".

(b) REPEAL OF SUPERSEDED LIMITATIONS FOR THE ARMY AND AIR FORCE.—

(1) REPEAL.—Sections 3253 and 8253 of such title are repealed.

(2) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 333 of such title is amended by striking the item relating to section 3253. The table of sections at the beginning of chapter 833 of such title is amended by striking the item relating to section 8253.

SEC. 543. INCREASE IN MAXIMUM AGE FOR ENLISTMENT.

Section 505(a) of title 10, United States Code, is amended by striking "thirty-five years of age" and inserting "forty-two years of age".

SEC. 544. INCREASE IN MAXIMUM TERM OF ORIGINAL ENLISTMENT IN REGULAR COMPONENT.

Section 505(c) of title 10, United States Code, is amended by striking "six years" and inserting "eight years".

SEC. 545. NATIONAL CALL TO SERVICE PROGRAM.

(a) LIMITATION TO DOMESTIC NATIONAL SERVICE PROGRAMS.—Subsection (c)(3)(D) of section 510 of title 10, United States Code, is amended by striking "in the Peace Corps, Americorps, or another national service program" and inserting "in Americorps or another domestic national service program".

(b) EXTENSION OF QUALIFYING SERVICE FOR INITIAL MILITARY SERVICE UNDER PROGRAM.—Subsection (d) of such title section is amended by inserting before the period at the end the following: "and shall include military occupational specialties for enlistments for officer training and subsequent service as an officer, in cases in which the reason for the enlistment and entry into an agreement under subsection (b) is to enter an officer training program".

(c) ADMINISTRATION OF EDUCATION INCENTIVES BY SECRETARY OF VETERANS AFFAIRS.—Paragraph (2) of subsection (h) of such section is amended to read as follows:

"(2)(A) Educational assistance under paragraphs (3) or (4) of subsection (e) shall be provided through the Department of Veterans Affairs under an agreement to be entered into by the Secretary of Defense and the Secretary of Veterans Affairs. The agreements shall include administrative procedures to ensure the prompt and timely

transfer of funds from the Secretary concerned to the Secretary of Veterans Affairs for the making of payments under this section.

"(B) Except as otherwise provided in this section, the provisions of sections 503, 511, 3470, 3471, 3474, 3476, 3482(g), 3483, and 3485 of title 38 and the provisions of subchapters I and II of chapter 36 of such title (with the exception of sections 3686(a), 3687, and 3692) shall be applicable to the provision of educational assistance under this chapter. The term 'eligible veteran' and the term 'person', as used in those provisions, shall be deemed for the purpose of the application of those provisions to this section to refer to a person eligible for educational assistance under paragraph (3) or (4) of subsection (e).".

SEC. 546. REPORTS ON INFORMATION PROVIDED TO POTENTIAL RECRUITS AND TO NEW ENTRANTS INTO THE ARMED FORCES ON "STOP LOSS" AUTHORITIES AND INITIAL PERIOD OF MILITARY SERVICE OBLIGATION.

(a) REPORT ON INFORMATION PROVIDED TO POTENTIAL RECRUITS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the actions being taken to ensure that each individual being recruited for service in the Armed Forces is provided, before making a formal enlistment in the Armed Forces, precise and detailed information on the period or periods of service to which such individual may be obligated by reason of enlistment in the Armed Forces, including any revisions to Department of Defense Form 4/1.

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

(A) a description of how the Department informs enlistees in the Armed Forces on—

(i) the so-called "stop loss" authority and the manner in which exercise of such authority could affect the duration of an individual's service on active duty in the Armed Forces;

(ii) the authority for the call or order to active duty of members of the Individual Ready Reserve and the manner in which such a call or order to active duty could affect an individual following the completion of the individual's expected period of service on active duty or in the Individual Ready Reserve; and

(iii) any other authorities applicable to the call or order to active duty of the Reserves, or of the retention of members of the Armed Forces on active duty, that could affect the period of service of an individual on active duty or in the Armed Forces; and

(B) such other information as the Secretary considers appropriate.

(b) REPORT ON INFORMATION PROVIDED TO NEW ENTRANTS AND OTHER SERVICE MEMBERS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Com-

mittee on Armed Services of the House of Representatives a report on the actions being taken to ensure that each individual covered by section 651(a) of title 10, United States Code, is provided, upon commencing that person's initial period of service as a member of the Armed Forces and at other points during a military career, precise information regarding the date on which the initial service obligation of that person under such section ends.

(2) ELEMENTS OF REPORT.—The report under subsection (a) shall include the following:

(A) A description of how the Department notifies members of the Armed Forces of—

(i) the completion date of their military service obligation upon entry in the Armed Forces;

(ii) the expiration of their military service obligation; and

(iii) before the expiration of a member's military service obligation, the opportunity, if the member is qualified and serving in the Individual Ready Reserve, to continue voluntarily in the Ready Reserve or to transfer to an active component.

(B) A description of the policy and procedures of the Department of Defense regarding the involuntary recall or mobilization of members serving in the Individual Ready Reserve beyond the date of expiration of their military service obligation.

(C) Such other information as the Secretary considers appropriate.

Subtitle E—Military Justice and Legal Assistance Matters

SEC. 551. OFFENSE OF STALKING UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

(a) ESTABLISHMENT OF OFFENSE.—

(1) NEW PUNITIVE ARTICLE.—Subchapter X of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by inserting after section 920 (article 120) the following new section:

"§ 920a. Art. 120a. Stalking

"(a) Any person subject to this section—

"(1) who wrongfully engages in a course of conduct directed at a specific person that would cause a reasonable person to fear death or bodily harm, including sexual assault, to himself or herself or a member of his or her immediate family;

"(2) who has knowledge, or should have knowledge, that the specific person will be placed in reasonable fear of death or bodily harm, including sexual assault, to himself or herself or a member of his or her immediate family; and

"(3) whose acts induce reasonable fear in the specific person of death or bodily harm, including sexual assault, to himself or herself or to a member of his or her immediate family;

is guilty of stalking and shall be punished as a court-martial may direct.

"(b) In this section:

"(1) The term 'course of conduct' means—

"(A) a repeated maintenance of visual or physical proximity to a specific person; or

"(B) a repeated conveyance of verbal threat, written threats, or threats implied by conduct, or a combination of such threats, directed at or toward a specific person.

"(2) The term 'repeated', with respect to conduct, means two or more occasions of such conduct.

"(3) The term 'immediate family', in the case of a specific person, means a spouse, parent, child, or sibling of the person, or any other family member, relative, or intimate partner of the person who regularly resides in the household of the person or who within the six months preceding the commencement of the course of conduct regularly resided in the household of the person.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 920 the following new item:

"920a. 120a. Stalking.".

(b) APPLICABILITY.—Section 920a of title 10, United States Code (article 120a of the Uniform Code of Military Justice), as added by subsection (a), applies to offenses committed after the date that is 180 days after the date of the enactment of this Act.

SEC. 552. RAPE, SEXUAL ASSAULT, AND OTHER SEXUAL MISCONDUCT UNDER UNIFORM CODE OF MILITARY JUSTICE.

(a) REVISION TO UCMJ.—

(1) IN GENERAL.—Section 920 of title 10, United States Code (article 120 of the Uniform Code of Military Justice), is amended to read as follows:

"§ 920. Art. 120. Rape, sexual assault, and other sexual misconduct

"(a) RAPE.—Any person subject to this chapter who causes another person of any age to engage in a sexual act by—

"(1) using force against that other person;

"(2) causing grievous bodily harm to any person;

"(3) threatening or placing that other person in fear that any person will be subjected to death, grievous bodily harm, or kidnapping;

"(4) rendering another person unconscious; or

"(5) administering to another person by force or threat of force, or without the knowledge or permission of that person, a drug, intoxicant, or other similar substance and thereby substantially impairs the ability of that other person to appraise or control conduct;

is guilty of rape and shall be punished as a court-martial may direct.

"(b) RAPE OF A CHILD.—Any person subject to this chapter who—

"(1) engages in a sexual act with a child who has not attained the age of 12 years; or

"(2) engages in a sexual act under the circumstances described in subsection (a) with a child who has attained the age of 12 years;

is guilty of rape of a child and shall be punished as a court-martial may direct.

"(c) AGGRAVATED SEXUAL ASSAULT.—Any person subject to this chapter who—

"(1) causes another person of any age to engage in a sexual act by—

"(A) threatening or placing that other person in fear (other than by threatening or placing that other person in fear that any person will be subjected to death, grievous bodily harm, or kidnapping); or

"(B) causing bodily harm; or

"(2) engages in a sexual act with another person of any age if that other person is substantially incapacitated or substantially incapable of—

"(A) appraising the nature of the sexual act;

"(B) declining participation in the sexual act; or

"(C) communicating unwillingness to engage in the sexual act;

is guilty of aggravated sexual assault and shall be punished as a court-martial may direct.

"(d) AGGRAVATED SEXUAL ASSAULT OF A CHILD.—Any person subject to this chapter who engages in a sexual act with a child who has attained the age of 12 years is guilty of aggravated sexual assault of a child and shall be punished as a court-martial may direct.

"(e) AGGRAVATED SEXUAL CONTACT.—Any person subject to this chapter who engages in or causes sexual contact with or by another person, if to do so would violate subsection (a) (rape) had the sexual contact been a sexual act, is guilty of aggravated sexual contact and shall be punished as a court-martial may direct.

"(f) AGGRAVATED SEXUAL ABUSE OF A CHILD.—Any person subject to this chapter who engages in a lewd act with a child is guilty of aggravated sexual abuse of a child and shall be punished as a court-martial may direct.

"(g) AGGRAVATED SEXUAL CONTACT WITH A CHILD.—Any person subject to this chapter who engages in or causes sexual contact with or by another person, if to do so would violate subsection (b) (rape of a child) had the sexual contact been a sexual act, is guilty of aggravated sexual contact with a child and shall be punished as a court-martial may direct.

"(h) ABUSIVE SEXUAL CONTACT.—Any person subject to this chapter who engages in or causes sexual contact with or by another person, if to do so would violate subsection (c) (aggravated sexual assault) had the sexual contact been a sexual act, is guilty of abusive sexual contact and shall be punished as a court-martial may direct.

"(i) ABUSIVE SEXUAL CONTACT WITH A CHILD.—Any person subject to this chapter who engages in or causes sexual contact with or by another person, if to do so would violate subsection (d) (aggravated sexual assault of a child) had the sexual contact been a sexual act, is guilty of abusive sexual contact with a child and shall be punished as a court-martial may direct.

"(j) INDECENT LIBERTY WITH A CHILD.—Any person subject to this chapter who engages in indecent liberty in the physical presence of a child—

"(1) with the intent to arouse, appeal to, or gratify the sexual desire of any person; or

"(2) with the intent to abuse, humiliate, or degrade any person;

is guilty of indecent liberty with a child and shall be punished as a court-martial may direct.

"(k) INDECENT ACT.—Any person subject to this chapter who engages in indecent conduct is guilty of an indecent act and shall be punished as a court-martial may direct.

"(l) FORCIBLE PANDERING.—Any person subject to this chapter who compels another person to engage in an act of prostitution with another person to be directed to said person is guilty of forcible pandering and shall be punished as a court-martial may direct.

"(m) WRONGFUL SEXUAL CONTACT.—Any person subject to this chapter who, without legal justification or lawful authorization, engages in sexual contact with another person without that other person's permission is guilty of wrongful sexual contact and shall be punished as a court-martial may direct.

"(n) INDECENT EXPOSURE.—Any person subject to this chapter who intentionally exposes, in an indecent manner, in any place where the conduct involved may reasonably be expected to be viewed by people other than members of the actor's family or household, the genitalia, anus, buttocks, or female areola or nipple is guilty of indecent exposure and shall by punished as a court-martial may direct.

"(o) AGE OF CHILD.—

"(1) TWELVE YEARS.—In a prosecution under subsection (b) (rape of a child), subsection (g) (aggravated sexual contact with a child), or subsection (j) (indecent liberty with a child), it need not be proven that the accused knew that the other person engaging in the sexual act, contact, or liberty had not attained the age of 12 years. It is not an affirmative defense that the accused reasonably believed that the child had attained the age of 12 years.

"(2) SIXTEEN YEARS.—In a prosecution under subsection (d) (aggravated sexual assault of a child), subsection (f) (aggravated sexual abuse of a child), subsection (i) (abusive sexual contact with a child), or subsection (j) (indecent liberty with a child), it need not be proven that the accused knew that the other person engaging in the sexual act, contact, or liberty had not attained the age of 16 years. Unlike in paragraph (1), however, it is an affirmative defense that the accused reasonably believed that the child had attained the age of 16 years.

"(p) PROOF OF THREAT.—In a prosecution under this section, in proving that the accused made a threat, it need not be proven that the accused actually intended to carry out the threat.

"(q) MARRIAGE.—

"(1) IN GENERAL.—In a prosecution under paragraph (2) of subsection (c) (aggravated sexual assault), or under subsection (d) (aggravated sexual assault of a child), subsection (f) (aggravated sexual abuse of a child), subsection (i) (abusive sexual contact with a child), subsection (j) (indecent liberty with a

child), subsection (m) (wrongful sexual contact), or subsection (n) (indecent exposure), it is an affirmative defense that the accused and the other person when they engaged in the sexual act, sexual contact, or sexual conduct are married to each other.

"(2) DEFINITION.—For purposes of this subsection, a marriage is a relationship, recognized by the laws of a competent State or foreign jurisdiction, between the accused and the other person as spouses. A marriage exists until it is dissolved in accordance with the laws of a competent State or foreign jurisdiction.

"(3) EXCEPTION.—Paragraph (1) shall not apply if the accused's intent at the time of the sexual conduct is to abuse, humiliate, or degrade any person.

"(r) CONSENT AND MISTAKE OF FACT AS TO CONSENT.—Lack of permission is an element of the offense in subsection (m) (wrongful sexual contact). Consent and mistake of fact as to consent are not an issue, or an affirmative defense, in a prosecution under any other subsection, except they are an affirmative defense for the sexual conduct in issue in a prosecution under subsection (a) (rape), subsection (c) (aggravated sexual assault), subsection (e) (aggravated sexual contact), and subsection (h) (abusive sexual contact).

"(s) OTHER AFFIRMATIVE DEFENSES NOT PRECLUDED.—The enumeration in this section of some affirmative defenses shall not be construed as excluding the existence of others.

"(t) DEFINITIONS.—In this section:

"(1) SEXUAL ACT.—The term 'sexual act' means—

"(A) contact between the penis and the vulva, and for purposes of this subparagraph contact involving the penis occurs upon penetration, however slight; or

"(B) the penetration, however slight, of the genital opening of another by a hand or finger or by any object, with an intent to abuse, humiliate, harass, or degrade any person or to arouse or gratify the sexual desire of any person.

"(2) SEXUAL CONTACT.—The term 'sexual contact' means the intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of another person, or intentionally causing another person to touch, either directly or through the clothing, the genitalia, anus, groin, breast, inner thigh, or buttocks of any person, with an intent to abuse, humiliate, or degrade any person or to arouse or gratify the sexual desire of any person.

"(3) GRIEVOUS BODILY HARM.—The term 'grievous bodily harm' means serious bodily injury. It includes fractured or dislocated bones, deep cuts, torn members of the body, serious damage to internal organs, and other severe bodily injuries. It does not include minor injuries such as a black eye or a bloody nose. It is the same level of injury as in section 928 (article 128) of this chapter, and a lesser degree of injury than in section 2246(4) of title 18.

"(4) DANGEROUS WEAPON OR OBJECT.—The term 'dangerous weapon or object' means—

"(A) any firearm, loaded or not, and whether operable or not;

"(B) any other weapon, device, instrument, material, or substance, whether animate or inanimate, that in the manner it is used, or is intended to be used, is known to be capable of producing death or grievous bodily harm; or

"(C) any object fashioned or utilized in such a manner as to lead the victim under the circumstances to reasonably believe it to be capable of producing death or grievous bodily harm.

"(5) FORCE.—The term 'force' means action to compel submission of another or to overcome or prevent another's resistance by—

"(A) the use or display of a dangerous weapon or object;

"(B) the suggestion of possession of a dangerous weapon or object that is used in a manner to cause another to believe it is a dangerous weapon or object; or

"(C) physical violence, strength, power, or restraint applied to another person, sufficient that the other person could not avoid or escape the sexual conduct.

"(6) THREATENING OR PLACING THAT OTHER PERSON IN FEAR.—The term 'threatening or placing that other person in fear' under paragraph (3) of subsection (a) (rape), or under subsection (e) (aggravated sexual contact), means a communication or action that is of sufficient consequence to cause a reasonable fear that non-compliance will result in the victim or another person being subjected to death, grievous bodily harm, or kidnapping.

"(7) THREATENING OR PLACING THAT OTHER PERSON IN FEAR.—

"(A) IN GENERAL.—The term 'threatening or placing that other person in fear' under paragraph (1)(A) of subsection (c) (aggravated sexual assault), or under subsection (h) (abusive sexual contact), means a communication or action that is of sufficient consequence to cause a reasonable fear that non-compliance will result in the victim or another being subjected to a lesser degree of harm than death, grievous bodily harm, or kidnapping.

"(B) INCLUSIONS.—Such lesser degree of harm includes—

"(i) physical injury to another person or to another person's property; or

"(ii) a threat—

"(I) to accuse any person of a crime;

"(II) to expose a secret or publicize an asserted fact, whether true or false, tending to subject some person to hatred, contempt or ridicule; or

"(III) through the use or abuse of military position, rank, or authority, to affect or threaten to affect, either positively or negatively, the military career of some person.

"(8) BODILY HARM.—The term 'bodily harm' means any offensive touching of another, however slight.

"(9) CHILD.—The term 'child' means any person who has not attained the age of 16 years.

"(10) LEWD ACT.—The term 'lewd act' means—

"(A) the intentional touching, not through the clothing, of the genitalia of another person, with an intent to abuse, humiliate, or degrade any person, or to arouse or gratify the sexual desire of any person; or

"(B) intentionally causing another person to touch, not through the clothing, the genitalia of any person with an intent to abuse, humiliate or degrade any person, or to arouse or gratify the sexual desire of any person.

"(11) INDECENT LIBERTY.—The term 'indecent liberty' means indecent conduct, but physical contact is not required. It includes one who with the requisite intent exposes one's genitalia, anus, buttocks, or female areola or nipple to a child. An indecent liberty may consist of communication of indecent language as long as the communication is made in the physical presence of the child. If words designed to excite sexual desire are spoken to a child, or a child is exposed to or involved in sexual conduct, it is an indecent liberty; the child's consent is not relevant.

"(12) INDECENT CONDUCT.—The term 'indecent conduct' means that form of immorality relating to sexual impurity which is grossly vulgar, obscene, and repugnant to common propriety, and tends to excite sexual desire or deprave morals with respect to sexual relations. Indecent conduct includes observing, or making a videotape, photograph, motion picture, print, negative, slide, or other mechanically, electronically, or chemically reproduced visual material, without another person's consent, and contrary to that other person's reasonable expectation of privacy, of—

"(A) that other person's genitalia, anus, or buttocks, or (if that other person is female) that person's areola or nipple; or

"(B) that other person while that other person is engaged in a sexual act, sodomy (under section 925 (article 125)), or sexual contact.

"(13) ACT OF PROSTITUTION.—The term 'act of prostitution' means a sexual act, sexual contact, or lewd act for the purpose of receiving money or other compensation.

"(14) CONSENT.—The term 'consent' means words or overt acts indicating a freely given agreement to the sexual conduct at issue by a competent person. An expression of lack of consent through words or conduct means there is no consent. Lack of verbal or physical resistance or submission resulting from the accused's use of force, threat of force, or placing another person in fear does not constitute consent. A current or previous dating relationship by itself or the manner of dress of the person involved with the accused in the sexual conduct at issue shall not constitute consent. A person cannot consent to sexual activity if—

"(A) under 16 years of age; or

"(B) substantially incapable of—

"(i) appraising the nature of the sexual conduct at issue due to—

"(I) mental impairment or unconsciousness resulting from consumption of alcohol, drugs, a similar substance, or otherwise; or

"(II) mental disease or defect which renders the person unable to understand the nature of the sexual conduct at issue;

"(ii) physically declining participation in the sexual conduct at issue; or

"(iii) physically communicating unwillingness to engage in the sexual conduct at issue.

"(15) MISTAKE OF FACT AS TO CONSENT.—The term 'mistake of fact as to consent' means the accused held, as a result of ignorance or mistake, an incorrect belief that the other person engaging in the sexual conduct consented. The ignorance or mistake must have existed in the mind of the accused and must have been reasonable under all the circumstances. To be reasonable the ignorance or mistake must have been based on information, or lack of it, which would indicate to a reasonable person that the other person consented. Additionally, the ignorance or mistake cannot be based on the negligent failure to discover the true facts. Negligence is the absence of due care. Due care is what a reasonably careful person would do under the same or similar circumstances. The accused's state of intoxication, if any, at the time of the offense is not relevant to mistake of fact. A mistaken belief that the other person consented must be that which a reasonably careful, ordinary, prudent, sober adult would have had under the circumstances at the time of the offense.

"(16) AFFIRMATIVE DEFENSE.—The term 'affirmative defense' means any special defense which, although not denying that the accused committed the objective acts constituting the offense charged, denies, wholly, or partially, criminal responsibility for those acts. The accused has the burden of proving the affirmative defense by a preponderance of evidence. After the defense meets this burden, the prosecution shall have the burden of proving beyond a reasonable doubt that the affirmative defense did not exist.".

(2) CLERICAL AMENDMENT.—The item relating to section 920 (article 120) in the table of sections at the beginning of subchapter X of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended to read as follows:

"920. 120. Rape, sexual assault, and other sexual misconduct.".

(b) INTERIM MAXIMUM PUNISHMENTS.—Until the President otherwise provides pursuant to section 856 of title 10, United States Code (article 56 of the Uniform Code of Military Justice), the punishment which a court-martial may direct for an offense under section 920 of such title (article 120 of the Uniform Code of Military Justice), as amended by subsection (a), may not exceed the following limits:

(1) SUBSECTIONS (a) AND (b).—For an offense under subsection (a) (rape) or subsection (b) (rape of a child), death or such other punishment as a court-martial may direct.

(2) SUBSECTION (c).—For an offense under subsection (c) (aggravated sexual assault), dishonorable discharge, forfeiture of all pay and allowances, and confinement for 30 years.

(3) SUBSECTIONS (d) AND (e).—For an offense under subsection (d) (aggravated sexual assault of a child) or subsection

(e) (aggravated sexual contact), dishonorable discharge, forfeiture of all pay and allowances, and confinement for 20 years.

(4) SUBSECTIONS (f) AND (g).—For an offense under subsection (f) (aggravated sexual abuse of a child) or subsection (g) (aggravated sexual contact with a child), dishonorable discharge, forfeiture of all pay and allowances, and confinement for 15 years.

(5) SUBSECTIONS (h) THROUGH (j).—For an offense under subsection (h) (abusive sexual contact), subsection (i) (abusive sexual contact with a child), or subsection (j) (indecent liberty with a child), dishonorable discharge, forfeiture of all pay and allowances, and confinement for 7 years.

(6) SUBSECTIONS (k) AND (l).—For an offense under subsection (k) (indecent act) or subsection (l) (forcible pandering), dishonorable discharge, forfeiture of all pay and allowances, and confinement for 5 years.

(7) SUBSECTIONS (m) AND (n).—For an offense under subsection (m) (wrongful sexual contact) or subsection (n) (indecent exposure), dishonorable discharge, forfeiture of all pay and allowances, and confinement for one year.

(c) APPLICABILITY.—Section 920 of title 10, United States Code (article 120 of the Uniform Code of Military Justice), as amended by subsection (a), shall apply with respect to offenses committed on or after the effective date specified in subsection (f).

(d) AGGRAVATING FACTORS FOR OFFENSE OF MURDER.—Section 918 of title 10, United States Code (article 118 of the Uniform Code of Military Justice), is amended in paragraph (4) by striking "rape," and inserting "rape, rape of a child, aggravated sexual assault, aggravated sexual assault of a child, aggravated sexual contact, aggravated sexual abuse of a child, aggravated sexual contact with a child,".

(e) STATUTE OF LIMITATIONS.—Section 843(a) of title 10, United States Code (article 843(a) of the Uniform Code of Military Justice), as amended by section 553(a), is amended by striking "or rape," and inserting ", rape, or rape of a child,".

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2007.

SEC. 553. EXTENSION OF STATUTE OF LIMITATIONS FOR MURDER, RAPE, AND CHILD ABUSE OFFENSES UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

(a) NO LIMITATION FOR MURDER OR RAPE.—Subsection (a) of section 843 of title 10, United States Code (article 43 of the Uniform Code of Military Justice), is amended by striking "or with any offense punishable by death" and inserting "with murder or rape, or with any other offense punishable by death".

(b) SPECIAL RULES FOR CHILD ABUSE OFFENSES.—Subsection (b)(2) of such section (article) is amended—

(1) in subparagraph (A), by striking "before the child attains the age of 25 years" and inserting "during the life of the child or within five years after the date on which the offense was committed, whichever provides a longer period,";

(2) in subparagraph (B)—

(A) in the matter preceding clause (i), by striking "sexual or physical";

(B) in clause (i), by striking "Rape or carnal knowledge" and inserting "Any offense"; and

(C) in clause (v), by striking "Indecent assault," and inserting "Kidnapping; indecent assault;"; and

(3) by adding at the end the following new subparagraph:

"(C) In subparagraph (A), the term 'child abuse offense' includes an act that involves abuse of a person who has not attained the age of 18 years and would constitute an offense under chapter 110 or 117, or under section 1591, of title 18.".

SEC. 554. REPORTS BY OFFICERS AND SENIOR ENLISTED MEMBERS OF CONVICTION OF CRIMINAL LAW.

(a) REQUIREMENT FOR REPORTS.—

(1) IN GENERAL.—The Secretary of Defense shall prescribe in regulations a requirement that each covered member of the Armed Forces shall submit to an authority in the military department concerned designated pursuant to such regulations a timely report of any conviction of such member by any law enforcement authority of the United States for a violation of a criminal law of the United States, whether or not the member is on active duty at the time of the conduct that provides the basis for the conviction. The regulations shall apply uniformly throughout the military departments.

(2) COVERED MEMBERS.—In this section, the term "covered member of the Armed Forces" means a member of the Army, Navy, Air Force, or Marine Corps who is on the active-duty list or the reserve active-status list and who is—

(A) an officer; or

(B) an enlisted member in a pay grade above pay grade E–6.

(b) LAW ENFORCEMENT AUTHORITY OF THE UNITED STATES.—For purposes of this section, a law enforcement authority of the United States includes—

(1) a military or other Federal law enforcement authority;

(2) a State or local law enforcement authority; and

(3) such other law enforcement authorities within the United States as the Secretary shall specify in the regulations prescribed pursuant to subsection (a).

(c) CRIMINAL LAW OF THE UNITED STATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), for purposes of this section, a criminal law of the United States includes—

(A) any military or other Federal criminal law;

(B) any State, county, municipal, or local criminal law or ordinance; and

(C) such other criminal laws and ordinances of jurisdictions within the United States as the Secretary shall specify in the regulations prescribed pursuant to subsection (a).

(2) EXCEPTION.—For purposes of this section, a criminal law of the United States shall not include a law or ordinance specifying a minor traffic offense (as determined by the Secretary for purposes of such regulations).

(d) TIMELINESS OF REPORTS.—The regulations prescribed pursuant to subsection (a) shall establish requirements for the timeliness of reports under this section.

(e) FORWARDING OF INFORMATION.—The regulations prescribed pursuant to subsection (a) shall provide that, in the event a military department receives information that a covered member of the Armed Forces under the jurisdiction of another military department has become subject to a conviction for which a report is required by this section, the Secretary of the military department receiving such information shall, in accordance with such procedures as the Secretary of Defense shall establish in such regulations, forward such information to the authority in the military department having jurisdiction over such member designated pursuant to such regulations.

(f) CONVICTIONS.—In this section, the term "conviction" includes any plea of guilty or nolo contendere.

(g) DEADLINE FOR REGULATIONS.—The regulations required by subsection (a), including the requirement in subsection (e), shall go into effect not later than the end of the 180-day period beginning on the date of the enactment of this Act.

(h) APPLICABILITY OF REQUIREMENT.—The requirement under the regulations required by subsection (a) that a covered member of the Armed Forces submit notice of a conviction shall apply only to a conviction that becomes final after the date of the enactment of this Act.

SEC. 555. CLARIFICATION OF AUTHORITY OF MILITARY LEGAL ASSISTANCE COUNSEL TO PROVIDE MILITARY LEGAL ASSISTANCE WITHOUT REGARD TO LICENSING REQUIREMENTS.

Section 1044 of title 10, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

"(d)(1) Notwithstanding any law regarding the licensure of attorneys, a judge advocate or civilian attorney who is authorized to provide military legal assistance is authorized to provide that assistance in any jurisdiction, subject to such regulations as may be prescribed by the Secretary concerned.

"(2) Military legal assistance may be provided only by a judge advocate or a civilian attorney who is a member of the bar of a Federal court or of the highest court of a State.

"(3) In this subsection, the term 'military legal assistance' includes—

"(A) legal assistance provided under this section; and

"(B) legal assistance contemplated by sections 1044a, 1044b, 1044c, and 1044d of this title.".

SEC. 556. USE OF TELECONFERENCING IN ADMINISTRATIVE SESSIONS OF COURTS-MARTIAL.

Section 839 of title 10, United States Code (article 39 of the Uniform Code of Military Justice), is amended—

(1) by redesignating subsection (b) as subsection (c);

(2) by designating the matter following paragraph (4) of subsection (a) as subsection (b); and

(3) in subsection (b), as so redesignated—

(A) by striking "These proceedings shall be conducted" and inserting "Proceedings under subsection (a) shall be conducted"; and

(B) by adding at the end the following new sentence: "If authorized by regulations of the Secretary concerned, and

if at least one defense counsel is physically in the presence of the accused, the presence required by this subsection may otherwise be established by audiovisual technology (such as videoteleconferencing technology).".

SEC. 557. SENSE OF CONGRESS ON APPLICABILITY OF UNIFORM CODE OF MILITARY JUSTICE TO RESERVES ON INACTIVE-DUTY TRAINING OVERSEAS.

It is the sense of Congress that—

(1) there should be no ambiguity about the applicability of the Uniform Code of Military Justice to members of the reserve components of the Armed Forces while such members are serving overseas under inactive-duty training orders for any period of time under such orders; and

(2) the Secretary of Defense should—

(A) take action, not later than February 1, 2006, to clarify jurisdictional issues relating to such applicability under section 802 of title 10, United States Code (article 2 of the Uniform Code of Military Justice); and

(B) if necessary, submit to Congress a proposal for legislative action to ensure the applicability of the Uniform Code of Military Justice to such members.

Subtitle F—Matters Relating to Casualties

SEC. 561. AUTHORITY FOR MEMBERS ON ACTIVE DUTY WITH DISABILITIES TO PARTICIPATE IN PARALYMPIC GAMES.

Section 717(a) of title 10, United States Code, is amended by striking "participate in—" and all that follows through "(2) any other" and inserting "participate in any of the following sports competitions:

"(1) The Pan-American Games and the Olympic Games, and qualifying events and preparatory competition for those games.

"(2) The Paralympic Games, if eligible to participate in those games, and qualifying events and preparatory competition for those games.

"(3) Any other".

SEC. 562. POLICY AND PROCEDURES ON CASUALTY ASSISTANCE TO SURVIVORS OF MILITARY DECEDENTS.

(a) COMPREHENSIVE POLICY ON CASUALTY ASSISTANCE.—

(1) POLICY REQUIRED.—Not later than August 1, 2006, the Secretary of Defense shall prescribe a comprehensive policy for the Department of Defense on the provision of casualty assistance to survivors and next of kin of members of the Armed Forces who die during military service (in this section referred to as "military decedents").

(2) CONSULTATION.—The Secretary shall develop the policy under paragraph (1) in consultation with the Secretaries of the military departments, the Secretary of Veterans Affairs, and the Secretary of Homeland Security with respect to the Coast Guard.

(3) INCORPORATION OF PAST EXPERIENCE AND PRACTICE.—The policy developed under paragraph (1) shall be based on—

(A) the experience and best practices of the military departments;

(B) the recommendations of nongovernment organizations with demonstrated expertise in responding to the needs of survivors of military decedents; and

(C) such other matters as the Secretary of Defense considers appropriate.

(4) PROCEDURES.—The policy shall include procedures to be followed by the military departments in the provision of casualty assistance to survivors and next of kin of military decedents. The procedures shall be uniform across the military departments except to the extent necessary to reflect the traditional practices or customs of a particular military department.

(b) ELEMENTS OF POLICY.—The comprehensive policy developed under subsection (a) shall address the following matters:

(1) The initial notification of primary and secondary next of kin of the deaths of military decedents and any subsequent notifications of next of kin warranted by circumstances.

(2) The transportation and disposition of remains of military decedents, including notification of survivors of the performance of autopsies.

(3) The qualifications, assignment, training, duties, supervision, and accountability for the performance of casualty assistance responsibilities.

(4) The relief or transfer of casualty assistance officers, including notification to survivors and next of kin of the reassignment of such officers to other duties.

(5) Centralized, short-term and long-term case-management procedures for casualty assistance by each military department, including rapid access by survivors of military decedents and casualty assistance officers to expert case managers and counselors.

(6) The provision, through a computer accessible Internet website and other means and at no cost to survivors of military decedents, of personalized, integrated information on the benefits and financial assistance available to such survivors from the Federal Government.

(7) The provision, at no cost to survivors of military decedents, of legal assistance by military attorneys on matters arising from the deaths of such decedents, including tax matters, on an expedited, prioritized basis.

(8) The provision of financial counseling to survivors of military decedents, particularly with respect to appropriate disposition of death gratuity and insurance proceeds received by surviving spouses, minor dependent children, and their representatives.

(9) The provision of information to survivors and next of kin of military decedents on mechanisms for registering complaints about, or requests for, additional assistance related to casualty assistance.

(10) Liaison with the Department of Veterans Affairs and the Social Security Administration in order to ensure prompt and accurate resolution of issues relating to benefits administered by those agencies for survivors of military decedents.

(11) Data collection regarding the incidence and quality of casualty assistance provided to survivors of military decedents, including surveys of such survivors and military and civilian members assigned casualty assistance duties.

(c) ADOPTION BY MILITARY DEPARTMENTS.—Not later than November 1, 2006, the Secretary of each military department shall prescribe regulations, or modify current regulations, on the policies and procedures of such military department on the provision of casualty assistance to survivors and next of kin of military decedents in order to conform such policies and procedures to the policy developed under subsection (a).

(d) REPORT ON IMPROVEMENT OF CASUALTY ASSISTANCE PROGRAMS.—Not later than December 1, 2006, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report that includes—

(1) the assessment of the Secretary of the adequacy and sufficiency of the current casualty assistance programs of the military departments;

(2) a plan for a system for the uniform provision to survivors of military decedents of personalized, accurate, and integrated information on the benefits and financial assistance available to such survivors through the casualty assistance programs of the military departments under subsection (c); and

(3) such recommendations for other legislative or administrative action as the Secretary considers appropriate to enhance and improve such programs to achieve their intended purposes.

(e) GAO REPORT.—

(1) REPORT REQUIRED.—Not later than July 1, 2006, the Comptroller General shall submit to the committees specified in subsection (d) a report on the evaluation by the Comptroller General of the casualty assistance programs of the Department of Defense and of such other departments and agencies of the Federal Government as provide casualty assistance to survivors and next of kin of military decedents.

(2) ASSESSMENT.—The report shall include the assessment of the Comptroller General of the adequacy of the current policies and procedures of, and funding for, the casualty assistance programs covered by the report to achieve their intended purposes.

SEC. 563. POLICY AND PROCEDURES ON ASSISTANCE TO SEVERELY WOUNDED OR INJURED SERVICE MEMBERS.

(a) COMPREHENSIVE POLICY.—

(1) POLICY REQUIRED.—Not later than June 1, 2006, the Secretary of Defense shall prescribe a comprehensive policy for the Department of Defense on the provision of assistance to members of the Armed Forces who incur severe wounds or injuries in the line of duty (in this section referred to as "severely wounded or injured servicemembers").

(2) CONSULTATION.—The Secretary shall develop the policy required by paragraph (1) in consultation with the Secretaries of the military departments, the Secretary of Veterans Affairs, and the Secretary of Labor.

(3) INCORPORATION OF PAST EXPERIENCE AND PRACTICE.—The policy required by paragraph (1) shall be based on—

(A) the experience and best practices of the military departments, including the Army Wounded Warrior Program, the Marine Corps Marine for Life Injured Support Program, the Air Force Palace HART program, and the Navy Wounded Marines and Sailors Initiative;

(B) the recommendations of nongovernment organizations with demonstrated expertise in responding to the needs of severely wounded or injured servicemembers; and

(C) such other matters as the Secretary of Defense considers appropriate.

(4) PROCEDURES AND STANDARDS.—The policy shall include guidelines to be followed by the military departments in the provision of assistance to severely wounded or injured servicemembers. The procedures and standards shall be uniform across the military departments except to the extent necessary to reflect the traditional practices or customs of a particular military department. The procedures and standards shall establish a minimum level of support and shall specify the duration of programs.

(b) ELEMENTS OF POLICY.—The comprehensive policy developed under subsection (a) shall address the following matters:

(1) Coordination with the Severely Injured Joint Support Operations Center of the Department of Defense.

(2) Promotion of a seamless transition to civilian life for severely wounded or injured servicemembers who are or are likely to be separated on account of their wound or injury.

(3) Identification and resolution of special problems or issues related to the transition to civilian life of severely wounded or injured servicemembers who are members of the reserve components.

(4) The qualifications, assignment, training, duties, supervision, and accountability for the performance of responsibilities for the personnel providing assistance to severely wounded or injured servicemembers.

(5) Centralized, short-term and long-term case-management procedures for assistance to severely wounded or injured servicemembers by each military department, including rapid access for severely wounded or injured servicemembers to case managers and counselors.

(6) The provision, through a computer accessible Internet website and other means and at no cost to severely wounded or injured servicemembers, of personalized, integrated information on the benefits and financial assistance available to such members from the Federal Government.

(7) The provision of information to severely wounded or injured servicemembers on mechanisms for registering complaints about, or requests for, additional assistance.

(8) Participation of family members.

(9) Liaison with the Department of Veterans Affairs and the Department of Labor in order to ensure prompt and accurate resolution of issues relating to benefits administered by those agencies for severely wounded or injured servicemembers.

(10) Data collection regarding the incidence and quality of assistance provided to severely wounded or injured servicemembers, including surveys of such servicemembers and

military and civilian personnel whose assigned duties include assistance to severely wounded or injured servicemembers.

(c) ADOPTION BY MILITARY DEPARTMENTS.—Not later than September 1, 2006, the Secretary of each military department shall prescribe regulations, or modify current regulations, on the policies and procedures of such military department on the provision of assistance to severely wounded or injured servicemembers in order to conform such policies and procedures to the policy prescribed under subsection (a).

SEC. 564. DESIGNATION BY MEMBERS OF THE ARMED FORCES OF PERSONS AUTHORIZED TO DIRECT THE DISPOSITION OF MEMBER REMAINS.

(a) IN GENERAL.—Not later than June 1, 2006, the Secretary of Defense shall complete, and the Secretaries of the military departments shall implement, Department of Defense Instruction 1300.18, including interim policy guidance, regarding the requirement to have service members designate a person authorized to direct disposition of their remains should they become a casualty.

(b) REPORT.—Not later than July 1, 2006, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the actions taken by the Secretary, and by the Secretaries of the military departments, to carry out the requirement in subsection (a).

Subtitle G—Assistance to Local Educational Agencies for Defense Dependents Education

SEC. 571. EXPANSION OF AUTHORIZED ENROLLMENT IN DEPARTMENT OF DEFENSE DEPENDENTS SCHOOLS OVERSEAS.

The Defense Dependents' Education Act of 1978 (20 U.S.C. 931 et seq.) is amended by inserting after section 1404 the following new section:

"ENROLLMENT OF CERTAIN ADDITIONAL CHILDREN ON TUITION-FREE BASIS

"SEC. 1404A. (a) ENROLLMENT AUTHORIZED.—Under regulations to be prescribed by the Secretary of Defense, the Secretary may authorize the enrollment in schools of the defense dependents' education system on a tuition-free basis of the children of full-time, locally-hired employees of the Department of Defense in an overseas area if such employees are citizens or nationals of the United States.

"(b) FUNDING.—The Secretary may use funds available for the defense dependents' education system to provide for the education of children enrolled in the defense dependents' education system under subsection (a).".

SEC. 572. ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—

(1) ASSISTANCE AUTHORIZED.—The Secretary of Defense shall provide financial assistance to an eligible local educational agency described in paragraph (2) if, without such as-

sistance, the local educational agency will be unable (as determined by the Secretary of Defense in consultation with the Secretary of Education) to provide the students in the schools of the local educational agency with a level of education that is equivalent to the minimum level of education available in the schools of the other local educational agencies in the same State.

(2) ELIGIBLE LOCAL EDUCATIONAL AGENCIES.—A local educational agency is eligible for assistance under this subsection for a fiscal year if at least 20 percent (as rounded to the nearest whole percent) of the students in average daily attendance in the schools of the local educational agency during the preceding school year were military dependent students counted under section 8003(a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)(1)).

(b) ASSISTANCE TO SCHOOLS WITH ENROLLMENT CHANGES DUE TO BASE CLOSURES, FORCE STRUCTURE CHANGES, OR FORCE RELOCATIONS.—

(1) ASSISTANCE AUTHORIZED.—To assist communities in making adjustments resulting from changes in the size or location of the Armed Forces, the Secretary of Defense shall provide financial assistance to an eligible local educational agency described in paragraph (2) if, during the period between the end of the school year preceding the fiscal year for which the assistance is authorized and the beginning of the school year immediately preceding that school year, the local educational agency had (as determined by the Secretary of Defense in consultation with the Secretary of Education) an overall increase or reduction of—

(A) not less than five percent in the average daily attendance of military dependent students in the schools of the local educational agency; or

(B) not less than 250 military dependent students in average daily attendance in the schools of the local educational agency.

(2) ELIGIBLE LOCAL EDUCATIONAL AGENCIES.—A local educational agency is eligible for assistance under this subsection for a fiscal year if—

(A) the local educational agency is eligible for assistance under subsection (a) for the same fiscal year, or would have been eligible for such assistance if not for the reduction in military dependent students in schools of the local educational agency; and

(B) the overall increase or reduction in military dependent students in schools of the local educational agency is the result of one or more of the following:

(i) The global rebasing plan of the Department of Defense.

(ii) The official creation or activation of one or more new military units.

(iii) The realignment of forces as a result of the base closure process.

(iv) A change in the number of housing units on a military installation.

(3) CALCULATION OF AMOUNT OF ASSISTANCE.—

(A) PRO RATA DISTRIBUTION.—The amount of the assistance provided under this subsection to a local educational agency that is eligible for such assistance for a fiscal year shall be equal to the product obtained by multiplying—

(i) the per-student rate determined under subparagraph (B) for that fiscal year; by

(ii) the net of the overall increases and reductions in the number of military dependent students in schools of the local educational agency, as determined under paragraph (1).

(B) PER-STUDENT RATE.—For purposes of subparagraph (A)(i), the per-student rate for a fiscal year shall be equal to the dollar amount obtained by dividing—

(i) the total amount of funds made available for that fiscal year to provide assistance under this subsection; by

(ii) the sum of the overall increases and reductions in the number of military dependent students in schools of all eligible local educational agencies for that fiscal year under this subsection.

(C) MAXIMUM AMOUNT OF ASSISTANCE.—A local educational agency may not receive more than $1,000,000 in assistance under this subsection for any fiscal year.

(4) DURATION.—Assistance may not be provided under this subsection after September 30, 2010.

(c) NOTIFICATION.—Not later than June 30, 2006, and June 30 of each fiscal year thereafter for which funds are made available to carry out this section, the Secretary of Defense shall notify each local educational agency that is eligible for assistance under this section for that fiscal year of—

(1) the eligibility of the local educational agency for the assistance, including whether the agency is eligible for assistance under either subsection (a) or (b) or both subsections; and

(2) the amount of the assistance for which the local educational agency is eligible.

(d) DISBURSEMENT OF FUNDS.—The Secretary of Defense shall disburse assistance made available under this section for a fiscal year not later than 30 days after the date on which notification to the eligible local educational agencies is provided pursuant to subsection (c) for that fiscal year.

(e) FINDING FOR FISCAL YEAR 2006.—Of the amount authorized to be appropriated pursuant to section 301(5) for operation and maintenance for Defense-wide activities—

(1) $30,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a); and

(2) $10,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (b).

(f) DEFINITIONS.—In this section:

(1) The term "base closure process" means the 2005 base closure and realignment process authorized by Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) or any base closure

and realignment process conducted after the date of the enactment of this Act under section 2687 of title 10, United States Code, or any other similar law enacted after that date.

(2) The term "local educational agency" has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

(3) The term "military dependent students" refers to—

(A) elementary and secondary school students who are dependents of members of the Armed Forces; and

(B) elementary and secondary school students who are dependents of civilian employees of the Department of Defense.

(4) The term "State" means each of the 50 States and the District of Columbia.

(g) REPEAL OF FORMER AUTHORITY.—Section 386 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 20 U.S.C. 7703 note) is repealed.

SEC. 573. IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.

Of the amount authorized to be appropriated pursuant to section 301(5) for operation and maintenance for Defense-wide activities, $5,000,000 shall be available for payments under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–77; 20 U.S.C. 7703a).

SEC. 574. CONTINUATION OF IMPACT AID ASSISTANCE ON BEHALF OF DEPENDENTS OF CERTAIN MEMBERS DESPITE CHANGE IN STATUS OF MEMBER.

(a) SPECIAL RULE.—For purposes of computing the amount of a payment for an eligible local educational agency under subsection (a) of section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703) for school year 2005–2006, the Secretary of Education shall continue to count as a child enrolled in a school of such agency under such subsection any child who—

(1) would be counted under paragraph (1)(B) of such subsection to determine the number of children who were in average daily attendance in the school; but

(2) due to the deployment of both parents or legal guardians of the child, the deployment of a parent or legal guardian having sole custody of the child, or the death of a military parent or legal guardian while on active duty (so long as the child resides on Federal property (as defined in section 8013(5) of such Act (20 U.S.C. 7713(5))), is not eligible to be so counted.

(b) TERMINATION.—The special rule provided under subsection (a) applies only so long as the children covered by such subsection remain in average daily attendance at a school in the same local educational agency they attended before their change in eligibility status.

Subtitle H—Decorations and Awards

SEC. 576. ELIGIBILITY FOR OPERATION ENDURING FREEDOM CAMPAIGN MEDAL.

For purposes of eligibility for the campaign medal for Operation Enduring Freedom established pursuant to Public Law 108–234 (10

U.S.C. 1121 note), the beginning date of Operation Enduring Freedom is September 11, 2001.

Subtitle I—Consumer Protection Matters

SEC. 577. REQUIREMENT FOR REGULATIONS ON POLICIES AND PROCEDURES ON PERSONAL COMMERCIAL SOLICITATIONS ON DEPARTMENT OF DEFENSE INSTALLATIONS.

(a) REQUIREMENT.—As soon as practicable after the date of the enactment of this Act, and not later than March 31, 2006, the Secretary of Defense shall prescribe regulations, or modify existing regulations, on the policies and procedures relating to personal commercial solicitations, including the sale of life insurance and securities, on Department of Defense installations.

(b) REPEAL OF SUPERSEDED LIMITATIONS.—The following provisions of law are repealed:

(1) Section 586 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 117 Stat. 1493).

(2) Section 8133 of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 1002).

SEC. 578. CONSUMER EDUCATION FOR MEMBERS OF THE ARMED FORCES AND THEIR SPOUSES ON INSURANCE AND OTHER FINANCIAL SERVICES.

(a) EDUCATION AND COUNSELING REQUIREMENTS.—

(1) IN GENERAL.—Chapter 50 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 992. Consumer education: financial services

"(a) REQUIREMENT FOR CONSUMER EDUCATION PROGRAM FOR MEMBERS.—(1) The Secretary concerned shall carry out a program to provide comprehensive education to members of the armed forces under the jurisdiction of the Secretary on—

"(A) financial services that are available under law to members;

"(B) financial services that are routinely offered by private sector sources to members;

"(C) practices relating to the marketing of private sector financial services to members;

"(D) such other matters relating to financial services available to members, and the marketing of financial services to members, as the Secretary considers appropriate; and

"(E) such other financial practices as the Secretary considers appropriate.

"(2) Training under this subsection shall be provided to members as—

"(A) a component of members initial entry orientation training; and

"(B) a component of periodically recurring required training that is provided for the members at military installations.

"(3) The training provided at a military installation under paragraph (2)(B) shall include information on any financial services marketing practices that are particularly prevalent at that military installation and in the vicinity.

"(b) COUNSELING FOR MEMBERS AND SPOUSES.—(1) The Secretary concerned shall, upon request, provide counseling on financial services to each member of the armed forces, and such member's spouse, under the jurisdiction of the Secretary.

"(2)(A) In the case of a military installation at which at least 2,000 members of the armed forces on active duty are assigned, the Secretary concerned—

"(i) shall provide counseling on financial services under this subsection through a full-time financial services counselor at such installation; and

"(ii) may provide such counseling at such installation by any means elected by the Secretary from among the following:

"(I) Through members of the armed forces in pay grade E–7 or above, or civilians, who provide such counseling as part of their other duties for the armed forces or the Department of Defense.

"(II) By contract, including contract for services by telephone and by the Internet.

"(III) Through qualified representatives of nonprofit organizations and agencies under formal agreements with the Department of Defense to provide such counseling.

"(B) In the case of any military installation not described in subparagraph (A), the Secretary concerned shall provide counseling on financial services under this subsection at such installation by any of the means set forth in subparagraph (A)(ii), as elected by the Secretary concerned.

"(3) Each financial services counselor under paragraph (2)(A)(i), and any other individual providing counseling on financial services under paragraph (2), shall be an individual who, by reason of education, training, or experience, is qualified to provide helpful counseling to members of the armed forces and their spouses on financial services and marketing practices described in subsection (a)(1). Such individual may be a member of the armed forces or an employee of the Federal Government.

"(4) The Secretary concerned shall take such action as is necessary to ensure that each financial services counselor under paragraph (2)(A)(i), and any other individual providing counseling on financial services under paragraphs (2), is free from conflicts of interest relevant to the performance of duty under this section. and, in the performance of that duty, is dedicated to furnishing members of the armed forces and their spouses with helpful information and counseling on financial services and related marketing practices.

"(c) LIFE INSURANCE.—In counseling a member of the armed forces, or spouse of a member of the armed forces, under this section regarding life insurance offered by a private sector source, a financial services counselor under subsection (b)(2)(A)(i), or another individual providing counseling on financial services under subsection (b)(2), shall furnish the member or spouse, as the case may be, with information on the availability of Servicemembers' Group Life Insurance under subchapter III of chapter 19 of title 38, including information on the amounts of coverage available and the procedures for electing coverage and the amount of coverage.

"(d) FINANCIAL SERVICES DEFINED.—In this section, the term 'financial services' includes the following:

"(1) Life insurance, casualty insurance, and other insurance.

"(2) Investments in securities or financial instruments.

"(3) Banking, credit, loans, deferred payment plans, and mortgages.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"992. Consumer education: financial services.".

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first month that begins more than 120 days after the date of the enactment of this Act.

SEC. 579. REPORT ON PREDATORY LENDING PRACTICES DIRECTED AT MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on predatory lending practices directed at members of the Armed Forces and their families. The report shall be prepared in consultation with the Secretary of the Treasury, the Chairman of the Federal Reserve, the Chairman of the Federal Deposit Insurance Corporation, and representatives of military charity organizations and consumer organizations.

(b) ELEMENTS.—The report under subsection (a) shall include the following:

(1) A description of the prevalence of predatory lending practices directed at members of the Armed Forces and their families.

(2) An assessment of the effects of predatory lending practices on members of the Armed Forces and their families.

(3) A description of the strategy of the Department of Defense, and of any current or planned programs of the Department, to educate members of the Armed Forces and their families regarding predatory lending practices.

(4) A description of the strategy of the Department of Defense, and of any current or planned programs of the Department, to reduce or eliminate—

(A) the prevalence of predatory lending practices directed at members of the Armed Forces and their families; and

(B) the negative effect of such practices on members of the Armed Forces and their families.

(5) Recommendations for additional legislative and administrative action to reduce or eliminate predatory lending practices directed at members of the Armed Forces and their families.

(c) DEFINITIONS.—In this section:

(1) The term "appropriate committees of Congress" means—

(A) the Committee on Armed Services and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Financial Services of the House of Representatives.

(2) The term "predatory lending practice" means an unfair or abusive loan or credit sale transaction or collection practice.

Subtitle J—Reports and Sense of Congress Statements

SEC. 581. REPORT ON NEED FOR A PERSONNEL PLAN FOR LINGUISTS IN THE ARMED FORCES.

(a) NEED ASSESSMENT.—The Secretary of Defense shall review the career tracks of members of the Armed Forces who are linguists in an effort to improve the management of linguists (in enlisted grades or officer grades, or both) and to assist them in reaching their full linguistic and analytical potential over a 20-year career. As part of such review, the Secretary shall assess the need for a comprehensive plan to better manage the careers of military linguists (in enlisted grades or officer grades, or both) and to ensure that such linguists have an opportunity to progress in grade and are provided opportunities to enhance their language and cultural skills. As part of the review, the Secretary shall consider personnel management methods such as enhanced bonuses, immersion opportunities, specialized career fields, establishment of a dedicated career path for linguists, and career monitoring to ensure career progress for linguists serving in duty assignments that are not linguist related.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the review and assessment conducted under subsection (a). The report shall include the findings, results, and conclusions of the Secretary's review and assessment of the careers of officer and enlisted linguists in the Armed Forces and the need for a comprehensive plan to ensure effective career management of linguists.

SEC. 582. SENSE OF CONGRESS THAT COLLEGES AND UNIVERSITIES GIVE EQUAL ACCESS TO MILITARY RECRUITERS AND ROTC IN ACCORDANCE WITH THE SOLOMON AMENDMENT AND REQUIREMENT FOR REPORT TO CONGRESS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) any college or university that discriminates against ROTC programs or military recruiters should be denied certain Federal taxpayer support, especially funding for many military and defense programs; and

(2) universities and colleges that receive Federal funds should provide military recruiters access to college campuses and to college students equal in quality and scope to that provided all other employers.

(b) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the colleges and universities that are denying equal access to military recruiters and ROTC programs.

SEC. 583. SENSE OF CONGRESS CONCERNING STUDY OF OPTIONS FOR PROVIDING HOMELAND DEFENSE EDUCATION.

It is the sense of Congress that—

(1) the Secretary of Defense, in consultation with the Secretary of Homeland Security, should study the options among public and private educational institutions and facilities (including an option of using the National Defense University) for providing strategic-level homeland defense education and related research opportunities to civilian and military leaders from all agencies of government in order to contribute to the development of a common understanding of core homeland defense principles and of effective interagency homeland defense strategies, policies, doctrines, and processes; and

(2) the results of such consultation and study should be reported to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate, together with such recommendations as the Secretary considers appropriate, including a request for any implementing legislation that would contribute to the development of strategic-level homeland defense education.

SEC. 584. SENSE OF CONGRESS RECOGNIZING THE DIVERSITY OF THE MEMBERS OF THE ARMED FORCES SERVING IN OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM AND HONORING THEIR SACRIFICES AND THE SACRIFICES OF THEIR FAMILIES.

(a) FINDINGS.—Congress finds the following:

(1) Thousands of members of the United States Armed Forces who come from a variety of ethnic and racial backgrounds have served, and are serving, in Operation Iraqi Freedom and Operation Enduring Freedom to defend the cause of freedom, democracy, and liberty. Many have been killed, wounded, or seriously injured.

(2) Diversity is an essential part of the strength of the Armed Forces, in which members having different ethnic and racial backgrounds share the goal of defending the cause of freedom, democracy, and liberty.

(3) The Armed Forces are representative of the diverse culture and backgrounds that make the United States a great nation.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should—

(1) recognize and celebrate the diversity of the members of the Armed Forces; and

(2) recognize and honor the sacrifices being made by the members of the Armed Forces and their families in the global war on terrorism.

Subtitle K—Other Matters

SEC. 589. EXPANSION AND ENHANCEMENT OF AUTHORITY TO PRESENT RECOGNITION ITEMS FOR RECRUITMENT AND RETENTION PURPOSES.

(a) IN GENERAL.—

(1) AUTHORITY.—Subchapter II of chapter 134 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2261. Presentation of recognition items for recruitment and retention purposes

"(a) EXPENDITURES FOR RECOGNITION ITEMS.—Under regulations prescribed by the Secretary of Defense, appropriated funds may be expended—

"(1) to procure recognition items of nominal or modest value for recruitment or retention purposes; and

"(2) to present such items—

"(A) to members of the armed forces; and

"(B) to members of the families of members of the armed forces, and other individuals, recognized as providing support that substantially facilitates service in the armed forces.

"(b) PROVISION OF MEALS AND REFRESHMENTS.—For purposes of section 520c of this title and any regulation prescribed to implement that section, functions conducted for the purpose of presenting recognition items described in subsection (a) shall be treated as recruiting functions, and recipients of such items shall be treated as persons who are the objects of recruiting efforts.

"(c) RECOGNITION ITEMS OF NOMINAL OR MODEST VALUE.—In this section, the term 'recognition item of nominal or modest value' means a commemorative coin, medal, trophy, badge, flag, poster, painting, or other similar item that is valued at less than $50 per item and is designed to recognize or commemorate service in the armed forces.

"(d) TERMINATION OF AUTHORITY.—The authority under this section shall expire December 31, 2007.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 134 of such title is amended by adding at the end the following new item:

"2261. Presentation of recognition items for recruitment and retention purposes.".

(b) REPEAL OF SUPERSEDED AUTHORITIES.—

(1) ARMY RESERVE.—Section 18506 of title 10, United States Code, is repealed. The table of sections at the beginning of chapter 1805 of such title is amended by striking the item relating to such section.

(2) NATIONAL GUARD.—Section 717 of title 32, United States Code, is repealed. The table of sections at the beginning of chapter 7 of such title is amended by striking the item relating to such section.

SEC. 590. EXTENSION OF DATE OF SUBMITTAL OF REPORT OF VETERANS' DISABILITY BENEFITS COMMISSION.

Section 1503 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 117 Stat. 1678; 38 U.S.C. 1101 note) is amended by striking "Not later than 15 months after the date on which the commission first meets," and inserting "Not later than October 1, 2007,".

SEC. 591. RECRUITMENT AND ENLISTMENT OF HOME-SCHOOLED STUDENTS IN THE ARMED FORCES.

(a) POLICY ON RECRUITMENT AND ENLISTMENT.—

(1) POLICY REQUIRED.—The Secretary of Defense shall prescribe a policy on the recruitment and enlistment of home-schooled students in the Armed Forces.

(2) UNIFORMITY ACROSS THE ARMED FORCES.—The Secretary shall ensure that the policy prescribed under paragraph (1) applies, to the extent practicable, uniformly across the Armed Forces.

(b) ELEMENTS.—The policy under subsection (a) shall include the following:

(1) An identification of a graduate of home schooling for purposes of recruitment and enlistment in the Armed Forces that is in accordance with the requirements described in subsection (c).

(2) A communication plan to ensure that the policy described in subsection (c) is understood by recruiting officials of all the Armed Forces, to include field recruiters at the lowest level of command.

(3) An exemption of graduates of home schooling from the requirement for a secondary school diploma or an equivalent (GED) as a precondition for enlistment in the Armed Forces.

(c) HOME SCHOOL GRADUATES.—In prescribing the policy under subsection (a), the Secretary of Defense shall prescribe a single set of criteria to be used by the Armed Forces in determining whether an individual is a graduate of home schooling. The Secretary concerned shall ensure compliance with education credential coding requirements.

(d) SECRETARY CONCERNED DEFINED.—In this section, the term "Secretary concerned" has the meaning given such term in section 101(a)(9) of title 10, United States Code.

SEC. 592. MODIFICATION OF REQUIREMENT FOR CERTAIN INTERMEDIARIES UNDER CERTAIN AUTHORITIES RELATING TO ADOPTIONS.

(a) REIMBURSEMENT FOR ADOPTION EXPENSES.—Section 1052(g)(1) of title 10, United States Code, is amended by inserting "or other source authorized to place children for adoption under State or local law" after "qualified adoption agency".

(b) TREATMENT AS CHILDREN FOR MEDICAL AND DENTAL CARE PURPOSES.—Section 1072(6)(D)(i) of such title is amended by inserting ", or by any other source authorized by State or local law to provide adoption placement," after "(recognized by the Secretary of Defense)".

SEC. 593. ADOPTION LEAVE FOR MEMBERS OF THE ARMED FORCES ADOPTING CHILDREN.

(a) LEAVE AUTHORIZED.—Section 701 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(i)(1) Under regulations prescribed by the Secretary of Defense, a member of the armed forces adopting a child in a qualifying child adoption is allowed up to 21 days of leave in a calendar year to be used in connection with the adoption.

"(2) For the purpose of this subsection, an adoption of a child by a member is a qualifying child adoption if the member is eligible for reimbursement of qualified adoption expenses for such adoption under section 1052 of this title.

"(3) In the event that two members of the armed forces who are married to each other adopt a child in a qualifying child adoption, only one such member shall be allowed leave under this subsection.

"(4) Leave under paragraph (1) is in addition to other leave provided under other provisions of this section.".

(b) EFFECTIVE DATE.—Subsection (i) of section 701 of title 10, United States Code (as added by subsection (a)), shall take effect on January 1, 2006, and shall apply only with respect to adoptions completed on or after that date.

SEC. 594. ADDITION OF INFORMATION TO BE COVERED IN MANDATORY PRESEPARATION COUNSELING.

Section 1142(b) of title 10, United States Code, is amended—

(1) in paragraph (4), by striking "(4) Information concerning" and inserting the following:

"(4) Provision of information on civilian occupations and related assistance programs, including information concerning—

"(A) certification and licensure requirements that are applicable to civilian occupations;

"(B) civilian occupations that correspond to military occupational specialties; and

"(C)"; and

(2) by adding at the end the following:

"(11) Information concerning the availability of mental health services and the treatment of post-traumatic stress disorder, anxiety disorders, depression, suicidal ideations, or other mental health conditions associated with service in the armed forces.

"(12) Information concerning the priority of service for veterans in the receipt of employment, training, and placement services provided under qualified job training programs of the Department of Labor.

"(13) Information concerning veterans small business ownership and entrepreneurship programs of the Small Business Administration and the National Veterans Business Development Corporation.

"(14) Information concerning employment and reemployment rights and obligations under chapter 43 of title 38.

"(15) Information concerning veterans preference in federal employment and federal procurement opportunities.

"(16) Contact information for housing counseling assistance.

"(17) A description, developed in consultation with the Secretary of Veterans Affairs, of health care and other benefits to which the member may be entitled under the laws administered by the Secretary of Veterans Affairs.".

SEC. 595. REPORT ON TRANSITION ASSISTANCE PROGRAMS.

(a) REPORT REQUIRED.—Not later than May 1, 2006, the Secretary of Defense shall submit to Congress a report on the actions taken, including those actions taken pursuant to the recommendations in the May 2005 report of the Comptroller General submitted to Congress pursuant to section 598 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1939), to ensure that the Transition Assistance

Programs for members of the Armed Forces separating from the Armed Forces (including members of the regular components of the Armed Forces and members of the reserve components of the Armed Forces) function effectively to provide such members with timely and comprehensive transition assistance when separating from the Armed Forces. The report under this section shall be prepared in consultation with the Secretary of Labor and the Secretary of Veterans Affairs.

(b) FOCUS ON PARTICULAR MEMBERS.—The report required by subsection (a) shall include particular attention to the actions taken with respect to the Transition Assistance Programs to assist the following members of the Armed Forces:

(1) Members deployed to Operation Iraqi Freedom.

(2) Members deployed to Operation Enduring Freedom.

(3) Members deployed to or in support of other contingency operations.

(4) Members of the National Guard activated under the provisions of title 32, United States Code, in support of relief efforts for Hurricane Katrina and Hurricane Rita.

SEC. 596. IMPROVEMENT TO DEPARTMENT OF DEFENSE CAPACITY TO RESPOND TO SEXUAL ASSAULT AFFECTING MEMBERS OF THE ARMED FORCES.

(a) PLAN FOR SYSTEM TO TRACK CASES IN WHICH CARE OR PROSECUTION HINDERED BY LACK OF AVAILABILITY.—

(1) PLAN REQUIRED.—The Secretary of Defense shall develop and implement a system to track cases under the jurisdiction of the Department of Defense in which care to a victim of rape or sexual assault, or the investigation or prosecution of an alleged perpetrator of rape or sexual assault, is hindered by the lack of availability of a rape kit or other needed supplies or by the lack of timely access to appropriate laboratory testing resources.

(2) SUBMITTAL TO CONGRESSIONAL COMMITTEES.—The Secretary shall submit the plan developed under paragraph (1) to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives not later than 120 days after the date of the enactment of this Act.

(b) ACCESSIBILITY PLAN FOR DEPLOYED UNITS.—

(1) PLAN REQUIRED.—The Secretary of Defense shall develop and implement a plan for ensuring accessibility and availability of supplies, trained personnel, and transportation resources for responding to sexual assaults occurring in deployed units. The plan shall include the following:

(A) A plan for the training of personnel who are considered to be "first responders" to sexual assaults (including criminal investigators, medical personnel responsible for rape kit evidence collection, and victims advocates), such training to include current techniques on the processing of evidence, including rape kits, and on conducting investigations.

(B) A plan for ensuring the availability at military hospitals of supplies needed for the treatment of victims of sexual assault who present at a military hospital, including rape kits, equipment for processing rape kits, and supplies

for testing and treatment for sexually transmitted infections and diseases, including HIV, and for testing for pregnancy.

(2) SUBMITTAL TO CONGRESSIONAL COMMITTEES.—The Secretary shall submit the plan developed under paragraph (1) to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives not later than 120 days after the date of the enactment of this Act.

(c) ADDITIONAL MATTERS FOR ANNUAL REPORT ON SEXUAL ASSAULTS.—Section 577(f)(2) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1927; 10 U.S.C. 113 note) is amended—

(1) by redesignating subparagraph (D) as subparagraph (G); and

(2) by inserting after subparagraph (C) the following new subparagraphs:

"(D) A description of the implementation during the year covered by the report of the tracking system implemented pursuant to section 596(a) of the National Defense Authorization Act for Fiscal Year 2006, including information collected on cases during that year in which care to a victim of rape or sexual assault was hindered by the lack of availability of a rape kit or other needed supplies or by the lack of timely access to appropriate laboratory testing resources.

"(E) A description of the implementation during the year covered by the report of the accessibility plan implemented pursuant to section 596(b) of the National Defense Authorization Act for Fiscal Year 2006, including a description of the steps taken during that year to provide that trained personnel, appropriate supplies, and transportation resources are accessible to deployed units in order to provide an appropriate and timely response in any case of reported sexual assault in a deployed unit.

"(F) A description of the required supply inventory, location, accessibility, and availability of supplies, trained personnel, and transportation resources needed, and in fact in place, in order to be able to provide an appropriate and timely response in any case of reported sexual assault in a deployed unit.".

SEC. 597. AUTHORITY FOR APPOINTMENT OF COAST GUARD FLAG OFFICER AS CHIEF OF STAFF TO THE PRESIDENT.

(a) AUTHORITY.—Chapter 3 of title 14, United States Code, is amended by adding at the end the following new section:

"§ 54. Chief of staff to President: appointment

"The President, by and with the advice and consent of the Senate, may appoint a flag officer of the Coast Guard as the Chief of Staff to the President.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"54. Chief of Staff to President: appointment.".

SEC. 598. PRAYER AT MILITARY SERVICE ACADEMY ACTIVITIES.

(a) IN GENERAL.—The superintendent of a service academy may have in effect such policy as the superintendent considers appropriate with respect to the offering of a voluntary, nondenomina-

tional prayer at an otherwise authorized activity of the academy, subject to the United States Constitution and such limitations as the Secretary of Defense may prescribe.

(b) SERVICE ACADEMIES.—For purposes of this section, the term "service academy" means any of the following:

(1) The United States Military Academy.

(2) The United States Naval Academy.

(3) The United States Air Force Academy.

SEC. 599. MODIFICATION OF AUTHORITY TO MAKE MILITARY WORKING DOGS AVAILABLE FOR ADOPTION.

(a) ADMINISTRATION OF AUTHORITY BY SECRETARIES OF MILITARY DEPARTMENTS.—Subsection (a) of section 2583 of title 10, United States Code, is amended—

(1) by striking "Secretary of Defense may" and inserting "Secretary of the military department concerned may"; and

(2) by striking "the Department of Defense" and inserting "such military department".

(b) AUTHORITY TO MAKE DOGS AVAILABLE FOR ADOPTION BEFORE END OF USEFUL WORKING LIFE.—Such subsection is further amended by striking "at the end" and all that follows and inserting ", unless the dog has been determined to be unsuitable for adoption under subsection (b), under circumstances as follows:

"(1) At the end of the dog's useful working life.

"(2) Before the end of the dog's useful working life, if such Secretary, in such Secretary's discretion, determines that unusual or extraordinary circumstances justify making the dog available for adoption before that time.

"(3) When the dog is otherwise excess to the needs of such military department.".

(c) CLARIFICATION OF REPORTING REQUIREMENT.—Subsection (f) of such section is amended by inserting "of Defense" after "Secretary".

(d) CONFORMING AND CLERICAL AMENDMENTS.—The heading of such section, and the item relating to such section in the table of sections at the beginning of chapter 153 of such title, are each amended by striking the last six words.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

Sec. 601. Increase in basic pay for fiscal year 2006.
Sec. 602. Additional pay for permanent military professors at United States Naval Academy with over 36 years of service.
Sec. 603. Basic pay rates for reserve component members selected to attend military service academy preparatory schools.
Sec. 604. Clarification of restriction on compensation for correspondence courses.
Sec. 605. Enhanced authority for agency contributions for members of the Armed Forces participating in the Thrift Savings Plan.
Sec. 606. Pilot program on contributions to Thrift Savings Plan for initial enlistees in the Army.
Sec. 607. Prohibition against requiring certain injured members to pay for meals provided by military treatment facilities.
Sec. 608. Permanent authority for supplemental subsistence allowance for low-income members with dependents.

Sec. 609. Increase in basic allowance for housing and extension of temporary lodging expenses authority for areas subject to major disaster declaration or for installations experiencing sudden increase in personnel levels.
Sec. 610. Basic allowance for housing for reserve component members.
Sec. 611. Permanent increase in length of time dependents of certain deceased members may continue to occupy military family housing or receive basic allowance for housing.
Sec. 612. Overseas cost of living allowance.
Sec. 613. Allowance to cover portion of monthly deduction from basic pay for Servicemembers' Group Life Insurance coverage for members serving in Operation Enduring Freedom or Operation Iraqi Freedom.
Sec. 614. Income replacement payments for Reserves experiencing extended and frequent mobilization for active duty service.

Subtitle B—Bonuses and Special and Incentive Pays

Sec. 621. Extension or resumption of certain bonus and special pay authorities for reserve forces.
Sec. 622. Extension of certain bonus and special pay authorities for certain health care professionals.
Sec. 623. Extension of special pay and bonus authorities for nuclear officers.
Sec. 624. Extension of other bonus and special pay authorities.
Sec. 625. Eligibility of oral and maxillofacial surgeons for incentive special pay.
Sec. 626. Eligibility of dental officers for additional special pay.
Sec. 627. Increase in maximum monthly rate authorized for hardship duty pay.
Sec. 628. Flexible payment of assignment incentive pay.
Sec. 629. Active-duty reenlistment bonus.
Sec. 630. Reenlistment bonus for members of the Selected Reserve.
Sec. 631. Consolidation and modification of bonuses for affiliation or enlistment in the Selected Reserve.
Sec. 632. Expansion and enhancement of special pay for enlisted members of the Selected Reserve assigned to certain high priority units.
Sec. 633. Eligibility requirements for prior service enlistment bonus.
Sec. 634. Increase and enhancement of affiliation bonus for officers of the Selected Reserve.
Sec. 635. Increase in authorized maximum amount of enlistment bonus.
Sec. 636. Discretion of Secretary of Defense to authorize retroactive hostile fire and imminent danger pay.
Sec. 637. Increase in maximum bonus amount for nuclear-qualified officers extending period of active duty.
Sec. 638. Increase in maximum amount of nuclear career annual incentive bonus for nuclear-qualified officers trained while serving as enlisted members.
Sec. 639. Uniform payment of foreign language proficiency pay to eligible reserve component members and regular component members.
Sec. 640. Retention bonus for members qualified in certain critical skills or assigned to high priority units.
Sec. 641. Incentive bonus for transfer between Armed Forces.
Sec. 642. Availability of special pay for members during rehabilitation from wounds, injuries, and illnesses incurred in a combat operation or combat zone.
Sec. 643. Pay and benefits to facilitate voluntary separation of targeted members of the Armed Forces.
Sec. 644. Ratification of payment of critical-skills accession bonus for persons enrolled in Senior Reserve Officers' Training Corps obtaining nursing degrees.
Sec. 645. Temporary authority to pay bonus to encourage members of the Army to refer other persons for enlistment in the Army.

Subtitle C—Travel and Transportation Allowances

Sec. 651. Authorized absences of members for which lodging expenses at temporary duty location may be paid.
Sec. 652. Extended period for selection of home for travel and transportation allowances for dependents of deceased members.
Sec. 653. Transportation of family members in connection with the repatriation of members held captive.
Sec. 654. Increased weight allowances for shipment of household goods of senior noncommissioned officers.

Sec. 655. Permanent authority to provide travel and transportation allowances for family members to visit hospitalized members of the Armed Forces injured in combat operation or combat zone.

Subtitle D—Retired Pay and Survivor Benefits

Sec. 661. Monthly disbursement to States of State income tax withheld from retired or retainer pay.
Sec. 662. Denial of certain burial-related benefits for individuals who committed a capital offense.
Sec. 663. Concurrent receipt of veterans' disability compensation and military retired pay.
Sec. 664. Additional amounts of death gratuity for survivors of certain members of the Armed Forces dying on active duty.
Sec. 665. Child support for certain minor children of retirement-eligible members convicted of domestic violence resulting in death of child's other parent.
Sec. 666. Comptroller General report on actuarial soundness of the Survivor Benefit Plan.

Subtitle E—Commissary and Nonappropriated Fund Instrumentality Benefits

Sec. 671. Increase in authorized level of supplies and services procurement from overseas exchange stores.
Sec. 672. Requirements for private operation of commissary store functions.
Sec. 673. Provision of and payment for overseas transportation services for commissary and exchange supplies and products.
Sec. 674. Compensatory time off for certain nonappropriated fund employees.
Sec. 675. Rest and recuperation leave programs.

Subtitle F—Other Matters

Sec. 681. Temporary Army authority to provide additional recruitment incentives.
Sec. 682. Clarification of leave accrual for members assigned to a deployable ship or mobile unit or other duty.
Sec. 683. Expansion of authority to remit or cancel indebtedness of members of the Armed Forces incurred on active duty.
Sec. 684. Loan repayment program for chaplains in the Selected Reserve.
Sec. 685. Inclusion of Senior Enlisted Advisor for the Chairman of the Joint Chiefs of Staff among senior enlisted members of the Armed Forces.
Sec. 686. Special and incentive pays considered for saved pay upon appointment of members as officers.
Sec. 687. Repayment of unearned portion of bonuses, special pays, and educational benefits.
Sec. 688. Rights of members of the Armed Forces and their dependents under Housing and Urban Development Act of 1968.
Sec. 689. Extension of eligibility for SSI for certain individuals in families that include members of the Reserve and National Guard.
Sec. 690. Information for members of the Armed Forces and their dependents on rights and protections of the Servicemembers Civil Relief Act.

Subtitle A—Pay and Allowances

SEC. 601. INCREASE IN BASIC PAY FOR FISCAL YEAR 2006.

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during fiscal year 2006 required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services shall not be made.

(b) INCREASE IN BASIC PAY.—Effective on January 1, 2006, the rates of monthly basic pay for members of the uniformed services are increased by 3.1 percent.

SEC. 602. ADDITIONAL PAY FOR PERMANENT MILITARY PROFESSORS AT UNITED STATES NAVAL ACADEMY WITH OVER 36 YEARS OF SERVICE.

Section 203(b) of title 37, United States Code, is amended by inserting after "Military Academy" the following: ", the United States Naval Academy,".

SEC. 603. BASIC PAY RATES FOR RESERVE COMPONENT MEMBERS SELECTED TO ATTEND MILITARY SERVICE ACADEMY PREPARATORY SCHOOLS.

Section 203(e)(2) of title 37, United States Code, is amended—

(1) by striking "on active duty for a period of more than 30 days shall continue to receive" and inserting "shall receive"; and

(2) by inserting before the period at the end the following: "or at the rate provided for cadets and midshipmen under subsection (c), whichever is greater".

SEC. 604. CLARIFICATION OF RESTRICTION ON COMPENSATION FOR CORRESPONDENCE COURSES.

Section 206(d)(1) of title 37, United States Code, is amended by inserting after "reserve component" the following: "or by a member of the National Guard while not in Federal service".

SEC. 605. ENHANCED AUTHORITY FOR AGENCY CONTRIBUTIONS FOR MEMBERS OF THE ARMED FORCES PARTICIPATING IN THE THRIFT SAVINGS PLAN.

(a) AUTHORITY TO MAKE CONTRIBUTIONS FOR CERTAIN FIRST-TIME ENLISTEES.—Subsection (d) of section 211 of title 37, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by inserting "(i)" after "(A)";

(B) by redesignating subparagraph (B) as clause (ii) of subparagraph (A) and, in such clause, by striking the period at the end and inserting "; or"; and

(C) by adding at the end the following new subparagraph (B):

"(B) is enlisting in the armed forces for the first time and the period of the member's enlistment is not less than two years.";

(2) in paragraph (2), by striking "paragraph (1)" the first place it appears and inserting "paragraph (1)(A)";

(3) by designating the second sentence of paragraph (2) as paragraph (4) and, in such paragraph, by striking "this paragraph" and inserting "this subsection"; and

(4) by inserting before such paragraph (4) the following new paragraph:

"(3) In the case of a member described by paragraph (1)(B), the Secretary shall make contributions to the Fund for the benefit of the member for each pay period of the enlistment of the member described in that paragraph for which the member makes a contribution to the Fund under section 8440e of title 5 (other than under subsection (d)(2) thereof).".

(b) CLERICAL AMENDMENT.—Such subsection is further amended by inserting "AND FIRST-TIME ENLISTEES" after "SPECIALTIES".

SEC. 606. PILOT PROGRAM ON CONTRIBUTIONS TO THRIFT SAVINGS PLAN FOR INITIAL ENLISTEES IN THE ARMY.

(a) PILOT PROGRAM REQUIRED.—During fiscal year 2006, the Secretary of the Army shall use the authority provided by section 211(d)(1)(B) of title 10, United States Code, as amended by section 605, to carry out within the Army a pilot program in order to assess the extent to which contributions by the Secretary to the Thrift Savings Fund on behalf of members of the Army described in subsection (b) would—

(1) assist the Army in recruiting efforts; and

(2) assist such members in establishing habits of financial responsibility during their initial enlistment in the Armed Forces.

(b) COVERED MEMBERS.—To be eligible to participate in the pilot program under subsection (a), a member of the Army must be serving under an initial enlistment for a period of not less than two years.

(c) CONTRIBUTIONS TO THRIFT SAVINGS FUND.—

(1) IN GENERAL.—The Secretary of the Army may make contributions to the Thrift Savings Fund on behalf of any participant in the pilot program under subsection (a) for any pay period during the period of the pilot program.

(2) LIMITATIONS.—The amount of any contributions made with respect to a member under paragraph (1) shall be subject to the provisions of section 8432(c) of title 5, United States Code.

(d) REPORT.—

(1) IN GENERAL.—Not later than February 1, 2007, the Secretary of Defense shall submit to the congressional defense committees a report on the pilot program under subsection (a).

(2) ELEMENTS.—The report shall include the following:

(A) A description of the pilot program, including the number of members of the Army who participated in the pilot program and the contributions made by the Army to the Thrift Savings Fund on behalf of such members during the period of the pilot program.

(B) An assessment, based on the pilot program and taking into account the views of officers and senior enlisted personnel of the Army, and of field recruiters, of the extent to which contributions by the military departments to the Thrift Savings Fund on behalf of members of the Armed Forces similar to the participants in the pilot program—

(i) would enhance the recruiting efforts of the Armed Forces; and

(ii) would assist such members in establishing habits of financial responsibility during their initial enlistment in the Armed Forces.

SEC. 607. PROHIBITION AGAINST REQUIRING CERTAIN INJURED MEMBERS TO PAY FOR MEALS PROVIDED BY MILITARY TREATMENT FACILITIES.

(a) TEMPORARY PROHIBITION.—Section 402 of title 37, United States Code, is amended—

(1) by redesignating subsection (h) as subsection (i); and

(2) by inserting after subsection (g) the following new subsection:

"(h) NO PAYMENT FOR MEALS RECEIVED AT MILITARY TREATMENT FACILITIES.—(1) A member of the armed forces who is undergoing medical recuperation or therapy, or is otherwise in the status of continuous care, including outpatient care, at a military treatment facility for an injury, illness, or disease described in paragraph (2) shall not be required to pay any charge for meals provided to the member by the military treatment facility during any month covered by paragraph (3) in which the member is entitled to a basic allowance for subsistence under this section.

"(2) Paragraph (1) applies with respect to an injury, illness, or disease incurred or aggravated by a member while the member was serving on active duty—

"(A) in support of Operation Iraqi Freedom or Operation Enduring Freedom; or

"(B) in any other operation designated by the Secretary of Defense as a combat operation or in an area designated by the Secretary as a combat zone.

"(3) This subsection shall apply to months beginning during the period beginning on October 1, 2005, and ending on December 31, 2006.".

(b) REPEAL OF TEMPORARY AUTHORITY.—Section 1023 of division A of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13), is repealed.

SEC. 608. PERMANENT AUTHORITY FOR SUPPLEMENTAL SUBSISTENCE ALLOWANCE FOR LOW-INCOME MEMBERS WITH DEPENDENTS.

(a) REPEAL OF TERMINATION PROVISION.—Section 402a of title 37, United States Code, is amended by striking subsection (i).

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Subsection (f) of such section is amended—

(1) in the first sentence, by striking "Secretary of Transportation" and inserting "Secretary of Homeland Security, with respect to the Coast Guard"; and

(2) by striking the second sentence.

SEC. 609. INCREASE IN BASIC ALLOWANCE FOR HOUSING AND EXTENSION OF TEMPORARY LODGING EXPENSES AUTHORITY FOR AREAS SUBJECT TO MAJOR DISASTER DECLARATION OR FOR INSTALLATIONS EXPERIENCING SUDDEN INCREASE IN PERSONNEL LEVELS.

(a) TEMPORARY BASIC ALLOWANCE FOR HOUSING INCREASE AUTHORIZED.—Section 403(b) of title 37, United States Code, is amended by adding at the end the following new paragraph:

"(7)(A) Under the authority of this paragraph, the Secretary of Defense may prescribe a temporary increase in the rates of basic allowance for housing otherwise prescribed for a military housing area or a portion of a military housing area if the military housing area or portion thereof—

"(i) is located in an area covered by a declaration by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) that a major disaster exists; or

"(ii) contains one or more military installations that are experiencing a sudden increase in the number of members of the armed forces assigned to the installation.

"(B) The Secretary of Defense shall base the amount of the increase to be made in the rates of basic allowance for housing for an area on a determination by the Secretary of the amount by which the costs of adequate housing for civilians have increased in the area by reason of the disaster or the influx of military personnel, except that the increase may not exceed the amount equal to 20 percent of the rate of basic allowance for housing otherwise prescribed for the area.

"(C) A member may be paid a basic allowance for housing at a rate increased under this paragraph only if the member certifies to the Secretary concerned that the member has incurred increased housing costs in the area by reason of the disaster or the influx of military personnel.

"(D) Subject to subparagraph (E), an increase in the rates of basic allowance for housing in an area under this paragraph shall remain in effect until the effective date of the first adjustment in rates of basic allowance for housing made for the area pursuant to a redetermination of housing costs in the area under this subsection that occurs after the date of the increase under this paragraph.

"(E) An increase in the rates of basic allowance for housing for an area may not be prescribed under this paragraph or continue after December 31, 2008.".

(b) TEMPORARY EXTENSION OF TEMPORARY LODGING EXPENSES AUTHORITY.—Section 404a(c) of such title is amended by adding at the end the following new paragraph:

"(3) Whenever the conditions described in clause (i) or (ii) of subparagraph (A) of section 403(b)(7) of this title exist for a military housing area or portion thereof, the Secretary concerned may increase the period for which subsistence expenses are to be paid or reimbursed under this section in the case of a change of permanent station described in subparagraph (A) or (C) of subsection (a)(2) in the same military housing area or portion thereof to a maximum of 20 days.".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to months beginning on or after September 1, 2005.

SEC. 610. BASIC ALLOWANCE FOR HOUSING FOR RESERVE COMPONENT MEMBERS.

(a) EQUAL TREATMENT OF RESERVE MEMBERS.—Subsection (g) of section 403 of title 37, United States Code, is amended—

(1) by redesignating paragraph (3) as paragraph (4);

(2) by inserting after paragraph (2) the following new paragraph (3):

"(3) The rate of basic allowance for housing to be paid to the following members of a reserve component shall be equal to the rate in effect for similarly situated members of a regular component of the uniformed services:

"(A) A member who is called or ordered to active duty for a period of more than 30 days.

"(B) A member who is called or ordered to active duty for a period of 30 days or less in support of a contingency operation."; and

(3) in paragraph (4), as so redesignated, by striking "less than 140 days" and inserting "30 days or less".

(b) CONFORMING AMENDMENT REGARDING MEMBERS WITHOUT DEPENDENTS.—Paragraph (1) of such subsection is amended by inserting "or for a period of more than 30 days" after "in support of a contingency operation" both places it appears.

SEC. 611. PERMANENT INCREASE IN LENGTH OF TIME DEPENDENTS OF CERTAIN DECEASED MEMBERS MAY CONTINUE TO OCCUPY MILITARY FAMILY HOUSING OR RECEIVE BASIC ALLOWANCE FOR HOUSING.

Effective immediately after the termination, pursuant to subsection (b) of section 1022 of Public Law 109–13 (119 Stat. 251) and section 124 of Public Law 109–77 (119 Stat. 2041), of the amendments made by subsection (a) of such section 1022, section 403(l) of title 37, United States Code, is amended by striking "180 days" each place it appears and inserting "365 days".

SEC. 612. OVERSEAS COST OF LIVING ALLOWANCE.

(a) PAYMENT OF ALLOWANCE BASED ON OVERSEAS LOCATION OF DEPENDENTS.—Section 405 of title 37, United States Code, is amended by adding at the end the following new subsection:

"(e) PAYMENT OF ALLOWANCE BASED ON OVERSEAS LOCATION OF DEPENDENTS.—In the case of a member assigned to duty inside the continental United States whose dependents continue to reside outside the continental United States, the Secretary concerned may pay the member a per diem under this section based on the location of the dependents and provide reimbursement under subsection (d) for an unusual or extraordinary expense incurred by the dependents if the Secretary determines that such payment or reimbursement is in the best interest of the member or the member's dependents and in the best interest of the United States.".

(b) CLARIFICATION OF EXPENSES ELIGIBLE FOR LUMP-SUM REIMBURSEMENT.—Subsection (d) of such section is amended—

(1) in the subsection heading, by striking "NONRECURRING" and inserting "UNUSUAL OR EXTRAORDINARY";

(2) by inserting "or (e)" after "subsection (a)" each place it appears; and

(3) in paragraph (1)—

(A) by striking "a nonrecurring" and inserting "an unusual or extraordinary" in the matter preceding subparagraph (A); and

(B) in subparagraph (A), by inserting "or the location of the member's dependents" before the semicolon.

SEC. 613. ALLOWANCE TO COVER PORTION OF MONTHLY DEDUCTION FROM BASIC PAY FOR SERVICEMEMBERS' GROUP LIFE INSURANCE COVERAGE FOR MEMBERS SERVING IN OPERATION ENDURING FREEDOM OR OPERATION IRAQI FREEDOM.

(a) ALLOWANCE TO COVER SGLI DEDUCTIONS.—Chapter 7 of title 37, United States Code, is amended by adding at the end the following new section:

"§ 437. Allowance to cover portion of monthly premium for Servicemembers' Group Life Insurance: members serving in Operation Enduring Freedom or Operation Iraqi Freedom

"(a) REQUIRED REIMBURSEMENT FOR PREMIUM DEDUCTION.—(1) In the case of a member of the armed forces who has insurance coverage for the member under the Servicemembers' Group Life Insurance program under subchapter III of chapter 19 of title 38 and who serves in the theater of operations for Operation Enduring Freedom or Operation Iraqi Freedom at any time during a month, the Secretary concerned shall pay the member an allowance under this

section for that month in an amount equal to the amount of the deduction made under subsection (a)(1) of section 1969 of such title for the first $150,000 of Servicemembers' Group Life Insurance coverage held by the member under section 1967 of such title.

"(2) If a member described in paragraph (1) elected to be insured in an amount less than the coverage amount specified in paragraph (1) or in effect pursuant to subsection (b), the amount of the allowance under this section for a month shall be equal to the amount of the deduction made for that month under subsection (a)(1) of section 1969 of title 38 from the basic pay of the member for the amount of Servicemembers' Group Life Insurance coverage actually held by the member under section 1967 of such title.

"(b) AUTHORITY TO INCREASE MAXIMUM REIMBURSEMENT AMOUNT.—For purposes of subsection (a), the Secretary of Defense is authorized to increase the coverage amount specified in paragraph (1) of such subsection to permit the reimbursement of all or an additional amount of the deduction made under section 1969(a)(1) of title 38 for levels of coverage in excess of $150,000 for members under the Servicemembers' Group Life Insurance program.

"(c) NOTICE OF AVAILABILITY OF ALLOWANCE.—To the maximum extent practicable, in advance of the deployment of a member to a theater of operations referred to in subsection (a), the Secretary concerned shall give the member information regarding the following:

"(1) The availability of the allowance under this section for members insured under the Servicemembers' Group Life Insurance program.

"(2) The ability of members who elected not to be insured under Servicemembers' Group Life Insurance, or elected less than the coverage amount specified in subsection (a)(1) or in effect pursuant to subsection (b), to obtain insurance, or to obtain additional coverage, as the case may be, under the authority provided in section 1967(c) of title 38.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of title 37, United States Code, is amended by adding at the end the following new item:

"437. Allowance to cover portion of monthly premium for Servicemembers' Group Life Insurance: members serving in Operation Enduring Freedom or Operation Iraqi Freedom.".

(c) EFFECTIVE DATE; NOTIFICATION.—Section 437 of title 37, United States Code, as added by subsection (a), shall apply with respect to service by members of the Armed Forces in the theater of operations for Operation Enduring Freedom or Operation Iraqi Freedom for months beginning on or after the date of the enactment of this Act. In the case of members who are serving in the theater of operations for Operation Enduring Freedom or Operation Iraqi Freedom as of such date, the Secretary of Defense shall provide such members, as soon as practicable, the information specified in subsection (c) of that section.

SEC. 614. INCOME REPLACEMENT PAYMENTS FOR RESERVES EXPERIENCING EXTENDED AND FREQUENT MOBILIZATION FOR ACTIVE DUTY SERVICE.

(a) IN GENERAL.—Chapter 17 of title 37, United States Code, is amended by adding at the end the following new section:

"§ 910. Replacement of lost income: involuntarily mobilized reserve component members subject to extended and frequent active duty service

"(a) PAYMENT REQUIRED.—The Secretary concerned shall pay to an eligible member of a reserve component of the armed forces an amount equal to the monthly active-duty income differential of the member, as determined by the Secretary. The payments shall be made on a monthly basis.

"(b) ELIGIBILITY.—Subject to subsection (c), a reserve component member is entitled to a payment under this section for any full month of active duty of the member, while on active duty under an involuntary mobilization order, following the date on which the member—

"(1) completes 18 continuous months of service on active duty under such an order;

"(2) completes 24 months on active duty during the previous 60 months under such an order; or

"(3) is involuntarily mobilized for service on active duty for a period of 180 days or more within six months or less following the member's separation from a previous period of involuntary active duty for a period of 180 days or more.

"(c) MINIMUM AND MAXIMUM PAYMENT AMOUNTS.—(1) A payment under this section shall be made to a member for a month only if the amount of the monthly active-duty income differential for the month is greater than $50.

"(2) Notwithstanding the amount determined under subsection (d) for a member for a month, the monthly payment to a member under this section may not exceed $3,000.

"(d) MONTHLY ACTIVE-DUTY INCOME DIFFERENTIAL.—For purposes of this section, the monthly active-duty income differential of a member is the difference between—

"(1) the average monthly civilian income of the member; and

"(2) the member's total monthly military compensation.

"(e) DEFINITIONS.—In this section:

"(1) The term 'average monthly civilian income', with respect to a member of a reserve component, means the amount, determined by the Secretary concerned, of the earned income of the member for either the 12 months preceding the member's mobilization or the 12 months covered by the member's most recent Federal income tax filing, divided by 12.

"(2) The term 'total monthly military compensation' means the amount, computed on a monthly basis, of the sum of—

"(A) the amount of the regular military compensation (RMC) of the member; and

"(B) any amount of special pay or incentive pay and any allowance (other than an allowance included in regular military compensation) that is paid to the member on a monthly basis.

"(f) REGULATIONS.—This section shall be administered under regulations to be prescribed by the Secretary of Defense.

"(g) TERMINATION OF AUTHORITY.—No payment shall be made under this section after December 31, 2008.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"910. Replacement of lost income: involuntarily mobilized reserve component members subject to extended and frequent active duty service.".

(c) EFFECTIVE DATE.—Section 910 of title 37, United States Code, as added by subsection (a), may apply only with respect to months beginning after the end of the 180-day period beginning on the date of the enactment of this Act.

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 621. EXTENSION OR RESUMPTION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

(a) SELECTED RESERVE REENLISTMENT BONUS.—Section 308b(g) of title 37, United States Code, is amended by striking "December 31, 2005" and inserting "December 31, 2006".

(b) SPECIAL PAY FOR ENLISTED MEMBERS ASSIGNED TO CERTAIN HIGH PRIORITY UNITS.—Section 308d(c) of such title is amended by striking "December 31, 2005" and inserting "December 31, 2006".

(c) READY RESERVE ENLISTMENT BONUS FOR PERSONS WITHOUT PRIOR SERVICE.—Section 308g(h) of such title is amended by striking "an enlistment after September 30, 1992" and inserting "an enlistment—

"(1) during the period beginning on October 1, 1992, and ending on September 30, 2005; or

"(2) after December 31, 2006.".

(d) READY RESERVE ENLISTMENT AND REENLISTMENT BONUS FOR PERSONS WITH PRIOR SERVICE.—Section 308h(g) of such title is amended by striking "December 31, 2005" and inserting "December 31, 2006".

(e) SELECTED RESERVE ENLISTMENT BONUS FOR PERSONS WITH PRIOR SERVICE.—Section 308i(f) of such title is amended by striking "December 31, 2005" and inserting "December 31, 2006".

SEC. 622. EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR CERTAIN HEALTH CARE PROFESSIONALS.

(a) NURSE OFFICER CANDIDATE ACCESSION PROGRAM.—Section 2130a(a)(1) of title 10, United States Code, is amended by striking "December 31, 2005" and inserting "December 31, 2006".

(b) REPAYMENT OF EDUCATION LOANS FOR CERTAIN HEALTH PROFESSIONALS WHO SERVE IN THE SELECTED RESERVE.—Section 16302(d) of such title is amended by striking "January 1, 2006" and inserting "January 1, 2007".

(c) ACCESSION BONUS FOR REGISTERED NURSES.—Section 302d(a)(1) of title 37, United States Code, is amended by striking "December 31, 2005" and inserting "December 31, 2006".

(d) INCENTIVE SPECIAL PAY FOR NURSE ANESTHETISTS.—Section 302e(a)(1) of such title is amended by striking "December 31, 2005" and inserting "December 31, 2006".

(e) SPECIAL PAY FOR SELECTED RESERVE HEALTH PROFESSIONALS IN CRITICALLY SHORT WARTIME SPECIALTIES.—Section

302g(f) of such title is amended by striking "December 31, 2005" and inserting "December 31, 2006".

(f) ACCESSION BONUS FOR DENTAL OFFICERS.—Section 302h(a)(1) of such title is amended by striking "December 31, 2005" and inserting "December 31, 2006".

(g) ACCESSION BONUS FOR PHARMACY OFFICERS.—Section 302j(a) of such title is amended by striking "December 31, 2005" and inserting "December 31, 2006".

SEC. 623. EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.

(a) SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFICERS EXTENDING PERIOD OF ACTIVE SERVICE.—Section 312(e) of title 37, United States Code, is amended by striking "December 31, 2005" and inserting "December 31, 2006".

(b) NUCLEAR CAREER ACCESSION BONUS.—Section 312b(c) of such title is amended by striking "December 31, 2005" and inserting "December 31, 2006".

(c) NUCLEAR CAREER ANNUAL INCENTIVE BONUS.—Section 312c(d) of such title is amended by striking "December 31, 2005" and inserting "December 31, 2006".

SEC. 624. EXTENSION OF OTHER BONUS AND SPECIAL PAY AUTHORITIES.

(a) AVIATION OFFICER RETENTION BONUS.—Section 301b(a) of title 37, United States Code, is amended by striking "December 31, 2005" and inserting "December 31, 2006".

(b) ASSIGNMENT INCENTIVE PAY.—Section 307a(f) of such title is amended by striking "December 31, 2006" and inserting "December 31, 2007".

(c) REENLISTMENT BONUS FOR ACTIVE MEMBERS.—Section 308(g) of such title is amended by striking "December 31, 2005" and inserting "December 31, 2006".

(d) ENLISTMENT BONUS FOR ACTIVE MEMBERS.—Section 309(e) of such title is amended by striking "December 31, 2005" and inserting "December 31, 2006".

(e) RETENTION BONUS FOR MEMBERS WITH CRITICAL MILITARY SKILLS.—Section 323(i) of such title is amended by striking "December 31, 2005" and inserting "December 31, 2006".

(f) ACCESSION BONUS FOR NEW OFFICERS IN CRITICAL SKILLS.—Section 324(g) of such title is amended by striking "December 31, 2005" and inserting "December 31, 2006".

SEC. 625. ELIGIBILITY OF ORAL AND MAXILLOFACIAL SURGEONS FOR INCENTIVE SPECIAL PAY.

(a) ELIGIBILITY.—Subsection (a) of section 302b of title 37, United States Code, is amended—

(1) in the subsection heading, by striking "AND BOARD CERTIFICATION" and inserting "BOARD CERTIFICATION, AND INCENTIVE"; and

(2) by adding at the end the following new paragraph:

"(6) An officer described in paragraph (1) who is an oral or maxillofacial surgeon may be paid incentive special pay at the same rates, and subject to the same terms and conditions, as incentive special pay available for medical officers under section 302(b) of this title.".

(b) CONFORMING AMENDMENTS.—Such section is further amended in subsections (b) and (d) by striking "subsection (a)(4)" each place it appears and inserting "paragraph (4) or (6) of subsection (a)".

SEC. 626. ELIGIBILITY OF DENTAL OFFICERS FOR ADDITIONAL SPECIAL PAY.

Section 302b(a)(4) of title 37, United States Code, is amended in the first sentence—

(1) by inserting "also" before "is entitled"; and

(2) by inserting "initial" before "residency".

SEC. 627. INCREASE IN MAXIMUM MONTHLY RATE AUTHORIZED FOR HARDSHIP DUTY PAY.

Section 305(a) of title 37, United States Code, is amended by striking "$300" and inserting "$750".

SEC. 628. FLEXIBLE PAYMENT OF ASSIGNMENT INCENTIVE PAY.

(a) AUTHORITY TO PROVIDE LUMP SUM OR INSTALLMENT PAYMENTS.—Section 307a of title 37, United States Code, is amended—

(1) in subsection (a)—

(A) by striking "monthly"; and

(B) by adding at the end the following new sentence: "Incentive pay payable under this section may be paid on a monthly basis, in a lump sum, or in installments."; and

(2) in subsection (b)—

(A) by inserting "(1)" before "The Secretary concerned";

(B) in paragraph (1), as so designated, by striking "incentive pay" in the first sentence and inserting "the payment of incentive pay on a monthly basis"; and

(C) by adding at the end the following new paragraph:

"(2) The Secretary concerned shall require a member performing service in an assignment designated under subsection (a) to enter into a written agreement with the Secretary in order to qualify for the payment of incentive pay on a lump sum or installment basis under this section. The written agreement shall specify the period for which the incentive pay will be paid to the member and, subject to subsection (c), the amount of the lump sum, or each installment, of the incentive pay.".

(b) MAXIMUM RATE OR AMOUNT.—Subsection (c) of such section is amended to read as follows:

"(c) MAXIMUM RATE OR AMOUNT.—(1) The maximum monthly rate of incentive pay payable to a member on a monthly basis under this section is $3,000.

"(2) The amount of the lump sum payment of incentive pay payable to a member on a lump sum basis under this section may not exceed an amount equal to the product of—

"(A) the maximum monthly rate authorized under paragraph (1) at the time of the written agreement of the member under subsection (b)(2); and

"(B) the number of months in the period for which incentive pay will be paid pursuant to the agreement.

"(3) The amount of each installment payment of incentive pay payable to a member on an installment basis under this section shall be the amount equal to—

"(A) the product of (i) a monthly rate specified in the written agreement of the member under subsection (b)(2) (which

monthly rate may not exceed the maximum monthly rate authorized under paragraph (1) at the time of the written agreement), and (ii) the number of months in the period for which incentive pay will be paid; divided by

"(B) the number of installments over such period.

"(4) If a member extends an assignment specified in an agreement with the Secretary under subsection (b), incentive pay for the period of the extension may be paid under this section on a monthly basis, in a lump sum, or in installments in accordance with this section.".

(c) REPAYMENT.—Such section is further amended—

(1) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g), respectively; and

(2) by inserting after subsection (c), as amended by subsection (b) of this section, the following new subsection (d):

"(d) REPAYMENT OF INCENTIVE PAY.—(1) A member who, pursuant to an agreement under subsection (b)(2), receives a lump sum or installment payment of incentive pay under this section and who fails to complete the total period of service or other conditions specified in the agreement voluntarily or because of misconduct, shall refund to the United States an amount equal to the percentage of incentive pay paid which is equal to the unexpired portion of the service divided by the total period of service. The Secretary concerned may waive repayment of an amount of incentive pay under this section, in whole or in part, if the Secretary determines that conditions and circumstances warrant.

"(2) An obligation to repay the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

"(3) A discharge in bankruptcy under title 11 that is entered less than 5 years after the termination of the agreement does not discharge the member signing the agreement from a debt arising under paragraph (1).".

SEC. 629. ACTIVE-DUTY REENLISTMENT BONUS.

(a) ELIGIBILITY OF SENIOR ENLISTED MEMBERS.—Subsection (a) of section 308 of title 37, United States Code, is amended—

(1) in paragraph (1)(A), by striking "16 years of active duty" and inserting "20 years of active duty"; and

(2) in paragraph (3), by striking "18 years" and inserting "24 years".

(b) INCREASE IN AUTHORIZED MAXIMUM AMOUNT OF BONUS.—Paragraph (2)(B) of such subsection is amended by striking "$60,000" and inserting "$90,000".

(c) REPEAL OF REFERENCE TO OBSOLETE SPECIAL PAY.—Paragraph (1) of such subsection is amended—

(1) by inserting "and" at the end of subparagraph (B);

(2) by striking subparagraph (C); and

(3) by redesignating subparagraph (D) as subparagraph (C).

(d) REPEAL OF OBSOLETE SPECIAL PAY.—

(1) REPEAL.—Section 312a of title 37, United States Code, is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 5 of such title is amended by striking the item relating to section 312a.

SEC. 630. REENLISTMENT BONUS FOR MEMBERS OF THE SELECTED RESERVE.

(a) ELIGIBILITY OF SENIOR ENLISTED MEMBERS.—Subsection (a)(1) of section 308b of title 37, United States Code, is amended by striking "16 years of total military service" and inserting "20 years of total military service".

(b) COMPUTATION OF BONUS AMOUNT.—Subsection (b) of such section is amended by adding at the end the following new paragraph:

"(3) Any portion of a term of reenlistment or extension of enlistment of a member that, when added to the total years of service of the member at the time of discharge or release, exceeds 24 years may not be used in computing the total bonus amount under paragraph (1).".

SEC. 631. CONSOLIDATION AND MODIFICATION OF BONUSES FOR AFFILIATION OR ENLISTMENT IN THE SELECTED RESERVE.

(a) CONSOLIDATION AND MODIFICATION OF BONUSES.—Section 308c of title 37, United States Code, is amended to read as follows:

"§ 308c. Special pay: bonus for affiliation or enlistment in the Selected Reserve

"(a) AFFILIATION BONUS AUTHORIZED.—The Secretary concerned may pay an affiliation bonus to an enlisted member of an armed force who—

"(1) has completed fewer than 20 years of military service; and

"(2) executes a written agreement to serve in the Selected Reserve of the Ready Reserve of an armed force for a period of not less than three years in a skill, unit, or pay grade designated under subsection (b) after being discharged or released from active duty under honorable conditions.

"(b) DESIGNATION OF SKILLS, UNITS, AND PAY GRADES.—The Secretary concerned shall designate the skills, units, and pay grades for which an affiliation bonus may be paid under subsection (a). Any skill, unit, or pay grade so designated shall be a skill, unit, or pay grade for which there is a critical need for personnel in the Selected Reserve of the Ready Reserve of an armed force, as determined by the Secretary concerned. The Secretary concerned shall establish other requirements to ensure that members accepted for affiliation meet required performance and discipline standards.

"(c) ACCESSION BONUS AUTHORIZED.—The Secretary concerned may pay an accession bonus to a person who—

"(1) has not previously served in the armed forces; and

"(2) executes a written agreement to serve as an enlisted member in the Selected Reserve of the Ready Reserve of an armed force for a period of not less than three years upon acceptance of the agreement by the Secretary concerned.

"(d) LIMITATION ON AMOUNT OF BONUS.—The amount of a bonus under subsection (a) or (c) may not exceed $20,000.

"(e) PAYMENT METHOD.—Upon acceptance of a written agreement by the Secretary concerned, the total amount of the bonus payable under the agreement becomes fixed. The agreement shall specify whether the bonus shall be paid by the Secretary concerned in a lump sum or in installments.

"(f) CONTINUED ENTITLEMENT TO BONUS PAYMENTS.—A member entitled to a bonus under this section who is called or ordered to active duty shall be paid, during that period of active duty, any amount of the bonus that becomes payable to the member during that period of active duty.

"(g) REPAYMENT.—(1) A person who enters into an agreement under subsection (a) or (c) and receives all or part of the bonus under the agreement, but who does not commence to serve in the Selected Reserve or does not satisfactorily participate in the Selected Reserve for the total period of service specified in the agreement, shall repay to the United States the amount of the bonus so paid, except as otherwise prescribed under paragraph (2).

"(2) The Secretary concerned shall prescribe in regulations whether repayment of an amount otherwise required under paragraph (1) shall be made in whole or in part, the method for computing the amount of such repayment, and any conditions under which an exception to required repayment would apply.

"(3) An obligation to repay the United States imposed under paragraph (1) is for all purposes a debt owed to the United States. A discharge in bankruptcy under title 11 that is entered less than five years after the termination of an agreement entered into under subsection (a) or (c) does not discharge the individual signing the agreement from a debt arising under such agreement or under paragraph (1).

"(h) REGULATIONS.—This section shall be administered under regulations prescribed by the Secretary of Defense for the armed forces under the jurisdiction of the Secretary of Defense and by the Secretary of Homeland Security for the Coast Guard when it is not operating as a service in the Navy.

"(i) TERMINATION OF BONUS AUTHORITY.—No bonus may be paid under this section with respect to any agreement entered into under subsection (a) or (c) after December 31, 2006.".

(b) REPEAL OF SUPERSEDED AFFILIATION BONUS AUTHORITY.—Section 308e of such title is repealed.

(c) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 5 of such title is amended—

(1) by striking the item relating to section 308c and inserting the following new item:

"308c. Special pay: bonus for affiliation or enlistment in the Selected Reserve".

; and

(2) by striking the item relating to section 308e.

SEC. 632. EXPANSION AND ENHANCEMENT OF SPECIAL PAY FOR ENLISTED MEMBERS OF THE SELECTED RESERVE ASSIGNED TO CERTAIN HIGH PRIORITY UNITS.

(a) ELIGIBILITY FOR PAY.—Subsection (a) of section 308d of title 37, United States Code, is amended by striking "an enlisted member" and inserting "a member".

(b) AMOUNT OF PAY.—Such subsection is further amended by striking "$10" and inserting "$50".

(c) CONFORMING AND CLERICAL AMENDMENTS.—

(1) CONFORMING AMENDMENT.—The heading of such section is amended to read as follows:

"§ 308d. Special pay: members of the Selected Reserve assigned to certain high priority units".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 5 of such title is amended by striking the item relating to section 308d and inserting the following new item:

"308d. Special pay: members of the Selected Reserve assigned to certain high priority units.".

SEC. 633. ELIGIBILITY REQUIREMENTS FOR PRIOR SERVICE ENLISTMENT BONUS.

Section 308i(a)(2) of title 37, United States Code, is amended—

(1) by striking subparagraph (A) and inserting the following new subparagraph:

"(A) The person has not more than 16 years of total military service and received an honorable discharge at the conclusion of all prior periods of service."; and

(2) by striking subparagraph (D).

SEC. 634. INCREASE AND ENHANCEMENT OF AFFILIATION BONUS FOR OFFICERS OF THE SELECTED RESERVE.

(a) REPEAL OF PROHIBITION ON ELIGIBILITY FOR PRIOR RESERVE SERVICE.—Subsection (a)(2) of section 308j of title 37, United States Code, is amended—

(1) in subparagraph (A), by adding "and" at the end;

(2) by striking subparagraph (B); and

(3) by redesignating subparagraph (C) as subparagraph (B).

(b) INCREASE IN MAXIMUM AMOUNT.—Subsection (d) of such section is amended by striking "$6,000" and inserting "$10,000".

(c) CONFORMING AND CLERICAL AMENDMENTS.—

(1) CONFORMING AMENDMENT.—The heading of such section is amended to read as follows:

"§ 308j. Special pay: affiliation bonus for officers in the Selected Reserve".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 5 of such title is amended by striking the item relating to section 308j and inserting the following new item:

"308j. Special pay: affiliation bonus for officers in the Selected Reserve.".

SEC. 635. INCREASE IN AUTHORIZED MAXIMUM AMOUNT OF ENLISTMENT BONUS.

Section 309(a) of title 37, United States Code, is amended by striking "$20,000" and inserting "$40,000".

SEC. 636. DISCRETION OF SECRETARY OF DEFENSE TO AUTHORIZE RETROACTIVE HOSTILE FIRE AND IMMINENT DANGER PAY.

Section 310(c) of title 37, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(2) by inserting before paragraph (2), as so redesignated, the following new paragraph (1):

"(1) In the case of an area described in subparagraph (B) or (D) of subsection (a)(2), the Secretary of Defense shall be responsible for

designating the period during which duty in the area will qualify members for special pay under this section. The effective date designated for the commencement of such a period may be a date occurring before, on, or after the actual date on which the Secretary makes the designation. If the commencement date for such a period is a date occurring before the date on which the Secretary makes the designation, the payment of special pay under this section for the period between the commencement date and the date on which the Secretary makes the designation shall be subject to the availability of appropriated funds for that purpose.".

SEC. 637. INCREASE IN MAXIMUM BONUS AMOUNT FOR NUCLEAR-QUALIFIED OFFICERS EXTENDING PERIOD OF ACTIVE DUTY.

Section 312(a) of title 37, United States Code, is amended by striking "$25,000" and inserting "$30,000".

SEC. 638. INCREASE IN MAXIMUM AMOUNT OF NUCLEAR CAREER ANNUAL INCENTIVE BONUS FOR NUCLEAR-QUALIFIED OFFICERS TRAINED WHILE SERVING AS ENLISTED MEMBERS.

Section 312c(b)(1) of title 37, United States Code, is amended by striking "$10,000" and inserting "$14,000".

SEC. 639. UNIFORM PAYMENT OF FOREIGN LANGUAGE PROFICIENCY PAY TO ELIGIBLE RESERVE COMPONENT MEMBERS AND REGULAR COMPONENT MEMBERS.

(a) AVAILABILITY OF BONUS IN LIEU OF MONTHLY SPECIAL PAY.—Subsection (a) of section 316 of title 37, United States Code, is amended—

(1) by striking "SPECIAL PAY" and inserting "BONUS";

(2) by striking "monthly special pay" and inserting "a bonus"; and

(3) by striking "is entitled to basic pay under section 204 of this title and who".

(b) PAYMENT OF BONUS.—Such section is further amended—

(1) by striking subsections (b), (d), (e), and (g);

(2) by redesignating subsections (f) and (h) as subsections (d) and (f), respectively; and

(3) by inserting after subsection (a) the following new subsection (b):

"(b) BONUS AMOUNT; TIME FOR PAYMENT.—A bonus under subsection (a) may not exceed $12,000 per one-year certification period under subsection (c). The Secretary concerned may pay the bonus in a single lump sum at the beginning of the certification period or in installments during the certification period. The bonus is in addition to any other pay or allowance payable to a member under any other provision of law.".

(c) REPAYMENT.—Such section is further amended by inserting after subsection (d), as redesignated by subsection (b)(2) of this section, the following new subsection (e):

"(e) REPAYMENT.—(1) A member who receives a bonus under this section, but who does not satisfy an eligibility requirement specified in paragraph (1), (2), (3), or (4) of subsection (a) for the entire certification period, shall repay to the United States the amount of the bonus so paid, except as otherwise prescribed under paragraph (2).

"(2) The Secretary concerned shall prescribe in regulations whether repayment of an amount otherwise required under para-

graph (1) shall be made in whole or in part, the method for computing the amount of such repayment, and any conditions under which an exception to required repayment would apply.

"(3) An obligation to repay the United States imposed under paragraph (1) is for all purposes a debt owed to the United States. A discharge in bankruptcy under title 11 that is entered less than five years after the date on which the member received the bonus does not discharge the member from a debt arising under paragraph (1).".

(d) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (c)—

(A) by striking "special pay or" both places it appears; and

(B) by striking "or (b)";

(2) in subsection (d), as redesignated by subsection (b)(2) of this section—

(A) in paragraph (1)—

(i) by striking "monthly special pay or" in the matter preceding subparagraph (A); and

(ii) in subparagraph (C), by striking "for receipt" and all that follows through the period at the end and inserting "under subsection (a).";

(B) in paragraph (2), by striking "For purposes" and all that follows through "the Secretary concerned" and inserting "The Secretary concerned";

(C) in paragraph (3)—

(i) by striking "special pay or" both places it appears; and

(ii) by striking "subsection (h)" and inserting "subsection (f)"; and

(D) in paragraph (4), by striking "subsection (g)" and inserting "section 303a(e) of this title".

(e) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

"§ 316. Special pay: bonus for members with foreign language proficiency".

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 5 of such title is amended by striking the item relating to section 316 and inserting the following new item:

"316. Special pay: bonus for members with foreign language proficiency.".

SEC. 640. RETENTION BONUS FOR MEMBERS QUALIFIED IN CERTAIN CRITICAL SKILLS OR ASSIGNED TO HIGH PRIORITY UNITS.

(a) AVAILABILITY OF BONUS FOR RESERVE COMPONENT MEMBERS.—Section 323 of title 37, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking "who is serving on active duty and" and inserting "who is serving on active duty in a regular component or in an active status in a reserve component and who";

(B) in paragraph (1), by inserting "or to remain in an active status in a reserve component for at least one year" before the semicolon; and

(C) in paragraph (3), by inserting "or to remain in an active status in a reserve component for a period of at least one year" before the period; and

(2) in subsection (e)(1), by inserting "or service in an active status in a reserve component" after "active duty" each place it appears.

(b) ADDITIONAL CRITERIA FOR BONUS.—Such section is further amended—

(1) in subsection (a), by striking "designated critical military skill" and inserting "critical military skill designated under subsection (b) or accepts an assignment to a high priority unit designated under such subsection";

(2) in subsection (b)—

(A) by striking "DESIGNATION OF CRITICAL SKILLS.—" and inserting "ELIGIBILITY CRITERIA.—(1)"; and

(B) by adding at the end the following new paragraph:

"(2) The Secretary of Defense, and the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, may designate a unit as a high priority unit regarding which a retention bonus will be provided to a member of the armed forces who agrees to accept an assignment to the unit under subsection (a)."; and

(3) in subsection (h)(1), by striking "members qualified in the critical military skills for which the bonuses were offered" and inserting "members of the armed forces who were offered a bonus under this section".

(c) MAXIMUM AMOUNT OF BONUS FOR RESERVE COMPONENT MEMBERS.—Subsection (d)(1) of such section is amended by inserting after "$200,000" the following: "(or $100,000 in the case of a reserve component member)".

(d) EXTENDED ELIGIBILITY PERIOD FOR CERTAIN MEMBERS.—Subsection (e) of such section is amended by striking paragraph (2) and inserting the following new paragraphs:

"(2) The limitations in paragraph (1) do not apply with respect to an officer who, during the period of active duty or service in an active status in a reserve component for which the bonus is being offered, is assigned duties as a health care professional.

"(3) The limitations in paragraph (1) do not apply with respect to a member who, during the period of active duty or service in an active status in a reserve component for which the bonus is being offered—

"(A) is qualified in a skill designated as critical under subsection (b)(1) related to special operations forces; or

"(B) is qualified for duty in connection with the supervision, operation, and maintenance of naval nuclear propulsion plants.".

(e) REPAYMENT REQUIREMENTS.—Subsection (g)(1) of such section is amended by striking "If" and all that follows through "under this section," and inserting "If a member paid a bonus under this section fails, during the period of service covered by the member's agreement, reenlistment, or voluntary extension of enlistment under subsection (a), to remain qualified in the critical military skill or to satisfy the other eligibility criteria for which the bonus was paid,".

(f) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 323 of such title is amended to read as follows:

"§ 323. Special pay: retention incentives for members qualified in critical military skills or assigned to high priority units".

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 5 of such title is amended by striking the item relating to section 323 and inserting the following new item:

"323. Special pay: retention incentives for members qualified in critical military skills or assigned to high priority units.".

SEC. 641. INCENTIVE BONUS FOR TRANSFER BETWEEN ARMED FORCES.

(a) IN GENERAL.—Chapter 5 of title 37, United States Code, is amended by adding at the end the following new section:

"§ 327. Incentive bonus: transfer between armed forces

"(a) INCENTIVE BONUS AUTHORIZED.—A bonus under this section may be paid to an eligible member of a regular component or reserve component of an armed force who executes a written agreement—

"(1) to transfer from such regular component or reserve component to a regular component or reserve component of another armed force; and

"(2) to serve pursuant to such agreement for a period of not less than three years in the component to which transferred.

"(b) ELIGIBLE MEMBERS.—A member is eligible to enter into an agreement under subsection (a) if, as of the date of the agreement, the member—

"(1) has not failed to satisfactorily complete any term of enlistment in the armed forces;

"(2) is eligible for reenlistment in the armed forces or, in the case of an officer, is eligible to continue in service in a regular or reserve component of the armed forces; and

"(3) has fulfilled such requirements for transfer to the component of the armed force to which the member will transfer as the Secretary having jurisdiction over such armed force shall establish.

"(c) LIMITATION.—A member may enter into an agreement under subsection (a) to transfer to a regular component or reserve component of another armed force only if the Secretary having jurisdiction over such armed force determines that there is shortage of trained and qualified personnel in such component.

"(d) AMOUNT AND PAYMENT OF BONUS.—(1) A bonus under this section may not exceed $2,500.

"(2) A bonus under this section shall be paid by the Secretary having jurisdiction of the armed force to which the member to be paid the bonus is transferring.

"(3) A bonus under this section shall, at the election of the Secretary paying the bonus—

"(A) be disbursed to the member in one lump sum when the transfer for which the bonus is paid is approved by the chief personnel officer of the armed force to which the member is transferring; or

"(B) be paid to the member in annual installments in such amounts as may be determined by the Secretary paying the bonus.

"(e) RELATIONSHIP TO OTHER PAY AND ALLOWANCES.—A bonus paid to a member under this section is in addition to any other pay and allowances to which the member is entitled.

"(f) REPAYMENT.—(1) A member who is paid a bonus under an agreement under this section and who, voluntarily or because of misconduct, fails to serve for the period covered by such agreement shall refund to the United States an amount which bears the same ratio to the amount of the bonus paid such member as the period which such member failed to serve bears to the total period for which the bonus was paid.

"(2) An obligation to reimburse the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

"(3) A discharge in bankruptcy under title 11 that is entered less than 5 years after the termination of an agreement under this section does not discharge the person signing such agreement from a debt arising under paragraph (1).

"(g) REGULATIONS.—The Secretaries concerned shall prescribe regulations to carry out this section. Regulations prescribed by the Secretary of a military department under this subsection shall be subject to the approval of the Secretary of Defense.

"(h) TERMINATION OF AUTHORITY.—No agreement under this section may be entered into after December 31, 2006.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 5 of such title is amended by adding at the end the following new item:

"327. Incentive bonus: transfer between armed forces.".

SEC. 642. AVAILABILITY OF SPECIAL PAY FOR MEMBERS DURING REHABILITATION FROM WOUNDS, INJURIES, AND ILLNESSES INCURRED IN A COMBAT OPERATION OR COMBAT ZONE.

(a) SPECIAL PAY AUTHORIZED.—Chapter 5 of title 37, United States Code, is amended by inserting after section 327, as added by section 641, the following new section:

"§ 328. Combat-related injury rehabilitation pay

"(a) SPECIAL PAY AUTHORIZED.—The Secretary concerned may pay monthly special pay under this section to a member of the armed forces who, while in the line of duty, incurs a wound, injury, or illness in a combat operation or combat zone designated by the Secretary of Defense and is evacuated from the theater of the combat operation or from the combat zone for medical treatment.

"(b) COMMENCEMENT OF PAYMENT.—Subject to subsection (c), the special pay authorized by subsection (a) may be paid to a member described in such subsection for any month beginning after the date on which the member was evacuated from the theater of the combat operation or the combat zone in which the member incurred the combat-related injury.

"(c) TERMINATION OF PAYMENTS.—The payment of special pay to a member under subsection (a) shall terminate at the end of the first month during which any of the following occurs:

"(1) The member is paid a benefit under the traumatic injury protection rider of the Servicemembers' Group Life Insurance Program issued under section 1980A of title 38.

"(2) The member receives notification of the eligibility of the member for a benefit under such traumatic injury protection rider and a period of 30 days expires after the date of such notification.

"(3) The member is no longer hospitalized in a military treatment facility or a facility under the auspices of the military health care system.

"(d) AMOUNT OF SPECIAL PAY.—The monthly amount of special pay paid to a member under this section shall be equal to $430, less any payment received by the member for the same month under section 310(b) of this title.

"(e) RELATIONSHIP TO OTHER PAY AND ALLOWANCES.—Special pay paid to a member under this section is in addition to any other pay and allowances to which the member is entitled or authorized to receive.".

(b) CONTINUATION OF HOSTILE FIRE AND IMMINENT DANGER PAY DURING HOSPITALIZATION.—Section 310(b) of such title is amended—

(1) by striking "A member covered by subsection (a)(2)(C)" and all that follows through "the injury or wound" and inserting "(1) A member described in paragraph (2)";

(2) by striking "so hospitalized" and inserting "hospitalized as described in such paragraph"; and

(3) by adding at the end the following new paragraph:

"(2) Paragraph (1) applies with respect to a member who—

"(A) is injured or wounded under the circumstances described in subsection (a)(2)(C) and is hospitalized for the treatment of the injury or wound; or

"(B) while in the line of duty, incurs a wound, injury, or illness in a combat operation or combat zone designated by the Secretary of Defense and is hospitalized outside of the theater of the combat operation or the combat zone for the treatment of the wound, injury, or illness.".

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 5 of such title is amended by inserting after the item relating to section 327, as added by section 641, the following new item:

"328. Combat-related injury rehabilitation pay.".

(d) EFFECTIVE DATE.—The Secretary of a military department may provide special pay under section 328 of title 37, United States Code, as added by subsection (a), for months beginning on or after the date of the enactment of this Act. A member of the Armed Forces who incurred a wound, injury, or illness under the circumstances described in subsection (a) of such section before the date of the enactment of this Act may receive such pay for such wound, injury, or illness for months beginning on or after that date so long as the member continues to satisfy the eligibility criteria specified in such section.

SEC. 643. PAY AND BENEFITS TO FACILITATE VOLUNTARY SEPARATION OF TARGETED MEMBERS OF THE ARMED FORCES.

(a) PAY AND BENEFITS AUTHORIZED.—

(1) IN GENERAL.—Chapter 59 of title 10, United States Code, is amended by inserting after section 1175 the following new section:

"§ 1175a. Voluntary separation pay and benefits

"(a) IN GENERAL.—Under regulations approved by the Secretary of Defense, the Secretary concerned may provide voluntary separation pay and benefits in accordance with this section to eligible members of the armed forces who are voluntarily separated from active duty in the armed forces.

"(b) ELIGIBLE MEMBERS.—(1) Except as provided in paragraph (2), a member of the armed forces is eligible for voluntary separation pay and benefits under this section if the member—

"(A) has served on active duty for more than 6 years but not more than 20 years;

"(B) has served at least 5 years of continuous active duty immediately preceding the date of the member's separation from active duty;

"(C) has not been approved for payment of a voluntary separation incentive under section 1175 of this title;

"(D) meets such other requirements as the Secretary concerned may prescribe, which may include requirements relating to—

"(i) years of service, skill, rating, military specialty, or competitive category;

"(ii) grade or rank;

"(iii) remaining period of obligated service; or

"(iv) any combination of these factors; and

"(E) requests separation from active duty.

"(2) The following members are not eligible for voluntary separation pay and benefits under this section:

"(A) Members discharged with disability severance pay under section 1212 of this title.

"(B) Members transferred to the temporary disability retired list under section 1202 or 1205 of this title.

"(C) Members being evaluated for disability retirement under chapter 61 of this title.

"(D) Members who have been previously discharged with voluntary separation pay.

"(E) Members who are subject to pending disciplinary action or who are subject to administrative separation or mandatory discharge under any other provision of law or regulations.

"(3) The Secretary concerned shall determine each year the number of members to be separated, and provided separation pay and benefits, under this section during the fiscal year beginning in such year.

"(c) SEPARATION.—Each eligible member of the armed forces whose request for separation from active duty under subsection (b)(1)(E) is approved shall be separated from active duty.

"(d) ADDITIONAL SERVICE IN READY RESERVE.—Of the number of members of the armed forces to be separated from active duty in a fiscal year, as determined under subsection (b)(3), the Secretary concerned shall determine a number of such members, in such skill and grade combinations as the Secretary concerned shall designate, who shall serve in the Ready Reserve, after separation from active

duty, for a period of not less than three years, as a condition of the receipt of voluntary separation pay and benefits under this section.

"(e) SEPARATION PAY AND BENEFITS.—(1) A member of the armed forces who is separated from active duty under subsection (c) shall be paid voluntary separation pay in accordance with subsection (g) in an amount determined by the Secretary concerned pursuant to subsection (f).

"(2) A member who is not entitled to retired or retainer pay upon separation shall be entitled to the benefits and services provided under—

"(A) chapter 58 of this title during the 180-day period beginning on the date the member is separated (notwithstanding any termination date for such benefits and services otherwise applicable under the provisions of such chapter); and

"(B) sections 404 and 406 of title 37.

"(f) COMPUTATION OF VOLUNTARY SEPARATION PAY.—The Secretary concerned shall specify the amount of voluntary separation pay that an individual or defined group of members of the armed forces may be paid under subsection (e)(1). No member may receive as voluntary separation pay an amount greater than two times the full amount of separation pay for a member of the same pay grade and years of service who is involuntarily separated under section 1174 of this title.

"(g) PAYMENT OF VOLUNTARY SEPARATION PAY.—(1) Voluntary separation pay under this section may be paid in a single lump sum.

"(2) In the case of a member of the armed forces who, at the time of separation under subsection (c), has completed at least 15 years, but less than 20 years, of active service, voluntary separation pay may be paid, at the election of the Secretary concerned, in—

"(A) a single lump sum;

"(B) installments over a period not to exceed 10 years; or

"(C) a combination of lump sum and such installments.

"(h) COORDINATION WITH RETIRED OR RETAINER PAY AND DISABILITY COMPENSATION.—(1) A member who is paid voluntary separation pay under this section and who later qualities for retired or retainer pay under this title or title 14 shall have deducted from each payment of such retired or retainer pay an amount, in such schedule of monthly installments as the Secretary concerned shall specify, until the total amount deducted from such retired or retainer pay is equal to the total amount of voluntary separation pay so paid.

"(2)(A) Except as provided in subparagraphs (B) and (C), a member who is paid voluntary separation pay under this section shall not be deprived, by reason of the member's receipt of such pay, of any disability compensation to which the member is entitled under the laws administered by the Secretary of Veterans Affairs, but there shall be deducted from such disability compensation an amount, in such schedule of monthly installments as the Secretary concerned shall specify, until the total amount deducted from such disability compensation is equal to the total amount of voluntary separation pay so paid, less the amount of Federal income tax withheld from such pay (such withholding being at the flat withholding rate for Federal income tax withholding, as in effect pursuant to

regulations prescribed under chapter 24 of the Internal Revenue Code of 1986).

"(B) No deduction shall be made from the disability compensation paid to an eligible disabled uniformed services retiree under section 1413, or to an eligible combat-related disabled uniformed services retiree under section 1413a of this title, who is paid voluntary separation pay under this section.

"(C) No deduction may be made from the disability compensation paid to a member for the amount of voluntary separation pay received by the member because of an earlier discharge or release from a period of active duty if the disability which is the basis for that disability compensation was incurred or aggravated during a later period of active duty.

"(3) The requirement under this subsection to repay voluntary separation pay following retirement from the armed forces does not apply to a member who was eligible to retire at the time the member applied and was accepted for voluntary separation pay and benefits under this section.

"(4) The Secretary concerned may waive the requirement to repay voluntary separation pay under paragraphs (1) and (2) if the Secretary determines that recovery would be against equity and good conscience or would be contrary to the best interests of the United States.

"(i) RETIREMENT DEFINED.—In this section, the term 'retirement' includes a transfer to the Fleet Reserve or Fleet Marine Corps Reserve.

"(j) REPAYMENT FOR MEMBERS WHO RETURN TO ACTIVE DUTY.—(1) Except as provided in paragraphs (2) and (3), a member of the armed forces who, after having received all or part of voluntary separation pay under this section, returns to active duty shall have deducted from each payment of basic pay, in such schedule of monthly installments as the Secretary concerned shall specify, until the total amount deducted from such basic pay equals the total amount of voluntary separation pay received.

"(2) Members who are involuntarily recalled to active duty or full-time National Guard duty in accordance with section 12301(a), 12301(b), 12301(g), 12302, 12303, or 12304 of this title or section 502(f)(1) of title 32 shall not be subject to this subsection.

"(3) Members who are recalled or perform active duty or full-time National Guard duty in accordance with section 101(d)(1), 101(d)(2), 101(d)(5), 12301(d) (insofar as the period served is less than 180 consecutive days with the consent of the member), 12319, or 12503 of title 10, or section 114, 115, or 502(f)(2) of title 32 (insofar as the period served is less than 180 consecutive days with consent of the member), shall not be subject to this subsection.

"(4) The Secretary of Defense may waive, in whole or in part, repayment required under paragraph (1) if the Secretary determines that recovery would be against equity and good conscience or would be contrary to the best interests of the United States. The authority in this paragraph may be delegated only to the Undersecretary of Defense for Personnel and Readiness and the Principal Deputy Undersecretary of Defense for Personnel and Readiness.

"(k) TERMINATION OF AUTHORITY.—(1) The authority to separate a member of the armed forces from active duty under subsection (c) shall terminate on December 31, 2008.

"(2) A member who separates by the date specified in paragraph (1) may continue to be provided voluntary separation pay and benefits under this section until the member has received the entire amount of pay and benefits to which the member is entitled under this section.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 59 of such title is amended by inserting after the item relating to section 1175 the following new item:

"1175a. Voluntary separation pay and benefits.".

(b) LIMITATION ON APPLICABILITY.—During the period beginning on the date of the enactment of this Act and ending on December 31, 2008, the members of the Armed Forces who are eligible for separation, and for the provision of voluntary separation pay and benefits, under section 1175a of title 10, United States Code (as added by subsection (a)), shall be limited to officers of the Armed Forces who meet the eligibility requirements of section 1175a(b) of title 10, United States Code (as so added), but have not completed more than 12 years of active service as of the date of separation from active duty.

SEC. 644. RATIFICATION OF PAYMENT OF CRITICAL-SKILLS ACCESSION BONUS FOR PERSONS ENROLLED IN SENIOR RESERVE OFFICERS' TRAINING CORPS OBTAINING NURSING DEGREES.

(a) ACCESSION BONUS AUTHORIZED.—In the case of an agreement executed under section 324 of title 37, United States Code, from October 5, 2004, through December 31, 2005, between the Secretary of the Army and a person who completed the second year of an accredited baccalaureate degree program in nursing to serve in the Army Nurse Corps, the payment of an accession bonus to the person under such section is authorized even though the person did not possess a skill designated as critical and, at the time of the agreement, was enrolled in the Senior Reserve Officers' Training Corps program of the Army for advanced training under chapter 103 of title 10, United States Code, including a person receiving financial assistance under section 2107 of such title.

(b) LIMITATION ON AMOUNT OF BONUS.—The amount of the accession bonus referred to in subsection (a) may not exceed $5,000.

SEC. 645. TEMPORARY AUTHORITY TO PAY BONUS TO ENCOURAGE MEMBERS OF THE ARMY TO REFER OTHER PERSONS FOR ENLISTMENT IN THE ARMY.

(a) AUTHORITY TO PAY BONUS.—The Secretary of the Army may pay a bonus under this section to a member of the Army, whether in the regular component of the Army or in the Army National Guard or Army Reserve, who refers to an Army recruiter a person who has not previously served in an Armed Force and who, after such referral, enlists in the regular component of the Army or in the Army National Guard or Army Reserve.

(b) REFERRAL.—For purposes of this section, a referral for which a bonus may be paid under subsection (a) occurs—

(1) when a member of the Army contacts an Army recruiter on behalf of a person interested in enlisting in the Army; or

(2) when a person interested in enlisting in the Army contacts the Army recruiter and informs the recruiter of the role of the member in initially recruiting the person.

(c) CERTAIN REFERRALS INELIGIBLE.—

(1) REFERRAL OF IMMEDIATE FAMILY.—A member of the Army may not be paid a bonus under subsection (a) for the referral of an immediate family member.

(2) MEMBERS IN RECRUITING ROLES.—A member of the Army serving in a recruiting or retention assignment, or assigned to other duties regarding which eligibility for a bonus under subsection (a) could (as determined by the Secretary) be perceived as creating a conflict of interest, may not be paid a bonus under subsection (a).

(d) AMOUNT OF BONUS.—The amount of the bonus paid for a referral under subsection (a) may not exceed $1,000. The bonus shall be paid in a lump sum.

(e) TIME OF PAYMENT.—A bonus may not be paid under subsection (a) with respect to a person who enlists in the Army until the person completes basic training and individual advanced training.

(f) RELATION TO PROHIBITION ON BOUNTIES.—The referral bonus authorized by this section is not a bounty for purposes of section 514(a) of title 10, United States Code.

(g) DURATION OF AUTHORITY.—A bonus may not be paid under subsection (a) with respect to any referral that occurs after December 31, 2007.

Subtitle C—Travel and Transportation Allowances

SEC. 651. AUTHORIZED ABSENCES OF MEMBERS FOR WHICH LODGING EXPENSES AT TEMPORARY DUTY LOCATION MAY BE PAID.

(a) ABSENCES COVERED BY ALLOWANCE.—Section 404b of title 37, United States Code, is amended—

(1) in subsection (a), by striking "while the member is in an authorized leave status" and inserting "during an authorized absence of the member from the temporary duty location";

(2) in subsection (b)—

(A) in paragraph (1), by striking "taking the authorized leave" and inserting "the authorized absence"; and

(B) in paragraph (3), by striking "immediately after completing the authorized leave" and inserting "before the end of the authorized absence";

(3) in subsection (c), by striking "while the member was in an authorized leave status" and inserting "during the authorized absence of the member"; and

(4) by adding at the end the following new subsection:

"(d) AUTHORIZED ABSENCE DEFINED.—In this section, the term 'authorized absence', with respect to a member, means that the member is in an authorized leave status or that the absence of the member is otherwise authorized under regulations prescribed by the Secretary concerned.".

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

"§ 404b. Travel and transportation allowances: payment of lodging expenses at temporary duty location during authorized absence of member".

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 7 of such title is amended by striking the item relating to section 404b and inserting the following new item:

"404b. Travel and transportation allowances: payment of lodging expenses at temporary duty location during authorized absence of member.".

SEC. 652. EXTENDED PERIOD FOR SELECTION OF HOME FOR TRAVEL AND TRANSPORTATION ALLOWANCES FOR DEPENDENTS OF DECEASED MEMBERS.

(a) DEATH OF MEMBERS ENTITLED TO BASIC PAY.—Subsection (f) section 406 of title 37, United States Code, is amended—

(1) by inserting "(1)" after "(f)";

(2) by striking "he" and inserting "the member"; and

(3) by adding at the end the following new paragraph:

"(2) The Secretary concerned shall give the dependents of a member described in paragraph (1) a period of not less than three years, beginning on the date of the death of the member, during which to select a home for the purposes of the travel and transportation allowances authorized by this section.".

(b) CERTAIN OTHER DECEASED MEMBERS.—Subsection (g)(3) of such section is amended in the first sentence—

(1) by striking "he exercises it" and inserting "the member exercises the right or entitlement";

(2) by striking "his surviving dependents or, if" and inserting "the surviving dependents at any time before the end of the three-year period beginning on the date on which the member accrued that right or entitlement. If"; and

(3) by striking "his baggage and household effects" and inserting "the baggage and household effects of the deceased member".

SEC. 653. TRANSPORTATION OF FAMILY MEMBERS IN CONNECTION WITH THE REPATRIATION OF MEMBERS HELD CAPTIVE.

(a) ALLOWANCES AUTHORIZED.—Chapter 7 of title 37, United States Code, is amended by inserting after section 411i the following new section:

"§ 411j. Travel and transportation allowances: transportation of family members incident to the repatriation of members held captive

"(a) ALLOWANCE FOR FAMILY MEMBERS AND CERTAIN OTHERS.—(1) Under uniform regulations prescribed by the Secretaries concerned, travel and transportation described in subsection (d) may be provided for not more than three family members of a member described in subsection (b).

"(2) In addition to the family members authorized to be provided travel and transportation under paragraph (1), the Secretary concerned may provide travel and transportation described in subsection (d) to an attendant to accompany a family member described in that paragraph if the Secretary determines that—

"(A) the family member to be accompanied is unable to travel unattended because of age, physical condition, or other reason determined by the Secretary; and

"(B) no other family member who is eligible for travel and transportation under paragraph (1) is able to serve as an attendant for the family member.

"(3) If no family member of a member described in subsection (b) is able to travel to the repatriation site of the member, travel and transportation described in subsection (d) may be provided to not more than 2 persons related to and selected by the member.

"(4) In circumstances determined to be appropriate by the Secretary concerned, the Secretary may waive the limitation on the number of family members of a member provided travel and transportation allowances under this section.

"(b) COVERED MEMBERS.—A member described in this subsection is a member of the uniformed services who—

"(1) is serving on active duty;

"(2) was held captive, as determined by the Secretary concerned; and

"(3) is repatriated to a site inside or outside the United States.

"(c) ELIGIBLE FAMILY MEMBERS.—In this section, the term 'family member' has the meaning given the term in section 411h(b) of this title.

"(d) TRAVEL AND TRANSPORTATION AUTHORIZED.—(1) The transportation authorized by subsection (a) is round-trip transportation between the home of the family member (or home of the attendant or person provided transportation under paragraph (2) or (3) of subsection (a), as the case may be) and the location of the repatriation site at which the member is located.

"(2) In addition to the transportation authorized by subsection (a), the Secretary concerned may provide a per diem allowance or reimbursement for the actual and necessary expenses of the travel, or a combination thereof, but not to exceed the rates established for such allowances and expenses under section 404(d) of this title.

"(3) The transportation authorized by subsection (a) may be provided by any of the means described in section 411h(d)(1) of this title.

"(4) An allowance under this subsection may be paid in advance.

"(5) Reimbursement payable under this subsection may not exceed the cost of Government-procured round-trip air travel.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of such title is amended by inserting after the item relating to section 411i the following new item:

"411j. Travel and transportation allowances: transportation of family members incident to the repatriation of members held captive.".

SEC. 654. INCREASED WEIGHT ALLOWANCES FOR SHIPMENT OF HOUSEHOLD GOODS OF SENIOR NONCOMMISSIONED OFFICERS.

(a) INCREASE.—The table in section 406(b)(1)(C) of title 37, United States Code, is amended by striking the items relating to pay grades E–7 through E–9 and inserting the following new items:

"E–9	*13,000*	*15,000*
E–8	*12,000*	*14,000*
E–7	*11,000*	*13,000".*

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on January 1, 2006, and apply with respect to an order in connection with a change of temporary or permanent station issued on or after that date.

SEC. 655. PERMANENT AUTHORITY TO PROVIDE TRAVEL AND TRANSPORTATION ALLOWANCES FOR FAMILY MEMBERS TO VISIT HOSPITALIZED MEMBERS OF THE ARMED FORCES INJURED IN COMBAT OPERATION OR COMBAT ZONE.

(a) AUTHORITY TO CONTINUE ALLOWANCE.—Section 1026 of division A of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13; 119 Stat. 254), is amended by striking subsections (d) and (e).

(b) CONFORMING AMENDMENT.—Subsection (a)(2)(B)(ii) of section 411h of title 37, United States Code, as added by section 1026 of division A of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005, is amended by striking "under section 1967(e)(1)(A) of title 38".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the earlier of the following:

(1) The date of the enactment of this Act.

(2) The date specified in section 106(3) of Public Law 109–77 (119 Stat. 2039).

Subtitle D—Retired Pay and Survivor Benefits

SEC. 661. MONTHLY DISBURSEMENT TO STATES OF STATE INCOME TAX WITHHELD FROM RETIRED OR RETAINER PAY.

Section 1045(a) of title 10, United States Code, is amended in the third sentence—

(1) by striking "quarter" the first place it appears and inserting "month"; and

(2) by striking "during the month following that calendar quarter" and inserting "during the following calendar month".

SEC. 662. DENIAL OF CERTAIN BURIAL-RELATED BENEFITS FOR INDIVIDUALS WHO COMMITTED A CAPITAL OFFENSE.

(a) PROHIBITION OF INTERMENT IN NATIONAL CEMETERIES.—Section 2411 of title 38, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking "for which the person was sentenced to death or life imprisonment" and inserting "and whose conviction is final (other than a person whose sentence was commuted by the President)"; and

(B) in paragraph (2), by striking "for which the person was sentenced to death or life imprisonment without parole" and inserting "and whose conviction is final (other than a person whose sentence was commuted by the Governor of a State)"; and

(2) in subsection (d)—

(A) in paragraph (1), by striking "the death penalty or life imprisonment may be imposed" and inserting "a sentence of imprisonment for life or the death penalty may be imposed"; and

(B) in paragraph (2), by striking "the death penalty or life imprisonment without parole may be imposed" and inserting "a sentence of imprisonment for life or the death penalty may be imposed".

(b) PROHIBITION OF CERTAIN DEPARTMENT OF DEFENSE BENEFITS.—

(1) ADDITIONAL CIRCUMSTANCES FOR PROHIBITION OF PERFORMANCE OF MILITARY HONORS.—Subsection (a) of section 985 of title 10, United States Code, is amended—

(A) by inserting "(under section 1491 of this title or any other authority)" after "military honors"; and

(B) by striking "a person who" and all that follows and inserting the following: "any of the following persons:

"(1) A person described in section 2411(b) of title 38.

"(2) A person who is a veteran (as defined in section 1491(h) of this title) or who died while on active duty or a member of a reserve component, when the circumstances surrounding the person's death or other circumstances as specified by the Secretary of Defense are such that to provide military honors at the funeral or burial of the person would bring discredit upon the person's service (or former service).".

(2) ADDITIONAL CIRCUMSTANCES FOR PROHIBITION OF INTERMENT IN MILITARY CEMETERY.—Subsection (b) of such section is amended by striking "convicted of a capital offense under Federal law" and inserting "who is ineligible for interment in a national cemetery under the control of the National Cemetery Administration by reason of section 2411(b) of title 38".

(3) CONFORMING AMENDMENT.—Subsection (c) such section is amended to read as follows:

"(c) DEFINITION.—In this section, the term 'burial' includes inurnment.".

(4) PROHIBITION OF FUNERAL HONORS.—Section 1491(a) of title 10, United States Code, is amended by inserting before the period at the end the following: ", except when military honors are prohibited under section 985(a) of this title".

(c) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 985 of such title is amended to read as follows:

"§ 985. Persons convicted of capital crimes; certain other persons: denial of specified burial-related benefits".

(2) TABLE OF SECTIONS.—The item relating to section 985 in the table of sections at the beginning of chapter 49 of such title is amended to read as follows:

"985. Persons convicted of capital crimes; certain other persons: denial of specified burial-related benefits.".

(d) RULEMAKING.—

(1) DEPARTMENT OF VETERANS AFFAIRS.—The Secretary of Veterans Affairs shall prescribe regulations to ensure that a person is not interred in any cemetery in the National Cemetery System unless a good faith effort has been made to determine whether such person is ineligible for such interment or honors by reason of being a person described in section 2411(b) of title

38, United States Code, or is otherwise ineligible for such interment under Federal law.

(2) DEPARTMENT OF DEFENSE.—The Secretary of Defense shall prescribe regulations to ensure that a person is not interred in any military cemetery under the authority of the Secretary of a military department or provided funeral honors under section 1491 of title 10, United States Code, unless a good faith effort has been made to determine whether such person is ineligible for such interment or honors by reason of being a person described in section 2411(b) of title 38, United States Code, or is otherwise ineligible for such interment or honors under Federal law.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to funerals and burials that occur on or after the date of the enactment of this Act.

SEC. 663. CONCURRENT RECEIPT OF VETERANS' DISABILITY COMPENSATION AND MILITARY RETIRED PAY.

Section 1414(a)(1) of title 10, United States Code, is amended by inserting before the period at the end the following: ", and in the case of a qualified retiree receiving veterans' disability compensation at the rate payable for a 100 percent disability by reason of a determination of individual unemployability, payment of retired pay to such veteran is subject to subsection (c) only during the period beginning on January 1, 2004, and ending on September 30, 2009".

SEC. 664. ADDITIONAL AMOUNTS OF DEATH GRATUITY FOR SURVIVORS OF CERTAIN MEMBERS OF THE ARMED FORCES DYING ON ACTIVE DUTY.

(a) INCREASED AMOUNT OF DEATH GRATUITY.—

(1) INCREASED AMOUNT.—Subsection (a) of section 1478 of title 10, United States Code, is amended by striking "$12,000" and inserting "$100,000".

(2) AMENDMENTS.—Such section is further amended—

(A) in the first sentence of subsection (a), by striking "(as" and all that follows in that sentence and inserting a period; and

(B) by striking subsection (c).

(3) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as of October 7, 2001, and shall apply to deaths occurring on or after the date of the enactment of this Act and, subject to subsection (c), to deaths occurring during the period beginning on October 7, 2001, and ending on the day before the date of the enactment of this Act.

(b) RETROACTIVE PAYMENT OF ADDITIONAL DEATH GRATUITY FOR CERTAIN MEMBERS NOT PREVIOUSLY COVERED.—Such section is further amended by adding at the end the following new subsection:

"(d)(1) In the case of a person described in paragraph (2), a death gratuity shall be payable, subject to section 664(c) of the National Defense Authorization Act for Fiscal Year 2006, for the death of such person that is in addition to the death gratuity payable in the case of such death under subsection (a).

"(2) This subsection applies in the case of a person who died during the period beginning on October 7, 2001, and ending on May 11, 2005, while a member of the armed forces on active duty and whose death did not establish eligibility for an additional death

gratuity under the prior subsection (e) of this section (as added by section 1013(b) of Public Law 109–13; 119 Stat. 247), because the person was not described in paragraph (2) of that prior subsection.

"(3) The amount of additional death gratuity payable under this subsection shall be $150,000.

"(4) A payment pursuant to this subsection shall be paid in the same manner as provided under paragraph (4) of the prior subsection (e) of this section (as added by section 1013(b) of Public Law 109–13; 119 Stat. 247), for payments pursuant to paragraph (3)(A) of that prior subsection.".

(c) FUNDING.—Amounts for payments after the date of the enactment of this Act by reason of the amendments made by subsection (a) with respect to deaths before the date of the date of the enactment of this Act, and amounts for payments under subsection (d) of section 1478 of title 10, United States Code, as added by subsection (b), shall be derived from supplemental appropriations for the Department of Defense for fiscal year 2006 for military operations in Iraq and Afghanistan and the Global War on Terrorism, contingent upon such appropriations being enacted.

(d) COORDINATION OF AMENDMENTS.—If the date of the enactment of this Act occurs before the date specified in section 106(3) of Public Law 109–77—

(1) effective as of such date of enactment, the amendments made to section 1478 of title 10, United States Code, by section 1013 of Public Law 109–13 are repealed; and

(2) effective immediately before the execution of the amendments made by this section, the provisions of section 1478 of title 10, United States Code, as in effect on the day before the date of the enactment of Public Law 109–13, are revived.

SEC. 665. CHILD SUPPORT FOR CERTAIN MINOR CHILDREN OF RETIREMENT-ELIGIBLE MEMBERS CONVICTED OF DOMESTIC VIOLENCE RESULTING IN DEATH OF CHILD'S OTHER PARENT.

(a) AUTHORITY FOR COURT-ORDERED PAYMENTS.—Section 1408(h) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting "(A)" after "(1)"; and

(B) by adding at the end of such paragraph the following:

"(B) If, in the case of a member or former member of the armed forces referred to in paragraph (2)(A), a court order provides for the payment as child support of an amount from the disposable retired pay of that member or former member (as certified under paragraph (4)) to an eligible dependent child of the member or former member, the Secretary concerned, beginning upon effective service of such court order, shall pay that amount in accordance with this subsection to such dependent child.";

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by inserting ", or a dependent child," after "former spouse";

(B) in subparagraph (B)—

(i) by inserting "in the case of eligibility of a spouse or former spouse under paragraph (1)(A)," after "(B)"; and

(ii) by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following new subparagraph:

"(C) in the case of eligibility of a dependent child under paragraph (1)(B), the other parent of the child died as a result of the misconduct that resulted in the termination of retired pay.";

(3) in paragraph (4), by inserting ", or an eligible dependent child," after "former spouse";

(4) in paragraph (5), by inserting ", or the dependent child," after "former spouse"; and

(5) in paragraph (6), by inserting ", or to a dependent child," after "former spouse".

(b) EFFECTIVE DATE.—A court order authorized by the amendments made by this section may not provide for a payment attributable to any period before the date of the enactment of this Act, or the date of the court order, whichever is later.

SEC. 666. COMPTROLLER GENERAL REPORT ON ACTUARIAL SOUNDNESS OF THE SURVIVOR BENEFIT PLAN.

(a) REPORT.—Not later than July 31, 2006, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the actuarial soundness of the Survivor Benefit Plan program under subchapter II of chapter 73 of title 10, United States Code.

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

(1) An assessment of the implications for the actuarial soundness of the Survivor Benefit Plan program of recent improvements to that program, including the implications of such improvements for the actuarial soundness of that program with respect to various categories of participants in the program and with respect to the program as a whole.

(2) An assessment of the implications for Government contributions and payments to the Survivor Benefit Plan program of the improvements to that program covered by paragraph (1), including the implications of such improvements on such contributions and payments with respect to various categories of participants in the program and with respect to the program as a whole.

(3) An assessment of the implications for the actuarial soundness of the Survivor Benefit Plan program, and for Government contributions and payments to that program, of—

(A) enactment of a law permitting participants in that program to designate an insurable interest beneficiary if a previously designated beneficiary dies; and

(B) enactment of a law repealing the provisions of sections 1450(c) and 1451(c)(2) of title 10, United States Code, that require the reduction of an annuity paid to a beneficiary under that program by the amount of dependency and indemnity compensation paid to the same beneficiary under section 1311(a) of title 38, United States Code.

(c) GOVERNMENT CONTRIBUTIONS.—In making the assessments under paragraphs (2) and (3) of subsection (b), the Comptroller General, in considering the Government contributions to the Survivor

Benefit Plan program, shall consider both the Government's normal cost contributions under the program and the Government's payments to amortize unfunded liability under the program.

Subtitle E—Commissary and Non-appropriated Fund Instrumentality Benefits

SEC. 671. INCREASE IN AUTHORIZED LEVEL OF SUPPLIES AND SERVICES PROCUREMENT FROM OVERSEAS EXCHANGE STORES.

Section 2424(b) of title 10, United States Code, is amended by striking "$50,000" and inserting "$100,000".

SEC. 672. REQUIREMENTS FOR PRIVATE OPERATION OF COMMISSARY STORE FUNCTIONS.

Section 2485(a)(2) of title 10, United States Code, is amended by adding at the end the following new sentence: "Until December 31, 2008, the Defense Commissary Agency is not required to conduct any cost-comparison study under the policies and procedures of Office of Management and Budget Circular A–76 relating to the possible contracting out of commissary store functions.".

SEC. 673. PROVISION OF AND PAYMENT FOR OVERSEAS TRANSPORTATION SERVICES FOR COMMISSARY AND EXCHANGE SUPPLIES AND PRODUCTS.

Section 2643 of title 10, United States Code, is amended—

(1) by inserting "(a) TRANSPORTATION OPTIONS.—" before "The Secretary";

(2) in the first sentence, by striking "by sea without relying on the Military Sealift Command" and inserting "to destinations outside the continental United States without relying on the Air Mobility Command, the Military Sealift Command,";

(3) in the second sentence, by striking "transportation contracts" and inserting "contracts for sea-borne transportation"; and

(4) by adding at the end the following new subsection:

"(b) PAYMENT OF TRANSPORTATION COSTS.—Section 2483(b)(5) of this title, regarding the use of appropriated funds to cover the expenses of operating commissary stores, shall apply to the transportation of commissary supplies and products. Appropriated funds for the Department of Defense shall also be used to cover the expenses of transporting exchange supplies and products to destinations outside the continental United States.".

SEC. 674. COMPENSATORY TIME OFF FOR CERTAIN NONAPPROPRIATED FUND EMPLOYEES.

Section 5543 of title 5, United States Code, is amended by adding at the end the following new subsection:

"(d)(1) The appropriate Secretary may, on request of an employee of a nonappropriated fund instrumentality of the Department of Defense or the Coast Guard described in section 2105(c), grant such employee compensatory time off from duty instead of overtime pay for overtime work.

"(2) For purposes of this subsection, the term 'appropriate Secretary' means—

"(A) with respect to an employee of a nonappropriated fund instrumentality of the Department of Defense, the Secretary of Defense; and

"(B) with respect to an employee of a nonappropriated fund instrumentality of the Coast Guard, the Secretary of the Executive department in which it is operating.".

SEC. 675. REST AND RECUPERATION LEAVE PROGRAMS.

(a) AVAILABILITY OF FUNDS FOR REIMBURSEMENT OF EXPENSES.—Of the amount authorized to be appropriated by section 301(5) for operation and maintenance for Defense-wide activities, $7,000,000 may be available for the reimbursement of expenses of the Armed Forces Recreation Centers related to the utilization of the facilities of the Armed Forces Recreation Centers under official Rest and Recuperation Leave Programs authorized by the military departments or combatant commanders.

(b) UTILIZATION OF REIMBURSEMENTS.—Amounts received by the Armed Forces Recreation Centers under subsection (a) as reimbursement for expenses may be utilized by such Centers for facility maintenance and repair, utility expenses, correction of health and safety deficiencies, and routine ground maintenance.

(c) REGULATIONS.—The utilization of facilities of the Armed Forces Recreation Centers under Rest and Recuperation Leave Programs, and reimbursement for expenses related to such utilization of such facilities, shall be subject to regulations prescribed by the Secretary of Defense.

Subtitle F—Other Matters

SEC. 681. TEMPORARY ARMY AUTHORITY TO PROVIDE ADDITIONAL RECRUITMENT INCENTIVES.

(a) AUTHORITY TO DEVELOP AND PROVIDE RECRUITMENT INCENTIVES.—The Secretary of the Army may develop and provide incentives not otherwise authorized by law to encourage individuals to accept commissions as officers or to enlist in the Army.

(b) RELATION TO OTHER PERSONNEL AUTHORITIES.—A recruitment incentive developed under subsection (a) may be provided—

(1) without regard to the lack of specific authority for the incentive under title 10 or 37, United States Code; and

(2) notwithstanding any provision of such titles, or any rule or regulation prescribed under such provision, relating to methods of—

(A) determining requirements for, and the compensation of, members of the Army who are assigned duty as military recruiters; or

(B) providing incentives to individuals to accept commissions or enlist in the Army, including the provision of group or individual bonuses, pay, or other incentives.

(c) WAIVER OF OTHERWISE APPLICABLE LAWS.—A provision of title 10 or 37, United States Code, may not be waived with respect to, or otherwise determined to be inapplicable to, the provision of a recruitment incentive developed under subsection (a) without the approval of the Secretary of Defense.

(d) NOTICE AND WAIT REQUIREMENT.—A recruitment incentive developed under subsection (a) may not be provided to individuals until—

(1) the Secretary of the Army submits to Congress, the appropriate elements of the Department of Defense, and the Comptroller General a plan that includes—

(A) a description of the incentive, including the purpose of the incentive and the potential recruits to be addressed by the incentive;

(B) a description of the provisions of titles 10 and 37, United States Code, from which the incentive would require a waiver and the rationale to support the waiver;

(C) a statement of the anticipated outcomes as a result of providing the incentive; and

(D) the method to be used to evaluate the effectiveness of the incentive; and

(2) a 45-day period beginning on the date on which the plan was received by Congress expires.

(e) LIMITATION ON NUMBER OF INCENTIVES.—Not more than four recruitment incentives may be provided under the authority of this section.

(f) LIMITATION ON NUMBER OF INDIVIDUALS RECEIVING INCENTIVES.—The number of individuals who receive one or more of the recruitment incentives provided under subsection (a) during a fiscal year may not exceed the number of individuals equal to 20 percent of the accession mission of the Army for that fiscal year.

(g) DURATION OF DEVELOPED INCENTIVE.—A recruitment incentive developed under subsection (a) may be provided for not longer than a three-year period beginning on the date on which the incentive is first provided, except that the Secretary of the Army may extend the period if the Secretary determines that additional time is needed to fully evaluate the effectiveness of the incentive.

(h) REPORTING REQUIREMENTS.—

(1) SECRETARY OF THE ARMY REPORT.—The Secretary of the Army shall submit to Congress an annual report on the recruitment incentives provided under subsection (a) during the preceding year, including—

(A) a description of the incentives provided under subsection (a) during that fiscal year; and

(B) an assessment of the impact of the incentives on the recruitment of individuals as officers or enlisted members.

(2) COMPTROLLER GENERAL REPORT.—As soon as practicable after receipt of each plan under subsection (d), the Comptroller General shall submit to Congress a report evaluating the expected outcomes of the recruitment incentive covered by the plan in terms of cost effectiveness and mission achievement.

(i) TERMINATION OF AUTHORITY TO PROVIDE INCENTIVES.—Notwithstanding subsection (g), the authority to provide recruitment incentives under this section expires on December 31, 2009.

SEC. 682. CLARIFICATION OF LEAVE ACCRUAL FOR MEMBERS ASSIGNED TO A DEPLOYABLE SHIP OR MOBILE UNIT OR OTHER DUTY.

Subparagraph (B) of section 701(f)(1) of title 10, United States Code, is amended to read as follows:

"(B) This subsection applies to a member who—

"(i) serves on active duty for a continuous period of at least 120 days in an area in which the member is entitled to special pay under section 310(a) of title 37;

"(ii) is assigned to a deployable ship or mobile unit or to other duty designated for the purpose of this section; or

"(iii) on or after August 29, 2005, performs duty designated by the Secretary of Defense as qualifying duty for purposes of this subsection.".

SEC. 683. EXPANSION OF AUTHORITY TO REMIT OR CANCEL INDEBTEDNESS OF MEMBERS OF THE ARMED FORCES INCURRED ON ACTIVE DUTY.

(a) INDEBTEDNESS OF MEMBERS OF THE ARMY.—

(1) AUTHORITY.—Section 4837 of title 10, United States Code, is amended to read as follows:

"§ 4837. Settlement of accounts: remission or cancellation of indebtedness of members

"(a) IN GENERAL.—If the Secretary considers it to be in the best interest of the United States, the Secretary may have remitted or cancelled any part of the indebtedness of a member of the Army on active duty, or a member of a reserve component of the Army in an active status, to the United States or any instrumentality of the United States incurred while the member was serving on active duty.

"(b) PERIOD OF EXERCISE OF AUTHORITY.—The Secretary may exercise the authority in subsection (a) with respect to a member—

"(1) while the member is on active duty or in active status, as the case may be;

"(2) if discharged from the armed forces under honorable conditions, during the one-year period beginning on the date of such discharge; or

"(3) if released from active status in a reserve component, during the one-year period beginning on the date of such release.

"(c) RETROACTIVE APPLICABILITY TO CERTAIN DEBTS.—The authority in subsection (a) may be exercised with respect to any debt covered by that subsection that is incurred on or after October 7, 2001.

"(d) REGULATIONS.—This section shall be administered under regulations prescribed by the Secretary of Defense.".

(2) CLERICAL AMENDMENT.—The item relating to that section in the table of sections at the beginning of chapter 453 of such title is amended by striking the penultimate word.

(3) TERMINATION.—The amendments made by this subsection shall terminate on December 31, 2007. Effective on that date, section 4873 of title 10, United States Code, as in effect on the day before the date of the enactment of this Act shall be revived.

(b) INDEBTEDNESS OF MEMBERS OF THE NAVY.—

(1) AUTHORITY.—Section 6161 of title 10, United States Code, is amended to read as follows:

"§ 6161. Settlement of accounts: remission or cancellation of indebtedness of members

"(a) IN GENERAL.—If the Secretary of the Navy considers it to be in the best interest of the United States, the Secretary may have remitted or cancelled any part of the indebtedness of a member of the Navy on active duty, or a member of a reserve component of the Navy in an active status, to the United States or any instrumentality of the United States incurred while the member was serving on active duty.

"(b) PERIOD OF EXERCISE OF AUTHORITY.—The Secretary of the Navy may exercise the authority in subsection (a) with respect to a member—

"(1) while the member is on active duty or in active status, as the case may be;

"(2) if discharged from the armed forces under honorable conditions, during the one-year period beginning on the date of such discharge; or

"(3) if released from active status in a reserve component, during the one-year period beginning on the date of such release.

"(c) RETROACTIVE APPLICABILITY TO CERTAIN DEBTS.—The authority in subsection (a) may be exercised with respect to any debt covered by that subsection that is incurred on or after October 7, 2001.

"(d) REGULATIONS.—This section shall be administered under regulations prescribed by the Secretary of Defense.".

(2) CLERICAL AMENDMENT.—The item relating to that section in the table of sections at the beginning of chapter 561 of such title is amended by striking the penultimate word.

(3) TERMINATION.—The amendments made by this subsection shall terminate on December 31, 2007. Effective on that date, section 6161 of title 10, United States Code, as in effect on the day before the date of the enactment of this Act shall be revived.

(c) INDEBTEDNESS OF MEMBERS OF THE AIR FORCE.—

(1) AUTHORITY.—Section 9837 of title 10, United States Code, is amended to read as follows:

"§ 9837. Settlement of accounts: remission or cancellation of indebtedness of members

"(a) IN GENERAL.—If the Secretary considers it to be in the best interest of the United States, the Secretary may have remitted or cancelled any part of the indebtedness of a member of the Air Force on active duty, or a member of a reserve component of the Air Force in an active status, to the United States or any instrumentality of the United States incurred while the member was serving on active duty.

"(b) PERIOD OF EXERCISE OF AUTHORITY.—The Secretary may exercise the authority in subsection (a) with respect to a member—

"(1) while the member is on active duty or in active status, as the case may be;

"(2) if discharged from the armed forces under honorable conditions, during the one-year period beginning on the date of such discharge; or

"(3) if released from active status in a reserve component, during the one-year period beginning on the date of such release.

"(c) RETROACTIVE APPLICABILITY TO CERTAIN DEBTS.—The authority in subsection (a) may be exercised with respect to any debt covered by that subsection that is incurred on or after October 7, 2001.

"(d) REGULATIONS.—This section shall be administered under regulations prescribed by the Secretary of Defense.".

(2) CLERICAL AMENDMENT.—The item relating to that section in the table of sections at the beginning of chapter 953 of such title is amended by striking the penultimate word.

(3) TERMINATION.—The amendments made by this subsection shall terminate on December 31, 2007. Effective on that date, section 9873 of title 10, United States Code, as in effect on the day before the date of the enactment of this Act shall be revived.

SEC. 684. LOAN REPAYMENT PROGRAM FOR CHAPLAINS IN THE SELECTED RESERVE.

(a) LOAN REPAYMENT PROGRAM AUTHORIZED.—Chapter 1609 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 16303. Loan repayment program: chaplains serving in the Selected Reserve

"(a) AUTHORITY TO REPAY EDUCATION LOANS.—For purposes of maintaining adequate numbers of chaplains in the Selected Reserve, the Secretary concerned may repay a loan that was obtained by a person who—

"(1) satisfies the requirements for accessioning and commissioning of chaplains, as prescribed in regulations;

"(2) holds, or is fully qualified for, an appointment as a chaplain in a reserve component of an armed force; and

"(3) signs a written agreement with the Secretary concerned to serve not less than three years in the Selected Reserve.

"(b) EXCEPTION FOR CHAPLAIN CANDIDATE PROGRAM.—A person accessioned into the Chaplain Candidate Program is not eligible for the repayment of a loan under subsection (a).

"(c) LOAN REPAYMENT PROCESS; MAXIMUM AMOUNT.—(1) Subject to paragraph (2), the repayment of a loan under subsection (a) may consist of the payment of the principal, interest, and related expenses of the loan.

"(2) The amount of any repayment of a loan made under subsection (a) on behalf of a person may not exceed $20,000 for each three year period of obligated service that the person agrees to serve in an agreement described in subsection (a)(3). Of such amount, not more than an amount equal to 50 percent of such amount may be paid before the completion by the person of the first year of obligated service pursuant to the agreement. The balance of such amount shall be payable at such time or times as are prescribed in regulations.

"(d) EFFECT OF FAILURE TO COMPLETE OBLIGATION.—If a person on whose behalf a loan is repaid under subsection (a) fails to commence or complete the period of obligated service specified in the agreement described in subsection (a)(3), the Secretary concerned

may require the person to pay the United States an amount equal to the amount of the loan repayments made on behalf of the person in connection with the agreement.

"(e) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out this section.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1609 of such title is amended by adding at the end the following new item:

"16303. Loan repayment program: chaplains serving in the Selected Reserve.".

SEC. 685. INCLUSION OF SENIOR ENLISTED ADVISOR FOR THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF AMONG SENIOR ENLISTED MEMBERS OF THE ARMED FORCES.

(a) BASIC PAY RATE.—

(1) EQUAL TREATMENT.—The rate of basic pay for an enlisted member in the grade E–9 while serving as Senior Enlisted Advisor for the Chairman of the Joint Chiefs of Staff shall be the same as the rate of basic pay for an enlisted member in that grade while serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy, Chief Master Sergeant of the Air Force, Sergeant Major of the Marine Corps, or Master Chief Petty Officer of the Coast Guard, regardless of cumulative years of service computed under section 205 of title 37, United States Code.

(2) EFFECTIVE DATE.—Paragraph (1) shall apply beginning on the date on which an enlisted member of the Armed Forces is first appointed to serve as Senior Enlisted Advisor for the Chairman of the Joint Chiefs of Staff.

(b) PAY DURING TERMINAL LEAVE OR WHILE HOSPITALIZED.—Section 210(c) of title 37, United States Code, is amended by adding at the end the following new paragraph:

"(6) The Senior Enlisted Advisor for the Chairman of the Joint Chiefs of Staff.".

(c) PERSONAL MONEY ALLOWANCE.—Section 414(c) of such title is amended—

(1) by striking "or" after "Sergeant Major of the Marine Corps,"; and

(2) by inserting before the period at the end the following: ", or the Senior Enlisted Advisor for the Chairman of the Joint Chiefs of Staff".

(d) RETIRED PAY BASE.—Section 1406(i)(3)(B) of title 10, United States Code, is amended by adding at the end the following new clause:

"(vi) Senior Enlisted Advisor for the Chairman of the Joint Chiefs of Staff.".

SEC. 686. SPECIAL AND INCENTIVE PAYS CONSIDERED FOR SAVED PAY UPON APPOINTMENT OF MEMBERS AS OFFICERS.

(a) INCLUSION AND EXCLUSION OF CERTAIN PAY TYPES.—Subsection (d) of section 907 of title 37, United States Code, is amended to read as follows:

"(d)(1) In determining the amount of the pay and allowances of a grade formerly held by an officer, the following special and incentive pays may be considered only so long as the officer continues to perform the duty that creates the entitlement to, or eligibility for, that pay and would otherwise be eligible to receive that pay in the former grade:

"(A) Incentive pay for hazardous duty under section 301 of this title.

"(B) Submarine duty incentive pay under section 301c of this title.

"(C) Special pay for diving duty under section 304 of this title.

"(D) Hardship duty pay under section 305 of this title.

"(E) Career sea pay under section 305a of this title.

"(F) Special pay for service as a member of a Weapons of Mass Destruction Civil Support Team under section 305b of this title.

"(G) Assignment incentive pay under section 307a of this title.

"(H) Special pay for duty subject to hostile fire or imminent danger under section 310 of this title.

"(I) Special pay or bonus for an extension of duty at a designated overseas location under section 314 of this title.

"(J) Foreign language proficiency pay under section 316 of this title.

"(K) Critical skill retention bonus under section 323 of this title.

"(2) The following special and incentive pays are dependent on a member being in an enlisted status and may not be considered in determining the amount of the pay and allowances of a grade formerly held by an officer:

"(A) Special duty assignment pay under section 307 of this title.

"(B) Reenlistment bonus under section 308 of this title.

"(C) Enlistment bonus under section 309 of this title.

"(D) Career enlisted flyer incentive pay under section 320 of this title.".

(b) STYLISTIC AMENDMENTS.—Such section is further amended—

(1) in subsections (a) and (b)—

(A) by striking "he" each place it appears and inserting "the officer"; and

(B) by striking "his appointment" each place it appears and inserting "the appointment"; and

(2) in subsection (c)(2), by striking "he" and inserting "the officer".

(c) EFFECTIVE DATE.—Subsection (d) of section 907 of title 37, United States Code, as amended by subsection (a), shall apply with respect to any acceptance by an enlisted member of the Armed Forces of an appointment as an officer made on or after the date of the enactment of this Act.

SEC. 687. REPAYMENT OF UNEARNED PORTION OF BONUSES, SPECIAL PAYS, AND EDUCATIONAL BENEFITS.

(a) REPAYMENT OF UNEARNED PORTION OF BONUSES AND OTHER BENEFITS.—

(1) UNIFORM REPAYMENT PROVISION.—Section 303a of title 37, United States Code, is amended by adding at the end the following new subsection:

"(e) REPAYMENT OF UNEARNED PORTION OF BONUSES AND OTHER BENEFITS WHEN CONDITIONS OF PAYMENT NOT MET.—(1) A member of the uniformed services who receives a bonus or similar

benefit and whose receipt of the bonus or similar benefit is subject to the condition that the member continue to satisfy certain eligibility requirements shall repay to the United States an amount equal to the unearned portion of the bonus or similar benefit if the member fails to satisfy the requirements, except in certain circumstances authorized by the Secretary concerned.

"(2) The Secretary concerned may establish, by regulations, procedures for determining the amount of the repayment required under this subsection and the circumstances under which an exception to the required repayment may be granted. The Secretary concerned may specify in the regulations the conditions under which an installment payment of a bonus or similar benefit to be paid to a member of the uniformed services will not be made if the member no longer satisfies the eligibility requirements for the bonus or similar benefit. For the military departments, this subsection shall be administered under regulations prescribed by the Secretary of Defense.

"(3) An obligation to repay the United States under this subsection is, for all purposes, a debt owed the United States. A discharge in bankruptcy under title 11 does not discharge a person from such debt if the discharge order is entered less than five years after—

"(A) the date of the termination of the agreement or contract on which the debt is based; or

"(B) in the absence of such an agreement or contract, the date of the termination of the service on which the debt is based.

"(4) In this subsection:

"(A) The term 'bonus or similar benefit' means a bonus, incentive pay, special pay, or similar payment, or an educational benefit or stipend, paid to a member of the uniformed services under a provision of law that refers to the repayment requirements of this subsection.

"(B) The term 'service', as used in paragraph (3)(B), refers to an obligation willingly undertaken by a member of the uniformed services, in exchange for a bonus or similar benefit offered by the Secretary of Defense or the Secretary concerned—

"(i) to remain on active duty or in an active status in a reserve component;

"(ii) to perform duty in a specified skill, with or without a specified qualification or credential;

"(iii) to perform duty at a specified location; or

"(iv) to perform duty for a specified period of time.".

(2) APPLICABILITY TO TITLE 11 CASES.—In the case of a provision of law amended by subsection (b), (c), or (d) of this section, paragraph (3) of subsection (a) of section 303a of title 37, United States Code, as added by this subsection, shall apply to any case commenced under title 11, United States Code, after March 30, 2006.

(b) CONFORMING AMENDMENTS TO TITLE 37.—

(1) AVIATION CAREER OFFICER RETENTION BONUS.—Subsection (g) of section 301b of title 37, United States Code, is amended to read as follows:

"(g) REPAYMENT.—An officer who does not complete the period of active duty specified in the agreement entered into under sub-

section (a) shall be subject to the repayment provisions of section 303a(e) of this title.".

(2) MEDICAL OFFICER MULTIYEAR RETENTION BONUS.—Subsection (c) of section 301d of such title is amended to read as follows:

"(c) REPAYMENT.—An officer who does not complete the period of active duty specified in the agreement entered into under subsection (a) shall be subject to the repayment provisions of section 303a(e) of this title.".

(3) DENTAL OFFICER MULTIYEAR RETENTION BONUS.—Subsection (d) of section 301e of such title is amended to read as follows:

"(d) REPAYMENT.—An officer who does not complete the period of active duty specified in the agreement entered into under subsection (a) shall be subject to the repayment provisions of section 303a(e) of this title.".

(4) MEDICAL OFFICER SPECIAL PAY.—Section 302 of such title is amended—

(A) in subsection (c)(2), by striking the second sentence and inserting the following new sentence: "If such entitlement is terminated, the officer concerned shall be subject to the repayment provisions of section 303a(e) of this title."; and

(B) by striking subsection (f) and inserting the following new subsection:

"(f) REPAYMENT.—An officer who does not complete the period for which the payment was made under subsection (a)(4) or subsection (b)(1) shall be subject to the repayment provisions of section 303a(e) of this title.".

(5) OPTOMETRIST RETENTION SPECIAL PAY.—Paragraph (4) of section 302a(b) of such title is amended to read as follows:

"(4) The Secretary concerned may terminate at any time the eligibility of an officer to receive retention special pay under paragraph (1). An officer who does not complete the period for which the payment was made under paragraph (1) shall be subject to the repayment provisions of section 303a(e) of this title.".

(6) DENTAL OFFICER SPECIAL PAY.—Section 302b of such title is amended—

(A) in subsection (b)(2), by striking the second sentence and inserting the following new sentence: "If such entitlement is terminated, the officer concerned shall be subject to the repayment provisions of section 303a(e) of this title.";

(B) by striking subsection (e) and inserting the following new subsection (e):

"(e) REPAYMENT.—An officer who does not complete the period of active duty specified in the agreement referred to in subsection (b) shall be subject to the repayment provisions of section 303a(e) of this title.";

(C) by striking subsection (f); and

(D) by redesignating subsections (g) and (h) as subsections (f) and (g), respectively.

(7) ACCESSION BONUS FOR REGISTERED NURSES.—Subsection (d) of section 302d of such title is amended to read as follows:

"(d) REPAYMENT.—An officer who does not become and remain licensed as a registered nurse during the period for which the payment is made, or who does not complete the period of active duty specified in the agreement entered into under subsection (a), shall be subject to the repayment provisions of section 303a(e) of this title.".

(8) NURSE ANESTHETIST SPECIAL PAY.—Section 302e of such title is amended—

(A) in subsection (c), by striking the last sentence and inserting the following new sentence: "If such entitlement is terminated, the officer concerned shall be subject to the repayment provisions of section 303a(e) of this title."; and

(B) by striking subsection (e) and inserting the following new subsection:

"(e) REPAYMENT.—An officer who does not complete the period of active duty specified in the agreement entered into under subsection (a) shall be subject to the repayment provisions of section 303a(e) of this title.".

(9) RESERVE, RECALLED, OR RETAINED HEALTH CARE OFFICERS SPECIAL PAY.—Section 302f(c) of such title is amended by striking "refund" and inserting "repay in the manner provided in section 303a(e) of this title".

(10) SELECTED RESERVE HEALTH CARE PROFESSIONALS IN CRITICALLY SHORT WARTIME SPECIALTIES SPECIAL PAY.—Section 302g of such title is amended—

(A) by striking subsections (d) and (e);

(B) by inserting after subsection (c) the following new subsection (d):

"(d) REPAYMENT.—An officer who does not complete the period of service in the Selected Reserve specified in the agreement entered into under subsection (a) shall be subject to the repayment provisions of section 303a(e) of this title."; and

(C) by redesignating subsection (f), as amended by section 622(e), as subsection (e).

(11) ACCESSION BONUS FOR DENTAL OFFICERS.—Subsection (d) of section 302h of such title is amended to read as follows:

"(d) REPAYMENT.—A person who, after signing an agreement under subsection (a), is not commissioned as an officer of the armed forces, does not become licensed as a dentist, or does not complete the period of active duty specified in the agreement shall be subject to the repayment provisions of section 303a(e) of this title.".

(12) ACCESSION BONUS FOR PHARMACY OFFICERS.—Subsection (e) of section 302j of such title is amended to read as follows:

"(e) REPAYMENT.—A person who, after signing an agreement under subsection (a), is not commissioned as an officer of the armed forces, does not become and remain certified or licensed as a pharmacist, or does not complete the period of active duty specified in the agreement shall be subject to the repayment provisions of section 303a(e) of this title.".

(13) ASSIGNMENT INCENTIVE PAY.—Subsection (d) of section 307a of such title, as added by section 628(c), is amended to read as follows:

"(d) REPAYMENT.—A member who enters into an agreement under this section and receives incentive pay under the agreement

in a lump sum or installments, but who fails to complete the period of service covered by the payment, whether voluntarily or because of misconduct, shall be subject to the repayment provisions of section 303a(e) of this title.".

(14) REENLISTMENT BONUS FOR ACTIVE MEMBERS.—Subsection (d) of section 308 of such title is amended to read as follows:

"(d) A member who does not complete the term of enlistment for which a bonus was paid to the member under this section, or a member who is not technically qualified in the skill for which a bonus was paid to the member under this section, shall be subject to the repayment provisions of section 303a(e) of this title.".

(15) REENLISTMENT BONUS FOR SELECTED RESERVE.—Subsection (d) of section 308b of such title is amended to read as follows:

"(d) REPAYMENT.—A member who does not complete the term of enlistment in the element of the Selected Reserve for which the bonus was paid to the member under this section shall be subject to the repayment provisions of section 303a(e) of this title.".

(16) SELECTED RESERVE AFFILIATION OR ENLISTMENT BONUS.—Section 308c of such title, as amended by section 631, is further amended by striking subsection (g) and inserting the following new subsection:

"(g) REPAYMENT.—A person who enters into an agreement under subsection (a) or (c) and receives all or part of the bonus under the agreement, but who does not commence to serve in the Selected Reserve or does not satisfactorily participate in the Selected Reserve for the total period of service specified in the agreement, shall be subject to the repayment provisions of section 303a(e) of this title.".

(17) READY RESERVE ENLISTMENT BONUS.—Section 308g of such title is amended—

(A) by striking subsection (d) and inserting the following new subsection:

"(d) A person who does not serve satisfactorily in the element of the Ready Reserve in the combat or combat support skill for the period for which the bonus was paid under this section shall be subject to the repayment provisions of section 303a(e) of this title.";

(B) by striking subsections (e) and (f); and

(C) by redesignating subsections (g) and (h), as amended by section 621(c), as subsections (e) and (f), respectively.

(18) READY RESERVE REENLISTMENT, ENLISTMENT, AND VOLUNTARY EXTENSION OF ENLISTMENT BONUS.—Section 308h of such title is amended—

(A) by striking subsection (c) and inserting the following new subsection:

"(c) REPAYMENT.—A person who does not complete the period of enlistment or extension of enlistment for which the bonus was paid under this section shall be subject to the repayment provisions of section 303a(e) of this title.";

(B) by striking subsections (d) and (e); and

(C) by redesignating subsections (f) and (g), as amended by section 621(d), as subsections (d) and (e), respectively.

(19) PRIOR SERVICE ENLISTMENT BONUS.—Subsection (d) of section 308i of such title is amended to read as follows:

"(d) REPAYMENT.—A person who receives a bonus payment under this section and who, during the period for which the bonus was paid, does not serve satisfactorily in the element of the Selected Reserve with respect to which the bonus was paid shall be subject to the repayment provisions of section 303a(e) of this title.".

(20) ENLISTMENT BONUS.—Subsection (b) of section 309 of such title is amended to read as follows:

"(b) REPAYMENT.—A member who does not complete the term of enlistment for which a bonus was paid to the member under this section, or a member who is not technically qualified in the skill for which a bonus was paid to the member under this section, shall be subject to the repayment provisions of section 303a(e) of this title.".

(21) SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFICERS EXTENDING ACTIVE DUTY.—Subsection (b) of section 312 of such title is amended to read as follows:

"(b) An officer who does not complete the period of active duty in connection with the supervision, operation, and maintenance of naval nuclear propulsion plants that the officer agreed to serve, and for which a payment was made under subsection (a) or subsection (d)(1), shall be subject to the repayment provisions of section 303a(e) of this title.".

(22) NUCLEAR CAREER ACCESSION BONUS.—Paragraph (2) of section 312b(a) of such title is amended to read as follows:

"(2) An officer who does not commence or complete satisfactorily the nuclear power training specified in the agreement under paragraph (1) shall be subject to the repayment provisions of section 303a(e) of this title.".

(23) ENLISTED MEMBERS EXTENDING DUTY AT DESIGNATED LOCATIONS OVERSEAS.—Subsection (d) of section 314 of such title is amended to read as follows:

"(d) REPAYMENT.—A member who, having entered into a written agreement to extend a tour of duty for a period under subsection (a), receives a bonus payment under subsection (b)(2) for a 12-month period covered by the agreement and ceases during that 12-month period to perform the agreed tour of duty shall be subject to the repayment provisions of section 303a(e) of this title.".

(24) ENGINEERING AND SCIENTIFIC CAREER CONTINUATION PAY.—Subsection (c) of section 315 of such title is amended to read as follows:

"(c) An officer who, having entered into a written agreement under subsection (b) and having received all or part of a bonus under this section, does not complete the period of active duty as specified in the agreement shall be subject to the repayment provisions of section 303a(e) of this title.".

(25) FOREIGN LANGUAGE PROFICIENCY PAY.—Subsection (e) of section 316 of such title, as added by section 639(c), is amended to read as follows:

"(e) REPAYMENT.—A member who receives a bonus under this section, but who does not satisfy an eligibility requirement specified in paragraph (1), (2), (3), or (4) of subsection (a) for the entire certification period, shall be subject to the repayment provisions of section 303a(e) of this title.".

(26) CRITICAL ACQUISITION POSITIONS.—Subsection (f) of section 317 of such title is amended to read as follows:

"(f) REPAYMENT.—An officer who, having entered into a written agreement under subsection (a) and having received all or part of a bonus under this section, does not complete the period of active duty as specified in the agreement shall be subject to the repayment provisions of section 303a(e) of this title.".

(27) SPECIAL WARFARE OFFICERS EXTENDING PERIOD OF ACTIVE DUTY.—Subsection (h) of section 318 of such title is amended to read as follows:

"(h) REPAYMENT.—An officer who, having entered into a written agreement under subsection (b) and having received all or part of a bonus under this section, does not complete the period of active duty in special warfare service as specified in the agreement shall be subject to the repayment provisions of section 303a(e) of this title.".

(28) SURFACE WARFARE OFFICERS EXTENDING PERIOD OF ACTIVE DUTY.—Subsection (f) of section 319 of such title is amended to read as follows:

"(f) REPAYMENT.—An officer who, having entered into a written agreement under subsection (b) and having received all or part of a bonus under this section, does not complete the period of active duty as a department head on a surface vessel as specified in the agreement, shall be subject to the repayment provisions of section 303a(e) of this title.".

(29) JUDGE ADVOCATE CONTINUATION PAY.—Subsection (f) of section 321 of such title is amended to read as follows:

"(f) REPAYMENT.—An officer who has entered into a written agreement under subsection (b) and has received all or part of the amount payable under the agreement but who does not complete the total period of active duty specified in the agreement, shall be subject to the repayment provisions of section 303a(e) of this title.".

(30) 15-YEAR CAREER STATUS BONUS.—Subsection (f) of section 322 of such title is amended to read as follows:

"(f) REPAYMENT.—If a person paid a bonus under this section does not complete a period of active duty beginning on the date on which the election of the person under paragraph (1) of subsection (a) is received and ending on the date on which the person completes 20 years of active duty service as described in paragraph (2) of such subsection, the person shall be subject to the repayment provisions of section 303a(e) of this title.".

(31) CRITICAL MILITARY SKILLS RETENTION BONUS.—Subsection (g) of section 323 of such title, as amended by section 640(e), is amended to read as follows:

"(g) REPAYMENT.—A member paid a bonus under this section who fails, during the period of service covered by the member's agreement, reenlistment, or voluntary extension of enlistment under subsection (a), to remain qualified in the critical military skill or to satisfy the other eligibility criteria for which the bonus was paid shall be subject to the repayment provisions of section 303a(e) of this title.".

(32) ACCESSION BONUS FOR NEW OFFICERS IN CRITICAL SKILLS.—Subsection (f) of section 324 of such title is amended to read as follows:

"(f) REPAYMENT.—An individual who, having received all or part of the bonus under an agreement referred to in subsection (a), is not thereafter commissioned as an officer or does not commence

or complete the total period of active duty service specified in the agreement shall be subject to the repayment provisions of section 303a(e) of this title.".

(33) SAVINGS PLAN FOR EDUCATION EXPENSES AND OTHER CONTINGENCIES.—Subsection (g) of section 325 of such title is amended to read as follows:

"(g) REPAYMENT.—If a person does not complete the qualifying service for which the person is obligated under a commitment for which a benefit has been paid under this section, the person shall be subject to the repayment provisions of section 303a(e) of this title.".

(34) INCENTIVE BONUS FOR CONVERSION TO MILITARY OCCUPATIONAL SPECIALTY.—Subsection (e) of section 326 of such title is amended to read as follows:

"(e) REPAYMENT.—A member who does not convert to and complete the period of service in the military occupational specialty specified in the agreement executed under subsection (a) shall be subject to the repayment provisions of section 303a(e) of this title.".

(35) TRANSFER BETWEEN ARMED FORCES INCENTIVE BONUS.—Section 327 of such title, as added by section 641, is amended by striking subsection (f) and inserting the following new subsection:

"(f) REPAYMENT.—A member who is paid a bonus under an agreement under this section and who, voluntarily or because of misconduct, fails to serve for the period covered by such agreement shall be subject to the repayment provisions of section 303a(e) of this title.".

(c) CONFORMING AMENDMENTS TO TITLE 10.—

(1) ENLISTMENT INCENTIVES FOR PURSUIT OF SKILLS TO FACILITATE NATIONAL SERVICE.—Subsection (i) of section 510 of title 10, United States Code, is amended to read as follows:

"(i) REPAYMENT.—If a National Call to Service participant who has entered into an agreement under subsection (b) and received or benefitted from an incentive under paragraph (1) or (2) of subsection (e) fails to complete the total period of service specified in the agreement, the National Call to Service participant shall be subject to the repayment provisions of section 303a(e) of title 37.".

(2) ADVANCED EDUCATION ASSISTANCE.—Section 2005 of such title is amended—

(A) in subsection (a), by striking paragraph (3) and inserting the following new paragraph:

"(3) that if such person does not complete the period of active duty specified in the agreement, or does not fulfill any term or condition prescribed pursuant to paragraph (4), such person shall be subject to the repayment provisions of section 303a(e) of title 37; and";

(B) by striking subsections (c), (d), (f), (g) and (h);

(C) by redesignating subsection (e) as subsection (d); and

(D) by inserting after subsection (b), the following new subsection:

"(c) As a condition of the Secretary concerned providing financial assistance under section 2107 or 2107a of this title to any person, the Secretary concerned shall require that the person enter into the agreement described in subsection (a). In addition to the require-

ments of paragraphs (1) through (4) of such subsection, the agreement shall specify that, if the person does not complete the education requirements specified in the agreement or does not fulfill any term or condition prescribed pursuant to paragraph (4) of such subsection, the person shall be subject to the repayment provisions of section 303a(e) of title 37 without the Secretary first ordering such person to active duty as provided for under subsection (a)(2) and sections 2107(f) and 2107a(f) of this title.".

(3) TUITION FOR OFF-DUTY TRAINING OR EDUCATION.—Section 2007 of such title is amended by adding at the end the following new subsection:

"(f) If an officer who enters into an agreement under subsection (b) does not complete the period of active duty specified in the agreement, the officer shall be subject to the repayment provisions of section 303a(e) of title 37.".

(4) FAILURE TO COMPLETE ADVANCED TRAINING OR TO ACCEPT COMMISSION.—Section 2105 of such title is amended by adding at the end the following new sentence: "If the member does not complete the period of active duty prescribed by the Secretary concerned, the member shall be subject to the repayment provisions of section 303a(e) of title 37".

(5) HEALTH PROFESSIONS SCHOLARSHIP AND FINANCIAL ASSISTANCE PROGRAM FOR ACTIVE SERVICE.—Section 2123(e)(1)(C) of such title is amended by striking "equal to" and all that follows through the period at the end and inserting "pursuant to the repayment provisions of section 303a(e) of title 37.".

(6) FINANCIAL ASSISTANCE FOR NURSE OFFICER CANDIDATES.—Subsection (d) of section 2130a of such title is amended to read as follows:

"(d) REPAYMENT.—A person who does not complete a nursing degree program in which the person is enrolled in accordance with the agreement entered into under subsection (a), or having completed the nursing degree program, does not become an officer in the Nurse Corps of the Army or the Navy or an officer designated as a nurse officer of the Air Force or commissioned corps of the Public Health Service or does not complete the period of obligated active service required under the agreement, shall be subject to the repayment provisions of section 303a(e) of title 37.".

(7) EDUCATION LOAN REPAYMENT PROGRAM.—Subsection (g) of section 2173 of such title is amended—

(A) by inserting "(1)" before "A commissioned officer"; and

(B) by adding at the end the following new paragraph:

"(2) An officer who does not complete the period of active duty specified in the agreement entered into under subsection (b)(3), or the alternative obligation imposed under paragraph (1), shall be subject to the repayment provisions of section 303a(e) of title 37.".

(8) SCHOLARSHIP PROGRAM FOR DEGREE PROGRAM FOR DEGREE OR CERTIFICATION IN INFORMATION ASSURANCE.—Section 2200a of such title is amended—

(A) by striking subsection (e) and inserting the following new subsection:

"(e) REPAYMENT FOR PERIOD OF UNSERVED OBLIGATED SERVICE.—(1) A member of an armed force who does not complete the period of active duty specified in the service agreement under section

(b) shall be subject to the repayment provisions of section 303a(e) of title 37.

"(2) A civilian employee of the Department of Defense who voluntarily terminates service before the end of the period of obligated service required under an agreement entered into under subsection (b) shall be subject to the repayment provisions of section 303a(e) of title 37 in the same manner and to the same extent as if the civilian employee were a member of the armed forces.".

(B) by striking subsection (f); and

(C) by redesignating subsection (g) as subsection (f).

(9) ARMY CADET AGREEMENT TO SERVE AS OFFICER.—Section 4348 of such title is amended by adding at the end the following new subsection:

"(f) A cadet or former cadet who does not fulfill the terms of the agreement as specified under section (a), or the alternative obligation imposed under subsection (b), shall be subject to the repayment provisions of section 303a(e) of title 37.".

(10) MIDSHIPMEN AGREEMENT FOR LENGTH OF SERVICE.—Section 6959 of such title is amended by adding at the end the following new subsection:

"(f) A midshipman or former midshipman who does not fulfill the terms of the agreement as specified under section (a), or the alternative obligation imposed under subsection (b), shall be subject to the repayment provisions of section 303a(e) of title 37.".

(11) AIR FORCE CADET AGREEMENT TO SERVE AS OFFICER.—Section 9348 of such title is amended by adding at the end the following new subsection:

"(f) A cadet or former cadet who does not fulfill the terms of the agreement as specified under section (a), or the alternative obligation imposed under subsection (b), shall be subject to the repayment provisions of section 303a(e) of title 37.".

(12) EDUCATIONAL ASSISTANCE FOR MEMBERS OF SELECTED RESERVE.—Section 16135 of such title is amended to read as follows:

"§ 16135. Failure to participate satisfactorily; penalties

"(a) PENALTIES.—At the option of the Secretary concerned, a member of the Selected Reserve of an armed force who does not participate satisfactorily in required training as a member of the Selected Reserve during a term of enlistment or other period of obligated service that created entitlement of the member to educational assistance under this chapter, and during which the member has received such assistance, may—

"(1) be ordered to active duty for a period of two years or the period of obligated service the person has remaining under section 16132 of this title, whichever is less; or

"(2) be subject to the repayment provisions under section 303a(e) of title 37.

"(b) EFFECT OF REPAYMENT.—Any repayment under section 303a(e) of title 37 shall not affect the period of obligation of a member to serve as a Reserve in the Selected Reserve.".

(13) HEALTH PROFESSIONS STIPEND PROGRAM PENALTIES AND LIMITATIONS.—Subparagraph (B) of section 16203(a)(1) of such title is amended to read as follows:

"(B) to comply with the repayment provisions of section 303a(e) of title 37.".

(14) LOAN REPAYMENT PROGRAM FOR CHAPLAINS SERVING IN SELECTED RESERVE.—Section 16303 of such title, as added by section 684, is amended by striking subsection (d) and inserting the following new subsection:

"(d) EFFECT OF FAILURE TO COMPLETE OBLIGATION.—A person on whose behalf a loan is repaid under subsection (a) who fails to commence or complete the period of obligated service specified in the agreement described in subsection (a)(3) shall be subject to the repayment provisions of section 303a(e) of title 37.".

(15) COLLEGE TUITION ASSISTANCE PROGRAM FOR MARINE CORPS PLATOON LEADERS CLASS.—Subsection (f) of section 16401 of such title is amended—

(A) in paragraph (1), by striking "may be required to repay the full amount of financial assistance" and inserting "shall be subject to the repayment provisions of section 303a(e) of title 37"; and

(B) in paragraph (2), by inserting before "The Secretary of the Navy" the following new sentence: "Any requirement to repay any portion of financial assistance received under this section shall be administered under the regulations issued under section 303a(e) of title 37.".

(d) CONFORMING AMENDMENT TO TITLE 14.—Section 182 of title 14, United States Code, is amended by adding at the end the following new subsection:

"(g) A cadet or former cadet who does not fulfill the terms of the obligation to serve as specified under section (b), or the alternative obligation imposed under subsection (c), shall be subject to the repayment provisions of section 303a(e) of title 37.".

(e) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 303a of title 37, United States Code, is amended to read as follows:

***"§ 303a. Special pay: general provisions"**.*

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 5 of such title is amended by striking the item relating to section 303a and inserting the following new item:

"303a. Special pay: general provisions.".

(f) CONTINUED APPLICATION OF CURRENT LAW TO EXISTING BONUSES.—In the case of any bonus, incentive pay, special pay, or similar payment, such as education assistance or a stipend, which the United States became obligated to pay before April 1, 2006, under a provision of law amended by subsection (b), (c), or (d) of this section, such provision of law, as in effect on the day before the date of the enactment of this Act, shall continue to apply to the payment, or any repayment, of the bonus, incentive pay, special pay, or similar payment under such provision of law.

SEC. 688. RIGHTS OF MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS UNDER HOUSING AND URBAN DEVELOPMENT ACT OF 1968.

(a) WRITTEN NOTICE OF RIGHTS.—Section 106(c)(5)(A)(ii) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x(c)(5)(A)(ii)) is amended—

(1) in subclause (II), by striking "and" at the end;

(2) in subclause (III), by striking the period and inserting "; and"; and

(3) by adding at the end the following new subclause:

> *"(IV) notify the homeowner by a statement or notice, written in plain English by the Secretary of Housing and Urban Development, in consultation with the Secretary of Defense and the Secretary of the Treasury, explaining the mortgage and foreclosure rights of servicemembers, and the dependents of such servicemembers, under the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.), including the toll-free military one source number to call if servicemembers, or the dependents of such servicemembers, require further assistance.".*

(b) NO EFFECT ON OTHER LAWS.—Nothing in this section shall relieve any person of any obligation imposed by any other Federal, State, or local law.

(c) DISCLOSURE FORM.—Not later than 150 days after the date of the enactment of this Act, the Secretary of Housing and Urban Development shall issue a final disclosure form to fulfill the requirement of subclause (IV) of section 106(c)(5)(A)(ii) of the Housing and Urban Development Act of 1968, as added by subsection (a).

(d) EFFECTIVE DATE.—The amendments made under subsection (a) shall take effect 150 days after the date of the enactment of this Act.

SEC. 689. EXTENSION OF ELIGIBILITY FOR SSI FOR CERTAIN INDIVIDUALS IN FAMILIES THAT INCLUDE MEMBERS OF THE RESERVE AND NATIONAL GUARD.

Section 1631(j)(1)(B) of the Social Security Act (42 U.S.C. 1383(j)(1)(B)) is amended by inserting "(or 24 consecutive months, in the case of such an individual whose ineligibility for benefits under or pursuant to both such sections is a result of being called to active duty pursuant to section 12301(d) or 12302 of title 10, United States Code, or section 502(f) of title 32, United States Code)" after "for a period of 12 consecutive months".

SEC. 690. INFORMATION FOR MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS ON RIGHTS AND PROTECTIONS OF THE SERVICEMEMBERS CIVIL RELIEF ACT.

(a) OUTREACH TO MEMBERS.—The Secretary concerned shall provide to each member of the Armed Forces under the jurisdiction of the Secretary pertinent information on the rights and protections available to members and their dependents under the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.).

(b) TIME OF PROVISION.—The information required to be provided under subsection (a) to a member shall be provided at the following times:

(1) During the initial orientation training of the member.

(2) In the case of a member of a reserve component, during the initial orientation training of the member and when the member is mobilized or otherwise individually called or ordered to active duty for a period of more than one year.

(3) At such other times as the Secretary concerned considers appropriate.

(c) OUTREACH TO DEPENDENTS.—The Secretary concerned may provide to the adult dependents of members under the jurisdiction of the Secretary pertinent information on the rights and protections available to members and their dependents under the Servicemembers Civil Relief Act.

(d) DEFINITIONS.—In this section, the terms "dependent" and "Secretary concerned" have the meanings given such terms in section 101 of the Servicemembers Civil Relief Act (50 U.S.C. App. 511).

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—Improvements to Health Benefits for Reserves

Sec. 701. Enhancement of TRICARE Reserve Select program.
Sec. 702. Expanded eligibility of members of the Selected Reserve under the TRICARE program.

Subtitle B—TRICARE Program Improvements

Sec. 711. Additional information required by surveys on TRICARE Standard.
Sec. 712. Availability of chiropractic health care services.
Sec. 713. Surviving-dependent eligibility under TRICARE dental plan for surviving spouses who were on active duty at time of death of military spouse.
Sec. 714. Exceptional eligibility for TRICARE Prime Remote.
Sec. 715. Increased period of continued TRICARE Prime coverage of children of members of the uniformed services who die while serving on active duty for a period of more than 30 days.
Sec. 716. TRICARE Standard in TRICARE Regional Offices.
Sec. 717. Qualifications for individuals serving as TRICARE Regional Directors.

Subtitle C—Mental Health-Related Provisions

Sec. 721. Program for mental health awareness for dependents and pilot project on post traumatic stress disorder.
Sec. 722. Pilot projects on early diagnosis and treatment of post traumatic stress disorder and other mental health conditions.
Sec. 723. Department of Defense task force on mental health.

Subtitle D—Studies and Reports

Sec. 731. Study relating to predeployment and postdeployment medical exams of certain members of the Armed Forces.
Sec. 732. Requirements for physical examinations and medical and dental readiness for members of the Selected Reserve not on active duty.
Sec. 733. Report on delivery of health care benefits through the military health care system.
Sec. 734. Comptroller General studies and report on differential payments to children's hospitals for health care for children dependents and maximum allowable charge for obstetrical care services under TRICARE.
Sec. 735. Report on the Department of Defense AHLTA global electronic health record system.
Sec. 736. Comptroller General study and report on Vaccine Healthcare Centers.
Sec. 737. Report on adverse health events associated with use of anti-malarial drugs.
Sec. 738. Report on Reserve dental insurance program.
Sec. 739. Demonstration project study on Medicare Advantage regional preferred provider organization option for TRICARE-medicare dual-eligible beneficiaries.

Sec. 740. Pilot projects on pediatric early literacy among children of members of the Armed Forces.

Subtitle E—Other Matters

Sec. 741. Authority to relocate patient safety center; renaming MedTeams Program.
Sec. 742. Modification of health care quality information and technology enhancement reporting requirement.
Sec. 743. Correction to eligibility of certain Reserve officers for military health care pending active duty following commissioning.
Sec. 744. Prohibition on conversions of military medical and dental positions to civilian medical positions until submission of certification.
Sec. 745. Clarification of inclusion of dental care in medical readiness tracking and health surveillance program.
Sec. 746. Cooperative outreach to members and former members of the naval service exposed to environmental factors related to sarcoidosis.
Sec. 747. Repeal of requirement for Comptroller General reviews of certain Department of Defense-Department of Veterans Affairs projects on sharing of health care resources.
Sec. 748. Pandemic avian flu preparedness.
Sec. 749. Follow up assistance for members of the Armed Forces after preseparation physical examinations.
Sec. 750. Policy on role of military medical and behavioral science personnel in interrogation of detainees.

Subtitle A—Improvements to Health Benefits for Reserves

SEC. 701. ENHANCEMENT OF TRICARE RESERVE SELECT PROGRAM.

(a) EXTENSION OF COVERAGE FOR MEMBERS RECALLED TO ACTIVE DUTY.—Section 1076d of title 10, United States Code, is amended—

(1) in subsection (b), by redesignating paragraph (3) as paragraph (4) and by inserting after paragraph (2) the following new paragraph (3):

"(3) In the case of a member recalled to active duty before the period of coverage for which the member is eligible under subsection (a) terminates, the period of coverage of the member—

"(A) resumes after the member completes the subsequent active duty service (subject to any additional entitlement to care and benefits under section 1145(a) of this title that is based on the same subsequent active duty service); and

"(B) increases by any additional period of coverage for which the member is eligible under subsection (a) based on the subsequent active duty service.";

(2) in subsection (b)(2), by striking "Unless earlier terminated under paragraph (3)" and inserting "Subject to paragraph (3) and unless earlier terminated under paragraph (4)"; and

(3) in subsection (f), by adding at the end the following new paragraph:

"(3) The term 'member recalled to active duty' means, with respect to a member who is eligible for coverage under this section based on a period of active duty service, a member who is called or ordered to active duty for an additional period of active duty subsequent to the period of active duty on which that eligibility is based.".

(b) SPECIAL RULE FOR MOBILIZED MEMBERS OF INDIVIDUAL READY RESERVE FINDING NO POSITION IN SELECTED RESERVE.—

Section 1076d of such title is amended by adding at the end of subsection (b) (as amended by this section) the following new paragraph:

"(5) In the case of a member of the Individual Ready Reserve who is unable to find a position in the Selected Reserve and who meets the requirements for eligibility for health benefits under TRICARE Standard under subsection (a) except for membership in the Selected Reserve, the period of coverage under this section may begin not later than one year after coverage would otherwise begin under this section had the member been a member of the Selected Reserve, if the member finds a position in the Selected Reserve during that one-year period.".

(c) ELIGIBILITY OF FAMILY MEMBERS FOR 6 MONTHS FOLLOWING DEATH OF MEMBER.—Section 1076d(c) of such title is amended by adding at the end the following: "If a member of a reserve component dies while in a period of coverage under this section, the eligibility of the members of the immediate family of such member for TRICARE Standard coverage shall continue for six months beyond the date of death of the member.".

(d) EXTENSION OF TIME FOR ENTERING INTO AGREEMENT.—Section 1076d(a)(2) of such title is amended by striking "on or before the date of the release" and inserting "not later than 90 days after release".

(e) REVISION OF TRICARE STANDARD DEFINITION.—Subsection (f)(2) of section 1076d of such title is amended to read as follows:

"(2) The term 'TRICARE Standard' means—

"(A) medical care to which a dependent described in section 1076(a)(2) of this title is entitled; and

"(B) health benefits contracted for under the authority of section 1079(a) of this title and subject to the same rates and conditions as apply to persons covered under that section.".

(f) REVISION OF SECTION HEADING.—

(1) AMENDMENT.—The heading for section 1076d of such title is amended to read as follows:

"§ 1076d. TRICARE program: coverage for members of reserve components who commit to continued service in the Selected Reserve after release from active duty in support of a contingency operation".

(2) CLERICAL AMENDMENT.—The item relating to section 1076d in the table of sections relating to chapter 55 of such title is amended to read as follows:

"1076d. TRICARE program: coverage for members of reserve components who commit to continued service in the Selected Reserve after release from active duty in support of a contingency operation.".

SEC. 702. EXPANDED ELIGIBILITY OF MEMBERS OF THE SELECTED RESERVE UNDER THE TRICARE PROGRAM.

(a) EXPANDED ELIGIBILITY.—

(1) IN GENERAL.—Section 1076b of title 10, United States Code, is amended to read as follows:

"§ 1076b. TRICARE program: TRICARE Standard coverage for members of the Selected Reserve

"(a) ELIGIBILITY.—Each member of the Selected Reserve of the Ready Reserve who is committed to serving in the Selected Reserve as described in subsection (c)(3) is eligible, subject to subsection (h), to enroll in TRICARE Standard and receive benefits under such enrollment for any period that the member—

"(1) is an eligible unemployment compensation recipient;

"(2) subject to subsection (i), is not eligible for health care benefits under an employer-sponsored health benefits plan; or

"(3) is not eligible under paragraph (1) or (2) and is not eligible under section 1076d of this title.

"(b) TYPES OF COVERAGE.—(1) A member eligible under subsection (a) may enroll for either of the following types of coverage:

"(A) Self alone coverage.

"(B) Self and family coverage.

"(2) An enrollment by a member for self and family covers the member and the dependents of the member who are described in subparagraph (A), (D), or (I) of section 1072(2) of this title.

"(c) ENROLLMENT.—(1) The Secretary of Defense shall provide for at least one open enrollment period each year. During an open enrollment period or at such other time as the Secretary considers appropriate, a member eligible under subsection (a) may enroll in TRICARE Standard or change or terminate an enrollment in TRICARE Standard.

"(2) An enrollment in TRICARE Standard of a member eligible under subsection (a) shall be effective for one year only, and may be renewed by the member during the open enrollment period provided under paragraph (1) or at such other time as the Secretary considers appropriate.

"(3) A member eligible under subsection (a) may not enroll or renew an enrollment in TRICARE Standard under this section unless the member is committed to a period of obligated service in the Selected Reserve that extends through the enrollment period.

"(d) SCOPE OF CARE.—(1) A member and the dependents of a member enrolled in TRICARE Standard under this section shall be entitled to the same benefits under this chapter as a member of the uniformed services on active duty or a dependent of such a member, respectively, is entitled to under TRICARE Standard.

"(2) Section 1074(c) of this title shall apply with respect to a member enrolled in TRICARE Standard under this section.

"(e) PREMIUMS.—(1) The Secretary of Defense shall charge premiums for coverage pursuant to enrollments under this section. The Secretary shall prescribe for each of the TRICARE Standard program options a premium for self alone coverage and a premium for self and family coverage.

"(2) The monthly amount of the premium in effect for a month for a type of coverage under this section shall be as follows:

"(A) For members eligible under paragraph (1) or (2) of subsection (a), the amount equal to 50 percent of the total amount determined by the Secretary on an appropriate actuarial basis as being reasonable for the coverage.

"(B) For members eligible under paragraph (3) of subsection (a), the amount equal to 85 percent of the total amount

determined by the Secretary on an appropriate actuarial basis as being reasonable for the coverage.

"(3) In determining the amount of a premium under paragraph (2), the Secretary shall use the same actuarial basis as used under section 1076d of this title for determining the amount of premiums under that section.

"(4) The premiums payable by a member under this subsection may be deducted and withheld from basic pay payable to the member under section 204 of title 37 or from compensation payable to the member under section 206 of such title. The Secretary shall prescribe the requirements and procedures applicable to the payment of premiums by members.

"(5) Amounts collected as premiums under this subsection shall be credited to the appropriation available for the Defense Health Program Account under section 1100 of this title, shall be merged with sums in such Account that are available for the fiscal year in which collected, and shall be available under subsection (b) of such section for such fiscal year.

"(f) OTHER CHARGES.—A person who receives health care pursuant to an enrollment in TRICARE Standard under this section, including a member who receives such health care, shall be subject to the same deductibles, copayments, and other nonpremium charges for health care as apply under this chapter for health care provided under TRICARE Standard to dependents described in subparagraph (A), (D), or (I) of section 1072(2) of this title.

"(g) TERMINATION OF ENROLLMENT.—(1) A member enrolled in TRICARE Standard under this section may terminate the enrollment only during an open enrollment period provided under subsection (c).

"(2) An enrollment of a member for self alone or for self and family under this section shall terminate on the first day of the first month beginning after the date on which the member ceases to be eligible under subsection (a).

"(3) The enrollment of a member under this section may be terminated on the basis of failure to pay the premium charged the member under this section.

"(h) RELATIONSHIP TO TRANSITION TRICARE COVERAGE UPON SEPARATION FROM ACTIVE DUTY.—A member is not eligible for TRICARE Standard under this section while entitled to transitional health care under subsection (a) of section 1145 of this title or while authorized to receive health care under subsection (c) of such section.

"(i) NONCOVERAGE BY OTHER HEALTH BENEFITS PLAN.—(1) For purposes of subsection (a)(2), a person shall be considered to be not eligible for health care benefits under an employer-sponsored health benefits plan only if the person—

"(A) is employed by an employer that does not offer a health benefits plan to anyone working for the employer;

"(B) is in a category of employees to which the person's employer does not offer a health benefits plan, if such category is designated by the employer based on hours, duties, employment agreement, or such other characteristic, other than membership in the Selected Reserve, as the regulations administering this section prescribe (such as part-time employees); or

"(C) is self-employed.

"(2) The Secretary of Defense may require a member to submit any certification that the Secretary considers appropriate to substantiate the member's assertion that the member is not eligible for health care benefits under an employer-sponsored health benefits plan.

"(j) ELIGIBLE UNEMPLOYMENT COMPENSATION RECIPIENT DEFINED.—In this section, the term 'eligible unemployment compensation recipient' means, with respect to any month, any individual who is determined eligible for any day of such month for unemployment compensation under State law (as defined in section 205(9) of the Federal-State Extended Unemployment Compensation Act of 1970), including Federal unemployment compensation laws administered through the State.

"(k) TRICARE STANDARD DEFINED.—In this section, the term 'TRICARE Standard' has the meaning provided by section 1076d(f) of this title.

"(l) REGULATIONS.—The Secretary of Defense, in consultation with the other administering Secretaries, shall prescribe regulations for the administration of this section.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of title 10, United States Code, is amended by striking the item relating to section 1076b and inserting the following:

"1076b. TRICARE program: TRICARE Standard coverage for members of the Selected Reserve.".

(b) EFFECTIVE DATE.—The Secretary of Defense shall ensure that health care under TRICARE Standard is provided under section 1076b of title 10, United States Code, as amended by this section, beginning not later than October 1, 2006.

Subtitle B—TRICARE Program Improvements

SEC. 711. ADDITIONAL INFORMATION REQUIRED BY SURVEYS ON TRICARE STANDARD.

Section 723(a) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 117 Stat. 1532; 10 U.S.C. 1073 note) is amended by adding at the end the following new paragraph:

"(4) Surveys required by paragraph (1) shall include questions seeking to determine from health care providers the following:

"(A) Whether the provider is aware of the TRICARE program.

"(B) What percentage of the provider's current patient population uses any form of TRICARE.

"(C) Whether the provider accepts patients for whom payment is made under the medicare program for health care services.

"(D) If the provider accepts patients referred to in subparagraph (C), whether the provider would accept additional such patients who are not in the provider's current patient population.".

SEC. 712. AVAILABILITY OF CHIROPRACTIC HEALTH CARE SERVICES.

(a) AVAILABILITY OF CHIROPRACTIC HEALTH CARE SERVICES.—The Secretary of the Air Force shall ensure that chiropractic health care services are available at all medical treatment facilities listed in table 5 of the report to Congress dated August 16, 2001, titled "Chiropractic Health Care Implementation Plan". If the Secretary determines that it is not necessary or feasible to provide chiropractic health care services at any such facility, the Secretary shall provide such services at an alternative site for each such facility.

(b) IMPLEMENTATION AND REPORT.—Not later than September 30, 2006, the Secretary of the Air Force shall—

(1) implement subsection (a); and

(2) submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the availability of chiropractic health care services as required under subsection (a), including information on alternative sites at which such services have been made available.

SEC. 713. SURVIVING-DEPENDENT ELIGIBILITY UNDER TRICARE DENTAL PLAN FOR SURVIVING SPOUSES WHO WERE ON ACTIVE DUTY AT TIME OF DEATH OF MILITARY SPOUSE.

Section 1076a(k) of title 10, United States Code, is amended to read as follows:

"(k) ELIGIBLE DEPENDENT DEFINED.—(1) In this section, the term 'eligible dependent' means a dependent described in subparagraph (A), (D), or (I) of section 1072(2) of this title.

"(2) Such term includes any such dependent of a member who dies while on active duty for a period of more than 30 days or a member of the Ready Reserve if, on the date of the death of the member, the dependent—

"(A) is enrolled in a dental benefits plan established under subsection (a); or

"(B) if not enrolled in such a plan on such date—

"(i) is not enrolled by reason of a discontinuance of a former enrollment under subsection (f); or

"(ii) is not qualified for such enrollment because—

"(I) the dependent is a child under the minimum age for such enrollment; or

"(II) the dependent is a spouse who is a member of the armed forces on active duty for a period of more than 30 days.

"(3) Such term does not include a dependent by reason of paragraph (2) after the end of the three-year period beginning on the date of the member's death.".

SEC. 714. EXCEPTIONAL ELIGIBILITY FOR TRICARE PRIME REMOTE.

Section 1079(p) of title 10, United States Code, is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following new paragraph:

"(4) The Secretary of Defense may provide for coverage of a dependent referred to in subsection (a) who is not described in paragraph (3) if the Secretary determines that exceptional circumstances warrant such coverage.".

SEC. 715. INCREASED PERIOD OF CONTINUED TRICARE PRIME COVERAGE OF CHILDREN OF MEMBERS OF THE UNIFORMED SERVICES WHO DIE WHILE SERVING ON ACTIVE DUTY FOR A PERIOD OF MORE THAN 30 DAYS.

(a) PERIOD OF ELIGIBILITY.—Section 1079(g) of title 10, United States Code, is amended—

(1) by inserting "(1)" after "(g)";

(2) by striking the second sentence; and

(3) by adding at the end the following new paragraph:

"(2) In addition to any continuation of eligibility for benefits under paragraph (1), when a member dies while on active duty for a period of more than 30 days, the member's dependents who are receiving benefits under a plan covered by subsection (a) shall continue to be eligible for benefits under TRICARE Prime during the three-year period beginning on the date of the member's death, except that, in the case of such a dependent of the deceased who is described by subparagraph (D) or (I) of section 1072(2) of this title, the period of continued eligibility shall be the longer of the following periods beginning on such date:

"(A) Three years.

"(B) The period ending on the date on which such dependent attains 21 years of age.

"(C) In the case of such a dependent who, at 21 years of age, is enrolled in a full-time course of study in a secondary school or in a full-time course of study in an institution of higher education approved by the administering Secretary and was, at the time of the member's death, in fact dependent on the member for over one-half of such dependent's support, the period ending on the earlier of the following dates:

"(i) The date on which such dependent ceases to pursue such a course of study, as determined by the administering Secretary.

"(ii) The date on which such dependent attains 23 years of age.

"(3) For the purposes of paragraph (2)(C), a dependent shall be treated as being enrolled in a full-time course of study in an institution of higher education during any reasonable period of transition between the dependent's completion of a full-time course of study in a secondary school and the commencement of an enrollment in a full-time course of study in an institution of higher education, as determined by the administering Secretary.

"(4) The terms and conditions under which health benefits are provided under this chapter to a dependent of a deceased member under paragraph (2) shall be the same as those that would apply to the dependent under this chapter if the member were living and serving on active duty for a period of more than 30 days.

"(5) In this subsection, the term 'TRICARE Prime' means the managed care option of the TRICARE program.".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 7, 2001, and shall apply with respect to deaths occurring on or after that date.

SEC. 716. TRICARE STANDARD IN TRICARE REGIONAL OFFICES.

(a) RESPONSIBILITIES OF TRICARE REGIONAL OFFICE.—The responsibilities of each TRICARE Regional Office shall include the

monitoring, oversight, and improvement of the TRICARE Standard option in the TRICARE region concerned, including—

(1) identifying health care providers who will participate in the TRICARE program and provide the TRICARE Standard option under that program;

(2) communicating with beneficiaries who receive the TRICARE Standard option;

(3) outreach to community health care providers to encourage their participation in the TRICARE program; and

(4) publication of information that identifies health care providers in the TRICARE region concerned who provide the TRICARE Standard option.

(b) ANNUAL REPORT.—The Secretary of Defense shall submit an annual report to the Committees on Armed Services of the Senate and the House of Representatives on the monitoring, oversight, and improvement of TRICARE Standard activities of each TRICARE Regional Office. The report shall include—

(1) a description of the activities of the TRICARE Regional Office to monitor, oversee, and improve the TRICARE Standard option;

(2) an assessment of the participation of eligible health care providers in TRICARE Standard in each TRICARE region; and

(3) a description of any problems or challenges that have been identified by both providers and beneficiaries with respect to use of the TRICARE Standard option and the actions undertaken to address such problems or challenges.

(c) DEFINITION.—In this section, the term "TRICARE Standard" or "TRICARE standard option" means the Civilian Health and Medical Program of the Uniformed Services option under the TRICARE program.

SEC. 717. QUALIFICATIONS FOR INDIVIDUALS SERVING AS TRICARE REGIONAL DIRECTORS.

(a) QUALIFICATIONS.—Effective as of the date of the enactment of this Act, no individual may be selected to serve in the position of Regional Director under the TRICARE program unless the individual—

(1) is—

(A) an officer of the Armed Forces in a general or flag officer grade;

(B) a civilian employee of the Department of Defense in the Senior Executive Service; or

(C) a civilian employee of the Federal Government in a department or agency other than the Department of Defense, or a civilian working in the private sector, who has experience in a position comparable to an officer described in subparagraph (A) or a civilian employee described in subparagraph (B); and

(2) has at least 10 years of experience, or equivalent expertise or training, in the military health care system, managed care, and health care policy and administration.

(b) TRICARE PROGRAM DEFINED.—In this section, the term "TRICARE program" has the meaning given such term in section 1072(7) of title 10, United States Code.

Subtitle C—Mental Health-Related Provisions

SEC. 721. PROGRAM FOR MENTAL HEALTH AWARENESS FOR DEPENDENTS AND PILOT PROJECT ON POST TRAUMATIC STRESS DISORDER.

(a) PROGRAM ON MENTAL HEALTH AWARENESS.—

(1) REQUIREMENT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall develop a program to improve awareness of the availability of mental health services for, and warning signs about mental health problems in, dependents of members of the Armed Forces whose sponsor served or will serve in a combat theater during the previous or next 60 days.

(2) MATTERS COVERED.—The program developed under paragraph (1) shall be designed to—

(A) increase awareness of mental health services available to dependents of members of the Armed Forces on active duty;

(B) increase awareness of mental health services available to dependents of Reservists and National Guard members whose sponsors have been activated; and

(C) increase awareness of mental health issues that may arise in dependents referred to in subparagraphs (A) and (B) whose sponsor is deployed to a combat theater.

(3) COORDINATION.—The Secretary may permit the Department of Defense to coordinate the program developed under paragraph (1) with an accredited college, university, hospital-based, or community-based mental health center or engage mental health professionals to develop programs to help implement this section.

(4) AVAILABILITY IN OTHER LANGUAGES.—The Secretary shall evaluate whether the effectiveness of the program developed under paragraph (1) would be improved by providing materials in languages other than English and take action accordingly

(5) REPORT.—Not later than one year after implementation of the program developed under paragraph (1), the Secretary shall submit to Congress a report on the effectiveness of the program, including the extent to which the program is used by low-English-proficient individuals.

(b) PILOT PROJECT ON POST TRAUMATIC STRESS DISORDER.—

(1) REQUIREMENT.—The Secretary of Defense shall carry out a pilot project to evaluate the efficacy of various approaches to improving the capability of the military and civilian health care systems to provide early diagnosis and treatment of post traumatic stress disorder (PTSD) and other mental health conditions.

(2) INTERNET-BASED DIAGNOSIS AND TREATMENT.—The pilot project shall be designed to evaluate—

(A) Internet-based automated tools available to military and civilian health care providers for the early diagnosis and treatment of post traumatic stress disorder, and

for tracking patients who suffer from post traumatic stress disorder; and

(B) Internet-based tools available to family members of members of the Armed Forces in order to assist such family members in the identification of the emergence of post traumatic stress disorder.

(3) REPORT.—Not later than June 1, 2006, the Secretary shall submit to the congressional defense committees a report on the pilot project. The report shall include a description of the pilot project, including the location of the pilot project and the scope and objectives of the pilot project.

SEC. 722. PILOT PROJECTS ON EARLY DIAGNOSIS AND TREATMENT OF POST TRAUMATIC STRESS DISORDER AND OTHER MENTAL HEALTH CONDITIONS.

(a) PILOT PROJECTS REQUIRED.—The Secretary of Defense may carry out pilot projects to evaluate the efficacy of various approaches to improving the capability of the military and civilian health care systems to provide early diagnosis and treatment of post traumatic stress disorder (PTSD) and other mental health conditions.

(b) PILOT PROJECT REQUIREMENTS.—

(1) MOBILIZATION-DEMOBILIZATION FACILITY.—

(A) IN GENERAL.—A pilot project under subsection (a) may be carried out at a military medical facility at a large military installation at which the mobilization or demobilization of members of the Armed Forces occurs.

(B) ELEMENTS.—The pilot project under this paragraph shall be designed to evaluate and produce effective diagnostic and treatment approaches for use by primary care providers in the military health care system in order to improve the capability of such providers to diagnose and treat post traumatic stress disorder in a manner that avoids the referral of patients to specialty care by a psychiatrist or other mental health professional.

(2) NATIONAL GUARD OR RESERVE FACILITY.—

(A) IN GENERAL.—A pilot project under subsection (a) may be carried out at the location of a National Guard or Reserve unit or units that are located more than 40 miles from a military medical facility and whose personnel are served primarily by civilian community health resources.

(B) ELEMENTS.—The pilot project under this paragraph shall be designed—

(i) to evaluate approaches for providing evidence-based clinical information on post traumatic stress disorder to civilian primary care providers; and

(ii) to develop educational materials and other tools for use by members of the National Guard or Reserve who come into contact with other members of the National Guard or Reserve who may suffer from post traumatic stress disorder in order to encourage and facilitate early reporting and referral for treatment.

(c) REPORT.—Not later than September 1, 2006, the Secretary shall submit to the congressional defense committees a report on the progress toward identifying pilot projects to be carried out under this section. To the extent possible the report shall include a description of each such pilot project, including the location of the pilot

projects under paragraphs (1) and (2) of subsection (b), and the scope and objectives of each such pilot project.

SEC. 723. DEPARTMENT OF DEFENSE TASK FORCE ON MENTAL HEALTH.

(a) REQUIREMENT TO ESTABLISH.—The Secretary of Defense shall establish within the Department of Defense a task force to examine matters relating to mental health and the Armed Forces.

(b) COMPOSITION.—

(1) MEMBERS.—The task force shall consist of not more than 14 members appointed by the Secretary of Defense from among individuals described in paragraph (2) who have demonstrated expertise in the area of mental health.

(2) RANGE OF MEMBERS.—The individuals appointed to the task force shall include—

(A) at least one member of each of the Army, Navy, Air Force, and Marine Corps;

(B) a number of persons from outside the Department of Defense equal to the total number of personnel from within the Department of Defense (whether members of the Armed Forces or civilian personnel) who are appointed to the task force;

(C) persons who have experience in—

(i) national mental health policy;

(ii) military personnel policy;

(iii) research in the field of mental health;

(iv) clinical care in mental health; or

(v) military chaplain or pastoral care; and

(D) at least one family member of a member of the Armed Forces who has experience working with military families.

(3) INDIVIDUALS APPOINTED WITHIN DEPARTMENT OF DEFENSE.—At least one of the individuals appointed to the task force from within the Department of Defense shall be the surgeon general of an Armed Force.

(4) INDIVIDUALS APPOINTED OUTSIDE DEPARTMENT OF DEFENSE.—(A) Individuals appointed to the task force from outside the Department of Defense may include officers or employees of other departments or agencies of the Federal Government, officers or employees of State and local governments, or individuals from the private sector.

(B) The individuals appointed to the task force from outside the Department of Defense shall include—

(i) an officer or employee of the Department of Veterans Affairs; and

(ii) an officer or employee of the Substance Abuse and Mental Health Services Administration of the Department of Health and Human Services.

(5) DEADLINE FOR APPOINTMENT.—All appointments of individuals to the task force shall be made not later than 90 days after the date of the enactment of this Act.

(6) CO-CHAIRS OF TASK FORCE.—There shall be two co-chairs of the task force. One of the co-chairs shall be designated by the Secretary of the Defense at the time of appointment from among the Department of Defense personnel appointed to the task force. The other co-chair shall be selected from among the

members appointed from outside the Department of Defense by members so appointed.

(c) ASSESSMENT AND RECOMMENDATIONS ON MENTAL HEALTH SERVICES.—

(1) IN GENERAL.—Not later than 12 months after the date on which all members of the task force have been appointed, the task force shall submit to the Secretary a report containing an assessment of, and recommendations for improving, the efficacy of mental health services provided to members of the Armed Forces by the Department of Defense.

(2) UTILIZATION OF OTHER EFFORTS.—In preparing the report, the task force shall take into consideration completed and ongoing efforts by the Department of Defense and the Department of Veterans Affairs to improve the efficacy of mental health care provided to members of the Armed Forces by the Departments.

(3) ELEMENTS.—The assessment and recommendations (including recommendations for legislative or administrative action) shall include measures to improve the following:

(A) The awareness of the potential for mental health conditions among members of the Armed Forces.

(B) The access to and efficacy of existing programs in primary care and mental health care to prevent, identify, and treat mental health conditions among members of the Armed Forces, including programs for and with respect to forward-deployed troops.

(C) Identification and means to evaluate the effectiveness of pilot projects authorized by section 722 with the objective of improving early diagnosis and treatment of post traumatic stress disorder and other mental health conditions.

(D) The access to and programs for family members of members of the Armed Forces, including family members overseas.

(E) The reduction or elimination of barriers to care, including the stigma associated with seeking help for mental health related conditions, and the enhancement of confidentiality for members of the Armed Forces seeking care for such conditions.

(F) The awareness of mental health services available to dependents of members of the Armed Forces whose sponsors have been activated or deployed to a combat theater.

(G) The adequacy of outreach, education, and support programs on mental health matters for families of members of the Armed Forces.

(H) The early identification and treatment of mental health and substance abuse problems through the use of internal mass media communications (including radio and television) and other education tools to change attitudes within the Armed Forces regarding mental health and substance abuse treatment.

(I) The efficacy of programs and mechanisms for ensuring a seamless transition from care of members of the Armed Forces on active duty for mental health conditions through the Department of Defense to care for such condi-

tions through the Department of Veterans Affairs after such members are discharged or released from military, naval, or air service.

(J) The availability of long-term follow-up and access to care for mental health conditions for members of the Individual Ready Reserve and the Selective Reserve and for discharged, separated, or retired members of the Armed Forces.

(K) Collaboration among organizations in the Department of Defense with responsibility for or jurisdiction over the provision of mental health services.

(L) Coordination between the Department of Defense and civilian communities, including local support organizations, with respect to mental health services.

(M) The scope and efficacy of curricula and training on mental health matters for commanders in the Armed Forces.

(N) The efficiency of pre- and post-deployment mental health screening, including mental health screenings for members of the Armed Forces who have experienced multiple deployments.

(O) The effectiveness of mental health programs provided in languages other than English.

(P) Such other matters as the task force considers appropriate.

(d) ADMINISTRATIVE MATTERS.—

(1) COMPENSATION.—Each member of the task force who is a member of the Armed Forces or a civilian officer or employee of the United States shall serve without compensation (other than compensation to which entitled as a member of the Armed Forces or an officer or employee of the United States, as the case may be). Other members of the task force shall be treated for purposes of section 3161 of title 5, United States Code, as having been appointed under subsection (b) of such section.

(2) OVERSIGHT.—The Under Secretary of Defense for Personnel and Readiness shall oversee the activities of the task force.

(3) ADMINISTRATIVE SUPPORT.—The Washington Headquarters Services of the Department of Defense shall provide the task force with personnel, facilities, and other administrative support as necessary for the performance of the duties of the task force.

(4) ACCESS TO FACILITIES.—The Under Secretary of Defense for Personnel and Readiness shall, in coordination with the Secretaries of the military departments, ensure appropriate access by the task force to military installations and facilities for purposes of the discharge of the duties of the task force.

(e) REPORT.—

(1) IN GENERAL.—The task force shall submit to the Secretary of Defense a report on its activities under this section. The report shall include—

(A) a description of the activities of the task force;

(B) the assessment and recommendations required by subsection (c); and

(C) such other matters relating to the activities of the task force that the task force considers appropriate.

(2) TRANSMITTAL TO CONGRESS.—Not later than 90 days after receipt of the report under paragraph (1), the Secretary shall transmit the report to the Committees on Armed Services and Veterans' Affairs of the Senate and the House of Representatives. The Secretary may include in the transmittal such comments on the report as the Secretary considers appropriate.

(f) PLAN REQUIRED.—Not later than 6 months after receipt of the report from the task force under subsection (e)(1), the Secretary of Defense shall develop a plan based on the recommendations of the task force and submit the plan to the congressional defense committees.

(g) TERMINATION.—The task force shall terminate 90 days after the date on which the report of the task force is submitted to Congress under subsection (e)(2).

Subtitle D—Studies and Reports

SEC. 731. STUDY RELATING TO PREDEPLOYMENT AND POSTDEPLOYMENT MEDICAL EXAMS OF CERTAIN MEMBERS OF THE ARMED FORCES.

(a) STUDY.—The Secretary of Defense shall conduct a study of the effectiveness of self-administered surveys included in predeployment and postdeployment medical exams, including the mental health portion of the surveys, of members of the Armed Forces that are carried out as part of the medical tracking system required under section 1074f of title 10, United States Code.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the study conducted under subsection (a).

SEC. 732. REQUIREMENTS FOR PHYSICAL EXAMINATIONS AND MEDICAL AND DENTAL READINESS FOR MEMBERS OF THE SELECTED RESERVE NOT ON ACTIVE DUTY.

(a) IN GENERAL.—Subsection (a) of section 10206 of title 10, United States Code, is amended—

(1) by amending paragraph (1) to read as follows:

"(1) have a comprehensive medical readiness health and dental assessment on an annual basis, including routine annual preventive health care screening and periodic comprehensive physical examinations in accordance with regulations prescribed by the Secretary of Defense that reflect morbidity and mortality risks associated with the military service, age, and gender of the member; and" "; and

(2) in paragraph (2), by striking "annually to the Secretary concerned" and all that follows and inserting "to the Secretary concerned on an annual basis documentation of the medical and dental readiness of the member to perform military duties.".

*(b) CONFORMING AMENDMENT.—The heading of such section is amended by striking "**periodic**".*

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1007 of such title is amended in the item relating to section 10206 by striking "periodic".

SEC. 733. REPORT ON DELIVERY OF HEALTH CARE BENEFITS THROUGH THE MILITARY HEALTH CARE SYSTEM.

(a) REPORT REQUIRED.—Not later than February 1, 2007, the Secretary of Defense shall submit to the congressional defense committees a report on the delivery of health care benefits through the military health care system.

(b) ELEMENTS.—The report under subsection (a) shall include the following:

(1) An analysis of the organization and costs of delivering health care benefits to current and retired members of the Armed Forces and their families.

(2) An analysis of the costs of ensuring medical readiness throughout the Armed Forces in support of national security objectives.

(3) An assessment of the role of health benefits in the recruitment and retention of members of the Armed Forces, whether in the regular components or the reserve components of the Armed Forces.

(4) An assessment of the experience of the military departments during fiscal years 2003, 2004, and 2005 in recruitment and retention of military and civilian medical and dental personnel, whether in the regular components or the reserve components of the Armed Forces, in light of military and civilian medical manpower requirements.

(5) A description of requirements for graduate medical education for military medical care providers and options for meeting such requirements, including civilian medical training programs.

(c) RECOMMENDATIONS.—In addition to the matters specified in subsection (b), the report under subsection (a) shall also include such recommendations for legislative or administrative action as the Secretary considers necessary to improve efficiency and quality in the provision of health care benefits through the military health care system, including recommendations on—

(1) the organization and delivery of health care benefits;

(2) mechanisms required to measure costs more accurately;

(3) mechanisms required to measure quality of care, and access to care, more accurately;

(4) Department of Defense participation in the Medicare Advantage Program, formerly Medicare plus Choice;

(5) the use of flexible spending accounts and health savings accounts for military retirees under the age of 65;

(6) incentives for eligible beneficiaries of the military health care system to retain private employer-provided health care insurance;

(7) means of improving integrated systems of disease management, including chronic illness management;

(8) means of improving the safety and efficiency of pharmacy benefits management;

(9) the management of enrollment options for categories of eligible beneficiaries in the military health care system;

(10) reform of the provider payment system, including the potential for use of a pay-for-performance system in order to reward quality and efficiency in the TRICARE system;

(11) means of improving efficiency in the administration of the TRICARE program, to include the reduction of headquarters and redundant management layers, and maximizing efficiency in the claims processing system;

(12) other improvements in the efficiency of the military health care system; and

(13) any other matters the Secretary considers appropriate to improve the efficiency and quality of military health care benefits.

SEC. 734. COMPTROLLER GENERAL STUDIES AND REPORT ON DIFFERENTIAL PAYMENTS TO CHILDREN'S HOSPITALS FOR HEALTH CARE FOR CHILDREN DEPENDENTS AND MAXIMUM ALLOWABLE CHARGE FOR OBSTETRICAL CARE SERVICES UNDER TRICARE.

(a) STUDIES REQUIRED.—The Comptroller General of the United States shall conduct the following studies:

(1) A study of the effectiveness of the current system of differential payments to children's hospitals for health care services for dependent children of members of the uniformed services under the TRICARE program in achieving the objective of securing adequate health care services for such dependent children under that program.

(2) A study of the effectiveness of the TRICARE program in achieving the objective of adequate access to high quality obstetrical care services for family members of members of the uniformed services.

(b) ELEMENTS OF CHILDREN'S HOSPITALS STUDY.—The study required by subsection (a)(1) shall include the following:

(1) A description of the current participation of children's hospitals in the TRICARE program.

(2) An assessment of the current system of payments to children's hospitals under the TRICARE program, including differential payments to such hospitals for health care services described in subsection (a)(1), including an assessment of—

(A) the extent to which the calculation of such differential payments takes into account the complexity and extraordinary resources required for the provision of such health care services;

(B) the extent to which TRICARE payment rates, including the children's hospital differential, have kept pace with inflation in health care costs for children's hospitals since the establishment of the differential in 1988;

(C) the extent to which such differential payments provide appropriate compensation to such hospitals for the provision of such services; and

(D) any obstacles or challenges to the development of future modifications to the system of differential payments.

(3) An assessment of the adequacy of, including any barrier to, the access of dependent children described in subsection (a)(1) to specialized hospital services for their illnesses under the TRICARE program.

(c) ELEMENTS OF OBSTETRICAL CARE SERVICES STUDY.—The study required by subsection (a)(2) shall include the following:

(1) A description of the current participation of civilian providers of obstetrical care services in the TRICARE program.

(2) An assessment of the current system of payments for obstetrical care services, including an assessment of—

(A) the extent to which the calculation of such payments takes into account the complexity and resources required;

(B) the extent to which TRICARE payment rates have kept pace with inflation in health care costs;

(C) the extent to which such payments provide appropriate compensation to providers of such services; and

(D) obstacles or challenges to the development of future improvements to access to high quality obstetrical services, including referral patterns and inclusion of all necessary services within the maximum allowable charge.

(3) An assessment of the adequacy of the access of military family members to needed obstetrical care services.

(d) REPORT.—Not later than May 1, 2006, the Comptroller General shall submit to the Secretary of Defense and the congressional defense committees a report on the studies required by subsection (a), together with such recommendations, if any, as the Comptroller General considers appropriate for modifications of the current system of differential payments to children's hospitals and payments for obstetrical care services in order to achieve the objectives described in that subsection.

(e) TRANSMITTAL TO CONGRESS.—

(1) IN GENERAL.—Not later than November 1, 2006, the Secretary of Defense shall transmit to the congressional defense committees the report submitted by the Comptroller General to the Secretary under subsection (d).

(2) IMPLEMENTATION OF MODIFICATIONS.—If the report under paragraph (1) includes recommendations of the Comptroller General for modifications of the current system of differential payments to children's hospitals or of payments for obstetrical care services, the Secretary shall transmit with the report—

(A) a proposal for such legislative or administration action as may be required to implement such modifications; and

(B) an assessment and estimate of the costs associated with the implementation of such modifications.

(f) DEFINITIONS.—In this section:

(1) DIFFERENTIAL PAYMENTS TO CHILDREN'S HOSPITALS.—The term "differential payments to children's hospitals" means the additional amounts paid to children's hospitals under the TRICARE program for health care procedures for severely ill children in order to take into account the additional costs associated with such procedures for such children when compared with the costs associated with such procedures for adults and other children.

(2) PAYMENTS FOR OBSTETRICAL CARE.—The term "payments for obstetrical care services" means the maximum allowable payment rates established by the Department of Defense under the TRICARE program for routine obstetrical care, including prenatal care, laboratory tests in accordance with accepted obstetrical practices standards, specialty care if needed, delivery, and post-partum maternal care.

(3) TRICARE PROGRAM.—The term "TRICARE program" has the meaning given that term in section 1072(7) of title 10, United States Code.

SEC. 735. REPORT ON THE DEPARTMENT OF DEFENSE AHLTA GLOBAL ELECTRONIC HEALTH RECORD SYSTEM.

(a) REPORT REQUIRED.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the Department of Defense AHLTA global electronic health record system.

(b) REPORT ELEMENTS.—The report under subsection (a) shall include the following:

(1) A chronology and description of previous efforts undertaken to develop an electronic medical records system capable of maintaining a two-way exchange of data between the Department of Defense and the Department of Veterans Affairs.

(2) The plans as of the date of the report, including any projected commencement dates, for the implementation of the AHLTA global electronic health record system.

(3) A description of the software and hardware being considered as of the date of the report for use in the AHLTA global electronic health record system.

(4) A description of the management structure used in the development of the AHLTA global electronic health record system.

(5) A description of the accountability measures utilized during the development of the AHLTA global electronic health record system in order to evaluate progress made in the development of that system.

(6) The schedule for the remaining development of the AHLTA global electronic health record system.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the Committees on Armed Services, Appropriations, Veterans' Affairs, and Health, Education, Labor, and Pensions of the Senate; and

(2) the Committees on Armed Services, Appropriations, Veterans' Affairs, and Energy and Commerce of the House of Representatives.

SEC. 736. COMPTROLLER GENERAL STUDY AND REPORT ON VACCINE HEALTHCARE CENTERS.

(a) STUDY REQUIRED.—The Comptroller General shall conduct a study of the Vaccine Healthcare Centers operated by the Department of Defense in support of medical needs arising from mandatory military vaccinations.

(b) ELEMENTS.—In conducting the study under subsection (a), the Comptroller General shall examine the following:

(1) The mission of each Center.

(2) The adequacy of resources available to support the mission of each Center and the source of those resources from within the Department of Defense.

(3) The extent of participation and support of the Centers by each of the Armed Forces.

(4) The effectiveness of the Centers in supporting the medical needs of members of the Armed Forces arising from mandatory military vaccinations.

(5) The effectiveness of the Centers in providing assistance to military and civilian healthcare providers based on outreach to and response to inquiries from providers.

(6) The extent to which the Centers are conducting evaluations to identify and treat potential and actual health effects from vaccines.

(7) The extent to which the Centers take advantage of and are linked to vaccine health resources outside the Department of Defense.

(8) The extent to which the Centers are involved in outreach to military and civilian healthcare providers relating to vaccine safety, efficiency, and acceptability.

(9) The extent to which similar activities conducted by the Centers are conducted in governmental or nongovernmental agencies outside the Department of Defense.

(c) RECOMMENDATIONS.—The Comptroller General shall submit to Congress a report containing findings and recommendations not later than May 30, 2006, including recommendations on ways to improve the ability of the Department of Defense to understand and support medical needs arising from mandatory military vaccinations and the extent to which the Department of Defense requires the Vaccine Healthcare Centers to continue in their current configuration.

SEC. 737. REPORT ON ADVERSE HEALTH EVENTS ASSOCIATED WITH USE OF ANTI-MALARIAL DRUGS.

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study of adverse health events that may be associated with use of anti-malarial drugs, including mefloquine.

(b) MATTERS COVERED.—The study required by subsection (a) shall include a comparison of adverse health (including mental health) events that may be associated with different anti-malarial drugs, including mefloquine.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the study required by subsection (a).

SEC. 738. REPORT ON RESERVE DENTAL INSURANCE PROGRAM.

(a) STUDY.—The Secretary of Defense shall conduct a study of the Reserve dental insurance program.

(b) ELEMENTS.—The study required by subsection (a) shall—

(1) identify the most effective mechanism or mechanisms for the payment of premiums under the Reserve dental insurance program for members of the reserve components of the Armed Forces and their dependents, including by deduction from reserve pay, by direct collection, or by other means (including appropriate mechanisms from other military benefits programs), to ensure uninterrupted availability of premium payments regardless of whether members are performing active duty with pay or inactive-duty training with pay;

(2) include such matters relating to the Reserve dental insurance program as the Secretary considers appropriate; and

(3) assess the effectiveness of mechanisms for informing the members of the reserve components of the Armed Forces of the availability of, and benefits under, the Reserve dental insurance program.

(c) REPORT.—Not later than February 1, 2007, the Secretary shall submit to the congressional defense committees a report on the study required by subsection (a). The report shall include the findings of the study and such recommendations for legislative or administrative action regarding the Reserve dental insurance program as the Secretary considers appropriate in light of the study.

(d) RESERVE DENTAL INSURANCE PROGRAM DEFINED.—In this section, the term "Reserve dental insurance program" includes—

(1) the dental insurance plan required under paragraph (1) of section 1076a(a) of title 10, United States Code; and

(2) any dental insurance plan established under paragraph (2) or (4) of section 1076a(a) of title 10, United States Code.

SEC. 739. DEMONSTRATION PROJECT STUDY ON MEDICARE ADVANTAGE REGIONAL PREFERRED PROVIDER ORGANIZATION OPTION FOR TRICARE-MEDICARE DUAL-ELIGIBLE BENEFICIARIES.

(a) STUDY ON DEMONSTRATION PROJECT.—

(1) REQUIREMENT.—The Secretary of Defense shall conduct a study to evaluate the feasibility and cost effectiveness of conducting a demonstration project under section 1092 of title 10, United States Code, to implement the provisions of section 1097(d) of such title. The purpose of such a demonstration project would be to evaluate whether applying the managed care methods under the Medicare Advantage program under part C of title XVIII of the Social Security Act would improve the quality of care, realize cost savings to the Department of Defense, and improve beneficiary satisfaction for Department of Defense beneficiaries who also are entitled to health care under medicare.

(2) ELEMENTS OF STUDY.—The study required by paragraph (1) shall include an analysis of the following:

(A) The impact of the Medicare Advantage Regional Preferred Provider Organization model on medical utilization, pharmacy usage, and Department of Defense health care costs.

(B) The full costs of the demonstration project.

(C) The implementation and use of quality improvement and chronic care improvement programs for Department of Defense beneficiaries.

(D) Beneficiary satisfaction.

(E) The near term and long term effect on all existing Department of Defense contracts for health care support, including TRICARE managed care contracts, claims processing contracts, and pharmacy contracts.

(F) A comparison of the costs and benefits of using existing Department of Defense contractors or new Department of Defense contractors who are qualified as the vehicle for conducting the demonstration.

(b) PLAN.—

(1) REQUIREMENT.—If the Secretary of Defense determines under subsection (a) that the demonstration project is feasible, cost effective, and in the best interests of the Department of Defense and eligible beneficiaries, the Secretary, in coordination with other administering Secretaries, shall develop a plan to carry out the demonstration project.

(2) ELEMENTS OF PLAN.—

(A) HEALTH CARE BENEFITS.—In the plan, the Secretary of Defense shall prescribe the minimum health care benefits to be provided under the plan to eligible beneficiaries enrolled in the plan. Those benefits shall include at least all health care services covered under part A and part B of medicare and TRICARE for Life.

(B) DEMONSTRATION SERVICE AREA.—In the plan, the Secretary shall provide for conducting the demonstration in at least two demonstration service areas.

(C) ELIGIBILITY.—In the plan, the Secretary shall provide that any eligible beneficiary who meets the eligibility requirements for participation in the Medicare Advantage Regional Preferred Provider Organization plan who resides in the demonstration service area is eligible to enroll in the demonstration on a voluntary basis.

(D) DURATION.—In the plan, the Secretary shall provide for conducting the demonstration for a period of time consistent with decisions made by the Department of Defense to exercise remaining option periods on the managed care support contract covering the area where the demonstration occurs.

(E) EVALUATION OF THE DEMONSTRATION PROJECT.—The plan shall include a plan to evaluate the costs and benefits of all elements of the demonstration project, including the elements described in subsection (a)(2) and, in addition, the financial mechanisms used in carrying out the demonstration project.

(c) DEFINITIONS.—In this section:

(1) ELIGIBLE BENEFICIARY.—The term "eligible beneficiary" means a person who is eligible for both TRICARE and medicare under section 1086(d)(2) of title 10, United States Code.

(2) MEDICARE.—The term "medicare" means title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

(3) ADMINISTERING SECRETARIES.—The term "administering Secretaries" has the meaning provided by section 1072(3) of title 10, United States Code.

(d) REPORT.—Not later than April 1, 2006, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the study required under subsection (a), along with the plan under subsection (b) if applicable.

SEC. 740. PILOT PROJECTS ON PEDIATRIC EARLY LITERACY AMONG CHILDREN OF MEMBERS OF THE ARMED FORCES.

(a) PILOT PROJECTS AUTHORIZED.—The Secretary of Defense may conduct pilot projects to assess the feasibility, advisability, and utility of encouraging pediatric early literacy among the children of members of the Armed Forces.

(b) LOCATIONS.—

(1) IN GENERAL.—The pilot projects conducted under subsection (a) shall be conducted at not more than 20 military medical treatment facilities designated by the Secretary for purposes of this section.

(2) CO-LOCATION WITH CERTAIN INSTALLATIONS.—In designating military medical treatment facilities under paragraph

(1), the Secretary shall, to the extent practicable, designate facilities that are located on, or co-located with, military installations at which the mobilization or demobilization of members of the Armed Forces occurs.

(c) ACTIVITIES.—Activities under the pilot projects conducted under subsection (a) shall the following:

(1) The provision of training to health care providers and other appropriate personnel on early literacy promotion.

(2) The purchase and distribution of children's books to members of the Armed Forces, their spouses, and their children.

(3) The modification of treatment facility and clinic waiting rooms to include a full selection of literature for children.

(4) The dissemination to members of the Armed Forces and their spouses of parent education materials on pediatric early literacy.

(5) Such other activities as the Secretary considers appropriate.

(d) REPORT.—

(1) IN GENERAL.—Not later than March 1, 2007, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the pilot projects conducted under this section.

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

(A) a description of the pilot projects conducted under this section, including the location of each pilot project and the activities conducted under each pilot project; and

(B) an assessment of the feasibility, advisability, and utility of encouraging pediatric early literacy among the children of members of the Armed Forces.

Subtitle E—Other Matters

SEC. 741. AUTHORITY TO RELOCATE PATIENT SAFETY CENTER; RENAMING MEDTEAMS PROGRAM.

(a) REPEAL OF REQUIREMENT TO LOCATE THE DEPARTMENT OF DEFENSE PATIENT SAFETY CENTER WITHIN THE ARMED FORCES INSTITUTE OF PATHOLOGY.—Subsection (c)(3) of section 754 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106–398; 114 Stat. 1654–196) is amended by striking "within the Armed Forces Institute of Pathology".

(b) RENAMING MEDTEAMS PROGRAM.—Subsection (d) of such section is amended by striking "MedTeams" in the heading and inserting "Medical Team Training".

SEC. 742. MODIFICATION OF HEALTH CARE QUALITY INFORMATION AND TECHNOLOGY ENHANCEMENT REPORTING REQUIREMENT.

Section 723(e) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 697) is amended by striking paragraphs (1) through (4) and inserting the following:

"(1) Measures of the quality of health care furnished, including timeliness and accessibility of care.

"(2) Population health.

"(3) Patient safety.

"(4) Patient satisfaction.

"(5) The extent of use of evidence-based health care practices.

"(6) The effectiveness of biosurveillance in detecting an emerging epidemic.".

SEC. 743. CORRECTION TO ELIGIBILITY OF CERTAIN RESERVE OFFICERS FOR MILITARY HEALTH CARE PENDING ACTIVE DUTY FOLLOWING COMMISSIONING.

(a) CORRECTION.—Clause (iii) of section 1074(a)(2)(B) of title 10, United States Code, is amended by inserting before the semicolon the following: "or the orders have been issued but the member has not entered active duty".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as of November 24, 2003, and as if included in the enactment of paragraph (2) of section 1074(a) of title 10, United States Code, by section 708 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 117 Stat. 1530).

SEC. 744. PROHIBITION ON CONVERSIONS OF MILITARY MEDICAL AND DENTAL POSITIONS TO CIVILIAN MEDICAL POSITIONS UNTIL SUBMISSION OF CERTIFICATION.

(a) PROHIBITION ON CONVERSIONS.—

(1) SUBMISSION OF CERTIFICATION.—A Secretary of a military department may not convert any military medical or dental position to a civilian medical or dental position until the Secretary submits to the Committees on Armed Services of the Senate and the House of Representatives a certification that the conversions within that department will not increase cost or decrease quality of care or access to care. Such a certification may not be submitted before June 1, 2006.

(2) REPORT WITH CERTIFICATION.—A Secretary submitting such a certification shall include with the certification a written report that includes—

(A) the methodology used by the Secretary in making the determinations necessary for the certification, including the extent to which the Secretary took into consideration the findings of the Comptroller General in the report under subsection (b)(3);

(B) the results of a market survey in each affected area of the availability of civilian medical and dental care providers in such area in order to determine whether the civilian medical and dental care providers available in such area are adequate to fill the civilian positions created by the conversion of military medical and dental positions to civilian positions in such area; and

(C) any action taken by the Secretary in response to recommendations in the Comptroller General report under subsection (b)(3).

(b) REQUIREMENT FOR STUDY.—

(1) IN GENERAL.—The Comptroller General shall conduct a study on the effect of conversions of military medical and dental positions to civilian medical or dental positions on the defense health program.

(2) MATTERS COVERED.—The study shall include the following:

(A) The number of military medical and dental positions, by grade and specialty, planned for conversion to civilian medical or dental positions.

(B) The number of military medical and dental positions, by grade and specialty, converted to civilian medical or dental positions since October 1, 2004.

(C) The ability of the military health care system to fill the civilian medical and dental positions required, by specialty.

(D) The degree to which access to health care is affected in both the direct and purchased care system, including an assessment of the effects of any increased shifts in patient load from the direct care to the purchased care system, or any delays in receipt of care in either the direct or purchased care system because of lack of direct care providers.

(E) The degree to which changes in military manpower requirements affect recruiting and retention of uniformed medical and dental personnel.

(F) The degree to which conversion of the military positions meets the joint medical and dental readiness requirements of the uniformed services, as determined jointly by all the uniformed services.

(G) The effect of the conversions of military medical positions to civilian medical and dental positions on the defense health program, including costs associated with the conversions, with a comparison of the estimated costs versus the actual costs incurred by the number of conversions since October 1, 2004.

(H) The effectiveness of the conversions in enhancing medical and dental readiness, health care efficiency, productivity, quality, and customer satisfaction.

(3) REPORT ON STUDY.—Not later than May 1, 2006, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing the results of the study under this section.

(c) DEFINITIONS.—In this section:

(1) The term "military medical or dental position" means a position for the performance of health care functions within the Armed Forces held by a member of the Armed Forces.

(2) The term "civilian medical or dental position" means a position for the performance of health care functions within the Department of Defense held by an employee of the Department or of a contractor of the Department.

(3) The term "affected area" means an area in which military medical or dental positions were converted to civilian medical or dental positions before October 1, 2004, or in which such conversions are scheduled to occur in the future.

(4) The term "uniformed services" has the meaning given that term in section 1072(1) of title 10, United States Code.

SEC. 745. CLARIFICATION OF INCLUSION OF DENTAL CARE IN MEDICAL READINESS TRACKING AND HEALTH SURVEILLANCE PROGRAM.

(a) INCLUSION OF DENTAL CARE.—Subtitle D of title VII of the Ronald W. Reagan National Defense Authorization Act for Fiscal

Year 2005 (Public Law 108–375; 10 U.S.C. 1074 note) is amended by adding at the end the following new section:

"SEC. 740. INCLUSION OF DENTAL CARE.

"For purposes of the plan, this subtitle, and the amendments made by this subtitle, references to medical readiness, health status, and health care shall be considered to include dental readiness, dental status, and dental care.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of title VII of such Act and in section 2(b) of such Act are each amended by inserting after the item relating to section 739 the following:

"Sec. 740. Inclusion of dental care.".

SEC. 746. COOPERATIVE OUTREACH TO MEMBERS AND FORMER MEMBERS OF THE NAVAL SERVICE EXPOSED TO ENVIRONMENTAL FACTORS RELATED TO SARCOIDOSIS.

(a) OUTREACH PROGRAM REQUIRED.—The Secretary of the Navy, in coordination with the Secretary of Veterans Affairs, shall conduct an outreach program intended to contact as many members and former members of the naval service as possible who, in connection with service aboard Navy ships, may have been exposed to aerosolized particles resulting from the removal of nonskid coating used on those ships.

(b) PURPOSES OF OUTREACH PROGRAM.—The purposes of the outreach program are as follows:

(1) To develop additional data for use in subsequent studies aimed at determining a causative link between sarcoidosis and military service.

(2) To inform members and former members identified in subsection (a) of the findings of Navy studies identifying an association between service aboard certain naval ships and sarcoidosis.

(3) To provide information to assist members and former members identified in subsection (a) in getting medical evaluations to help clarify linkages between their disease and their service aboard Navy ships.

(4) To provide the Department of Veterans Affairs with data and information for the effective evaluation of veterans who may seek care for sarcoidosis.

(c) IMPLEMENTATION AND REPORT.—Not later than six months after the date of the enactment of this Act, the Secretary of the Navy shall begin the outreach program. Not later than one year after beginning the program, the Secretary shall provide to the Committees on Armed Services of the Senate and the House of Representatives and the Committees on Veterans Affairs of the Senate and House of Representatives a report on the results of the outreach program.

SEC. 747. REPEAL OF REQUIREMENT FOR COMPTROLLER GENERAL REVIEWS OF CERTAIN DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS PROJECTS ON SHARING OF HEALTH CARE RESOURCES.

(a) JOINT INCENTIVES PROGRAM.—Section 8111(d) of title 38, United States Code, is amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraph (4) as paragraph (3).

(b) HEALTH CARE RESOURCES SHARING AND COORDINATION PROJECT.—Section 722 of the Bob Stump National Defense Author-

ization Act for Fiscal Year 2003 (Public Law 107–314; 116 Stat. 2595; 38 U.S.C. 8111 note) is amended—

(1) by striking subsection (h);

(2) by redesignating subsection (i) as subsection (h); and

(3) in paragraph (2) of subsection (h), as so redesignated, by striking "based on recommendations" and all that follows and inserting "as determined by the Secretaries based on information available to the Secretaries to warrant such action.".

SEC. 748. PANDEMIC AVIAN FLU PREPAREDNESS.

(a) REPORT.—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the efforts within the Department of Defense to prepare for pandemic influenza, including pandemic avian influenza. The Secretary shall address the following, with respect to military personnel, dependents of military personnel on military installations, and civilian personnel within the Department of Defense:

(1) The procurement of vaccines, antivirals, and other medicines, and medical supplies, including personal protective equipment, particularly those that must be imported.

(2) Protocols for the allocation and distribution of vaccines and medicines among high priority personnel.

(3) Public health protection and containment measures that may be implemented on military bases and other facilities, including risk communication, quarantine, travel restrictions, and other isolation precautions.

(4) Communication with Department of Defense-affiliated health providers about pandemic preparedness and response.

(5) Surge capacity for the provision of medical care during pandemics.

(6) The availability and delivery of food and basic supplies and services.

(7) Surveillance efforts domestically and internationally, including those using the Global Emerging Infections Systems (GEIS), and how such efforts are integrated with other ongoing surveillance systems.

(8) The integration of pandemic and response planning in the Department of Defense with the planning of other Federal departments, including the Department of Health and Human Services, the Department of Homeland Security, the Department of Veterans Affairs, the Department of State, and USAID.

(9) Collaboration (as appropriate) with international entities engaged in pandemic preparedness and response.

(10) Acceleration of medical research and development related to pandemic influenza.

(b) SUBMISSION OF REPORT.—The report required under subsection (a) shall be submitted not later than 120 days after the date of the enactment of this Act.

SEC. 749. FOLLOW UP ASSISTANCE FOR MEMBERS OF THE ARMED FORCES AFTER PRESEPARATION PHYSICAL EXAMINATIONS.

Section 1145(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(5)(A) The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, ensure that appropriate actions are

taken to assist a member of the armed forces who, as a result of a medical examination under paragraph (4), receives an indication for a referral for follow up treatment from the health care provider who performs the examination.

"(B) Assistance provided to a member under paragraph (1) shall include the following:

"(i) Information regarding, and any appropriate referral for, the care, treatment, and other services that the Secretary of Veterans Affairs may provide to such member under any other provision of law, including—

"(I) clinical services, including counseling and treatment for post-traumatic stress disorder and other mental health conditions; and

"(II) any other care, treatment, and services.

"(ii) Information on the private sector sources of treatment that are available to the member in the member's community.

"(iii) Assistance to enroll in the health care system of the Department of Veterans Affairs for health care benefits for which the member is eligible under laws administered by the Secretary of Veterans Affairs.".

SEC. 750. POLICY ON ROLE OF MILITARY MEDICAL AND BEHAVIORAL SCIENCE PERSONNEL IN INTERROGATION OF DETAINEES.

(a) POLICY REQUIRED.—The Secretary of Defense shall establish the policy of the Department of Defense on the role of military medical and behavioral science personnel in the interrogation of persons detained by the Armed Forces. The policy shall apply uniformly throughout the Armed Forces.

(b) REPORT.—Not later than March 1, 2006, the Secretary shall submit to the congressional defense committees a report on the policy established under subsection (a). The report shall set forth the policy, and shall include such additional matters on the policy as the Secretary considers appropriate.

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

Subtitle A—Provisions Relating to Major Defense Acquisition Programs

Sec. 801. Requirement for certification before major defense acquisition program may proceed to Milestone B.
Sec. 802. Requirements applicable to major defense acquisition programs exceeding baseline costs.
Sec. 803. Requirement for determination by Secretary of Defense and notification to Congress before procurement of major weapon systems as commercial items.
Sec. 804. Reports on significant increases in program acquisition unit costs or procurement unit costs of major defense acquisition programs.
Sec. 805. Report on use of lead system integrators in the acquisition of major systems.
Sec. 806. Congressional notification of cancellation of major automated information systems.

Subtitle B—Acquisition Policy and Management

Sec. 811. Internal controls for procurements on behalf of the Department of Defense.
Sec. 812. Management structure for the procurement of contract services.
Sec. 813. Report on service surcharges for purchases made for military departments through other Department of Defense agencies.

Sec. 814. Review of defense acquisition structures and capabilities.
Sec. 815. Modification of requirements applicable to contracts authorized by law for certain military materiel.
Sec. 816. Guidance on use of tiered evaluations of offers for contracts and task orders under contracts.
Sec. 817. Joint policy on contingency contracting.
Sec. 818. Acquisition strategy for commercial satellite communication services.
Sec. 819. Authorization of evaluation factor for defense contractors employing or subcontracting with members of the Selected Reserve of the reserve components of the Armed Forces.

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

Sec. 821. Participation by Department of Defense in acquisition workforce training fund.
Sec. 822. Increase in cost accounting standard threshold.
Sec. 823. Modification of authority to carry out certain prototype projects.
Sec. 824. Increased limit applicable to assistance provided under certain procurement technical assistance programs.

Subtitle D—United States Defense Industrial Base Provisions

Sec. 831. Clarification of exception from Buy American requirements for procurement of perishable food for establishments outside the United States.
Sec. 832. Training for defense acquisition workforce on the requirements of the Berry Amendment.
Sec. 833. Amendments to domestic source requirements relating to clothing materials and components covered.

Subtitle E—Other Matters

Sec. 841. Review and report on Department of Defense efforts to identify contract fraud, waste, and abuse.
Sec. 842. Extension of contract goal for small disadvantaged businesses and certain institutions of higher education.
Sec. 843. Extension of deadline for report of advisory panel on laws and regulations on acquisition practices.
Sec. 844. Exclusion of certain security expenses from consideration for purpose of small business size standards.
Sec. 845. Disaster relief for small business concerns damaged by drought.
Sec. 846. Extension of limited acquisition authority for the commander of the United States Joint Forces Command.
Sec. 847. Civilian Board of Contract Appeals.
Sec. 848. Statement of policy and report relating to contracting with employers of persons with disabilities.
Sec. 849. Study on Department of Defense contracting with small business concerns owned and controlled by service-disabled veterans.

Subtitle A—Provisions Relating to Major Defense Acquisition Programs

SEC. 801. REQUIREMENT FOR CERTIFICATION BEFORE MAJOR DEFENSE ACQUISITION PROGRAM MAY PROCEED TO MILESTONE B.

(a) CERTIFICATION REQUIREMENT.—Chapter 139 of title 10, United States Code, is amended by inserting after section 2366 the following new section:

"§ 2366a. Major defense acquisition programs: certification required before Milestone B or Key Decision Point B approval

"(a) CERTIFICATION.—A major defense acquisition program may not receive Milestone B approval, or Key Decision Point B approval in the case of a space program, until the milestone decision authority certifies that—

"(1) the technology in the program has been demonstrated in a relevant environment;

"(2) the program demonstrates a high likelihood of accomplishing its intended mission;

"(3) the program is affordable when considering the per unit cost and the total acquisition cost in the context of the total resources available during the period covered by the future-years defense program submitted during the fiscal year in which the certification is made;

"(4) the Department of Defense has completed an analysis of alternatives with respect to the program;

"(5) the program is affordable when considering the ability of the Department of Defense to accomplish the program's mission using alternative systems;

"(6) the Joint Requirements Oversight Council has accomplished its duties with respect to the program pursuant to section 181(b) of this title, including an analysis of the operational requirements for the program; and

"(7) the program complies with all relevant policies, regulations, and directives of the Department of Defense.

"(b) SUBMISSION TO CONGRESS.—The certification required under subsection (a) with respect to a major defense acquisition program shall be submitted to the congressional defense committees with the first Selected Acquisition Report submitted under section 2432 of this title after completion of the certification.

"(c) WAIVER FOR NATIONAL SECURITY.—The milestone decision authority may waive the applicability to a major defense acquisition program of one or more components (as specified in paragraph (1), (2), (3), (4), (5), or (6) of subsection (a)) of the certification requirement if the milestone decision authority determines that, but for such a waiver, the Department would be unable to meet critical national security objectives. Whenever the milestone decision authority makes such a determination and authorizes such a waiver, the waiver, the determination, and the reasons for the determination shall be submitted in writing to the congressional defense committees within 30 days after the waiver is authorized.

"(d) NONDELEGATION.—The milestone decision authority may not delegate the certification requirement under subsection (a) or the authority to waive any component of such requirement under subsection (c).

"(e) DEFINITIONS.—In this section:

"(1) The term 'major defense acquisition program' means a Department of Defense acquisition program that is a major defense acquisition program for purposes of section 2430 of this title.

"(2) The term 'milestone decision authority', with respect to a major defense acquisition program, means the individual within the Department of Defense designated with overall responsibility for the program.

"(3) The term 'Milestone B approval' has the meaning provided that term in section 2366(e)(7) of this title.

"(4) The term 'Key Decision Point B' means the official program initiation of a National Security Space program of the Department of Defense, which triggers a formal review to deter-

mine maturity of technology and the program's readiness to begin the preliminary system design.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2366 the following new item:

"2366a. Major defense acquisition programs: certification required before Milestone B approval or Key Decision Point B approval.".

SEC. 802. REQUIREMENTS APPLICABLE TO MAJOR DEFENSE ACQUISITION PROGRAMS EXCEEDING BASELINE COSTS.

(a) SPECIFICATION OF SIGNIFICANT COST GROWTH THRESHOLD AND CRITICAL COST GROWTH THRESHOLD.—Subsection (a) of section 2433 of title 10, United States Code, is amended by adding at the end the following new paragraphs:

"(4) The term 'significant cost growth threshold' means the following:

"(A) In the case of a major defense acquisition program, a percentage increase in the program acquisition unit cost for the program of—

"(i) at least 15 percent over the program acquisition unit cost for the program as shown in the current Baseline Estimate for the program; or

"(ii) at least 30 percent over the program acquisition unit cost for the program as shown in the original Baseline Estimate for the program.

"(B) In the case of a major defense acquisition program that is a procurement program, a percentage increase in the procurement unit cost for the program of—

"(i) at least 15 percent over the procurement unit cost for the program as shown in the current Baseline Estimate for the program; or

"(ii) at least 30 percent over the procurement unit cost for the program as shown in the original Baseline Estimate for the program.

"(5) The term 'critical cost growth threshold' means the following:

"(A) In the case of a major defense acquisition program, a percentage increase in the program acquisition unit cost for the program of—

"(i) at least 25 percent over the program acquisition unit cost for the program as shown in the current Baseline Estimate for the program; or

"(ii) at least 50 percent over the program acquisition unit cost for the program as shown in the original Baseline Estimate for the program.

"(B) In the case of a major defense acquisition program that is a procurement program, a percentage increase in the procurement unit cost for the program of—

"(i) at least 25 percent over the procurement unit cost for the program as shown in the current Baseline Estimate for the program; or

"(ii) at least 50 percent over the procurement unit cost for the program as shown in the original Baseline Estimate for the program.".

(b) INCORPORATION OF THRESHOLDS INTO UNIT COST REPORT AND RELATED REQUIREMENTS.—

(1) UNIT COST REPORT REQUIREMENTS.—Subsection (c) of such section is amended by striking "cause to believe—" and all that follows through "reflected in the Baseline Estimate;" and inserting "cause to believe that the program acquisition unit cost for the program or the procurement unit cost for the program, as applicable, has increased by a percentage equal to or greater than the significant cost growth threshold for the program;".

(2) DETERMINATIONS OF SERVICE ACQUISITION EXECUTIVES.—Subsection (d) of such section is amended—

(A) in paragraph (1), by striking "by at least 15 percent, or by at least 25 percent, over the program acquisition unit cost for the program as shown in the Baseline Estimate" and inserting "by a percentage equal to or greater than the significant cost growth threshold, or the critical cost growth threshold, for the program";

(B) in paragraph (2), by striking "by at least 15 percent, or by at least 25 percent, over the procurement unit cost for the program as reflected in the Baseline Estimate" and inserting "by a percentage equal to or greater than the significant cost growth threshold, or the critical cost growth threshold, for the program"; and

(C) in paragraph (3)—

(i) by striking "by at least 15 percent, or by at least 25 percent, as determined under paragraph (1)" and inserting "by a percentage equal to or greater than the significant cost growth threshold or critical cost growth threshold"; and

(ii) by striking "by at least 15 percent, or by at least 25 percent, as determined under paragraph (2)" and inserting "by a percentage equal to or greater than the significant cost growth threshold or critical cost growth threshold".

(3) SERVICE ACQUISITION REPORTS.—Subsection (e) of such section is amended—

(A) in paragraph (1)(A), by striking "by at least 15 percent" and inserting "by a percentage equal to or greater than the significant cost growth threshold for the program";

(B) in paragraph (2)—

(i) by striking "percentage increase in the"; and

(ii) by striking "exceeds 25 percent" and inserting "increases by a percentage equal to or greater than the critical cost growth threshold for the program"; and

(C) in paragraph (3)—

(i) by striking "of at least 15 percent" both places it appears and inserting "by a percentage equal to or greater than the significant cost growth threshold"; and

(ii) by striking "of at least 25 percent" both places it appears and inserting "by a percentage equal to or greater than the critical cost growth threshold".

(c) ADDITIONAL REQUIREMENTS RELATING TO CERTAIN UNIT COST INCREASES.—Paragraph (2) of subsection (e) of such section is further amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by striking "the Secretary of Defense" and all that follows through "a written certification, stating that—" and inserting "the Secretary of Defense shall—

"(A) carry out an assessment of—

"(i) the projected cost of completing the program if current requirements are not modified;

"(ii) the projected cost of completing the program based on reasonable modification of such requirements; and

"(iii) the rough order of magnitude of the costs of any reasonable alternative system or capability;

"(B) submit to Congress, before the end of the 60-day period beginning on the day the Selected Acquisition Report containing the information described in subsection (g) is required to be submitted under section 2432(f) of this title, a written certification (with a supporting explanation) stating that—".

(d) ORIGINAL BASELINE ESTIMATE.—

(1) IN GENERAL.—Section 2435 of title 10, United States Code, is amended—

(A) by redesignating subsection (d) as subsection (e); and

(B) by inserting after subsection (c) the following new subsection (d):

"(d) ORIGINAL BASELINE ESTIMATE.—(1) In this chapter, the term 'original Baseline Estimate', with respect to a major defense acquisition program, means the baseline description established with respect to the program under subsection (a), without adjustment or revision (except as provided in paragraph (2)).

"(2) An adjustment or revision of the original baseline description of a major defense acquisition program may be treated as the original Baseline Estimate for the program for purposes of this chapter only if the percentage increase in the program acquisition unit cost or procurement unit cost under such adjustment or revision exceeds the critical cost growth threshold for the program under section 2433 of this title, as determined by the Secretary of the military department concerned under subsection (d) of such section.

"(3) In the event of an adjustment or revision of the original baseline description of a major defense acquisition program, the Secretary of Defense shall include in the next Selected Acquisition Report to be submitted under section 2432 of this title after such adjustment or revision a notification to the congressional defense committees of such adjustment or revision, together with the reasons for such adjustment or revision.".

(2) CONFORMING AMENDMENT.—Section 2433(a) of such title, as amended by subsection (a) of this section, is further amended by adding at the end the following new paragraph:

"(6) The term 'original Baseline Estimate' has the same meaning as provided in section 2435(d) of this title.".

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to any major defense acquisition program for which an original Baseline Estimate is first established before, on, or after that date.

(2) APPLICABILITY TO CURRENT MAJOR DEFENSE ACQUISITION PROGRAMS.—In the case of a major defense acquisition program for which the program acquisition unit cost or procurement unit cost, as applicable, exceeds the original Baseline Estimate for the program by more than 50 percent on the date of the enactment of this Act—

(A) the current Baseline Estimate for the program as of such date of enactment is deemed to be the original Baseline Estimate for the program for purposes of section 2433 of title 10, United States Code (as amended by this section); and

(B) each Selected Acquisition Report submitted on the program after the date of the enactment of this Act shall reflect each of the following:

(i) The original Baseline Estimate, as first established for the program, without adjustment or revision.

(ii) The Baseline Estimate for the program that is deemed to be the original Baseline Estimate for the program under subparagraph (A).

(iii) The current original Baseline Estimate for the program as adjusted or revised, if at all, in accordance with subsection (d)(2) of section 2435 of title 10, United States Code (as added by subsection (d) of this section).

SEC. 803. REQUIREMENT FOR DETERMINATION BY SECRETARY OF DEFENSE AND NOTIFICATION TO CONGRESS BEFORE PROCUREMENT OF MAJOR WEAPON SYSTEMS AS COMMERCIAL ITEMS.

(a) REQUIREMENT FOR DETERMINATION AND NOTIFICATION.—

(1) IN GENERAL.—Chapter 140 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2379. Requirement for determination by Secretary of Defense and notification to Congress before procurement of major weapon systems as commercial items

"(a) REQUIREMENT FOR DETERMINATION AND NOTIFICATION.—A major weapon system of the Department of Defense may be treated as a commercial item, or purchased under procedures established for the procurement of commercial items, only if—

"(1) the Secretary of Defense determines that—

"(A) the major weapon system is a commercial item, as defined in section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)); and

"(B) such treatment is necessary to meet national security objectives; and

"(2) the congressional defense committees are notified at least 30 days before such treatment or purchase occurs.

"(b) TREATMENT OF SUBSYSTEMS AND COMPONENTS AS COMMERCIAL ITEMS.—A subsystem or component of a major weapon system shall be treated as a commercial item and purchased under procedures established for the procurement of commercial items if such subsystem or component otherwise meets the requirements (other than requirements under subsection (a)) for treatment as a commercial item.

"(c) DELEGATION.—The authority of the Secretary of Defense to make a determination under subsection (a) may be delegated only to the Deputy Secretary of Defense, without further redelegation.

"(d) MAJOR WEAPON SYSTEM DEFINED.—In this section, the term 'major weapon system' means a weapon system acquired pursuant to a major defense acquisition program (as that term is defined in section 2430 of this title).".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 140 of such title is amended by adding at the end the following new item:

"2379. Requirement for determination by Secretary of Defense and notification to Congress before procurement of major weapon systems as commercial items.".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply to contracts entered into on or after such date.

SEC. 804. REPORTS ON SIGNIFICANT INCREASES IN PROGRAM ACQUISITION UNIT COSTS OR PROCUREMENT UNIT COSTS OF MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) INITIAL REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the acquisition status of each major defense acquisition program whose program acquisition unit cost or procurement unit cost, as of the date of the enactment of this Act, has exceeded by more than 50 percent the original baseline projection for such unit cost. The report shall include the information specified in subsection (b).

(b) INFORMATION.—The information specified in this subsection with respect to a major defense acquisition program is the following:

(1) An assessment of the costs to be incurred to complete the program if the program is not modified.

(2) An explanation of why the costs of the program have increased.

(3) A justification for the continuation of the program notwithstanding the increase in costs.

(c) MAJOR DEFENSE ACQUISITION PROGRAM DEFINED.—In this section, the term "major defense acquisition program" has the meaning given that term in section 2430 of title 10, United States Code.

SEC. 805. REPORT ON USE OF LEAD SYSTEM INTEGRATORS IN THE ACQUISITION OF MAJOR SYSTEMS.

(a) REPORT REQUIRED.—Not later than September 30, 2006, the Secretary of Defense shall submit to the congressional defense committees a report on the use of lead system integrators for the acquisition by the Department of Defense of major systems.

(b) CONTENTS.—The report required by subsection (a) shall include a detailed description of the actions taken, or to be taken (including a specific timetable), and the current regulations and guidelines regarding—

(1) the definition of the respective rights of the Department of Defense, lead system integrators, and other contractors that participate in the development or production of any individual element of a major weapon system (including subcontractors under lead system integrators) in intellectual property that is developed by the other participating contractors in a manner that ensures that—

(A) the Department of Defense obtains appropriate rights in technical data developed by the other participating contractors in accordance with the requirements of section 2320 of title 10, United States Code; and

(B) lead system integrators obtain access to technical data developed by the other participating contractors only to the extent necessary to execute their contractual obligations as lead systems integrators;

(2) the prevention or mitigation of organizational conflicts of interest on the part of lead system integrators;

(3) minimization of the performance by lead system integrators of functions closely associated with inherently governmental functions;

(4) the appropriate use of competitive procedures in the award of subcontracts by lead system integrators with system responsibility;

(5) the prevention of organizational conflicts of interest arising out of any financial interest of lead system integrators without system responsibility in the development or production of individual elements of a major weapon system; and

(6) the prevention of pass-through charges by lead system integrators with system responsibility on systems or subsystems developed or produced under subcontracts where such lead system integrators do not provide significant value added with regard to such systems or subsystems.

(c) DEFINITIONS.—In this section:

(1) The term "lead system integrator" includes lead system integrators with system responsibility and lead system integrators without system responsibility.

(2) The term "lead system integrator with system responsibility" means a prime contractor for the development or production of a major system if the prime contractor is not expected at the time of award, as determined by the Secretary of Defense for purposes of this section, to perform a substantial portion of the work on the system and the major subsystems.

(3) The term "lead system integrator without system responsibility" means a contractor under a contract for the procurement of services whose primary purpose is to perform acquisition functions closely associated with inherently governmental functions with regard to the development or production of a major system.

(4) The term "major system" has the meaning given such term in section 2302d of title 10, United States Code.

(5) The term "pass-through charge" means a charge for overhead or profit on work performed by a lower-tier contractor (other than charges for the direct costs of managing lower-tier contracts and overhead and profit based on such direct costs) that does not, as determined by the Secretary for purposes of this section, promote significant value added with regard to such work.

(6) The term "functions closely associated with inherently governmental functions" has the meaning given such term in section 2383(b)(3) of title 10, United States Code.

SEC. 806. CONGRESSIONAL NOTIFICATION OF CANCELLATION OF MAJOR AUTOMATED INFORMATION SYSTEMS.

(a) REPORT REQUIRED.—The Secretary of Defense shall notify the congressional defense committees not less than 60 days before cancelling a major automated information system program that has been fielded or approved to be fielded, or making a change that will significantly reduce the scope of such a program, of the proposed cancellation or change.

(b) CONTENT.—Each notification submitted under subsection (a) with respect to a proposed cancellation or change shall include—

(1) the specific justification for the proposed cancellation or change;

(2) a description of the impact of the proposed cancellation or change on the ability of the Department to achieve the objectives of the program proposed for cancellation or change;

(3) a description of the steps that the Department plans to take to achieve those objectives; and

(4) other information relevant to the change in acquisition strategy.

(c) DEFINITIONS.—In this section:

(1) The term "major automated information system" has the meaning given that term in Department of Defense directive 5000.1.

(2) The term "approved to be fielded" means having received Milestone C approval.

Subtitle B—Acquisition Policy and Management

SEC. 811. INTERNAL CONTROLS FOR PROCUREMENTS ON BEHALF OF THE DEPARTMENT OF DEFENSE.

(a) INSPECTOR GENERAL REVIEWS AND DETERMINATIONS.—

(1) IN GENERAL.—For each covered non-defense agency, the Inspector General of the Department of Defense and the Inspector General of such non-defense agency shall, not later than March 15, 2006, jointly—

(A) review—

(i) the procurement policies, procedures, and internal controls of such non-defense agency that are applicable to the procurement of property and services on behalf of the Department by such non-defense agency; and

(ii) the administration of those policies, procedures, and internal controls; and

(B) determine in writing whether—

(i) such non-defense agency is compliant with defense procurement requirements;

(ii) such non-defense agency is not compliant with defense procurement requirements, but has a program or initiative to significantly improve compliance with defense procurement requirements; or

(iii) neither of the conclusions stated in clauses (i) and (ii) is correct in the case of such non-defense agency.

(2) ACTIONS FOLLOWING CERTAIN DETERMINATIONS.—If the Inspectors General determine under paragraph (1) that the conclusion stated in clause (ii) or (iii) of subparagraph (B) of that paragraph is correct in the case of a covered non-defense agency, such Inspectors General shall, not later than June 15, 2007, jointly—

(A) conduct a second review, as described in subparagraph (A) of that paragraph, regarding such non-defense agency's procurement of property or services on behalf of the Department of Defense in fiscal year 2006; and

(B) determine in writing whether such non-defense agency is or is not compliant with defense procurement requirements.

(b) COMPLIANCE WITH DEFENSE PROCUREMENT REQUIREMENTS.—For the purposes of this section, a covered non-defense agency is compliant with defense procurement requirements if such non-defense agency's procurement policies, procedures, and internal controls applicable to the procurement of products and services on behalf of the Department of Defense, and the manner in which they are administered, are adequate to ensure such non-defense agency's compliance with the requirements of laws and regulations that apply to procurements of property and services made directly by the Department of Defense.

(c) MEMORANDA OF UNDERSTANDING BETWEEN INSPECTORS GENERAL.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Inspector General of the Department of Defense and the Inspector General of each covered non-defense agency shall enter into a memorandum of understanding with each other to carry out the reviews and make the determinations required by this section.

(2) SCOPE OF MEMORANDA.—The Inspector General of the Department of Defense and the Inspector General of a covered non-defense agency may by mutual agreement conduct separate reviews of the procurement of property and services on behalf of the Department of Defense that are conducted by separate business units, or under separate governmentwide acquisition contracts, of such non-defense agency. In any case where such separate reviews are conducted, the Inspectors General shall make separate determinations under paragraph (1) or (2) of subsection (a), as applicable, with respect to each such separate review.

(d) LIMITATIONS ON PROCUREMENTS ON BEHALF OF DEPARTMENT OF DEFENSE.—

(1) LIMITATION DURING REVIEW PERIOD.—After March 15, 2006, and before June 16, 2007, no official of the Department of Defense may, except as provided in subsection (e) or (f), order, purchase, or otherwise procure property or services in an amount in excess of $100,000 through a covered non-defense agency for which a determination described in paragraph (1)(B)(iii) of subsection (a) has been made under that subsection.

(2) LIMITATION AFTER REVIEW PERIOD.—After June 15, 2007, no official of the Department of Defense may, except as provided in subsection (e) or (f), order, purchase, or otherwise

procure property or services in an amount in excess of $100,000 through a covered non-defense agency that, having been subject to review under this section, has not been determined under this section as being compliant with defense procurement requirements.

(3) LIMITATION FOLLOWING FAILURE TO REACH MOU.—Commencing on the date that is 60 days after the date of the enactment of this Act, if a memorandum of understanding between the Inspector General of the Department of Defense and the Inspector General of a covered non-defense agency cannot be attained causing the review required by this section to not be performed, no official of the Department of Defense, except as provided in subsection (e) or (f), may order, purchase or otherwise procure property or services in an amount in excess of $100,000 through such non-defense agency.

(e) EXCEPTION FROM APPLICABILITY OF LIMITATIONS.—

(1) EXCEPTION.—No limitation applies under subsection (d) with respect to the procurement of property and services on behalf of the Department of Defense by a covered non-defense agency during any period that there is in effect a determination of the Under Secretary of Defense for Acquisition, Technology, and Logistics, made in writing, that it is necessary in the interest of the Department of Defense to continue to procure property and services through such non-defense agency.

(2) APPLICABILITY OF DETERMINATION.—A written determination with respect to a covered non-defense agency under paragraph (1) is in effect for the period, not in excess of one year, that the Under Secretary shall specify in the written determination. The Under Secretary may extend from time to time, for up to one year at a time, the period for which the written determination remains in effect.

(f) TERMINATION OF APPLICABILITY OF LIMITATIONS.—Subsection (d) shall cease to apply to a covered non-defense agency on the date on which the Inspector General of the Department of Defense and the Inspector General of such non-defense agency jointly—

(1) determine that such non-defense agency is compliant with defense procurement requirements; and

(2) notify the Secretary of Defense of that determination.

(g) IDENTIFICATION OF PROCUREMENTS MADE DURING A PARTICULAR FISCAL YEAR.—For the purposes of subsection (a), a procurement shall be treated as being made during a particular fiscal year to the extent that funds are obligated by the Department of Defense for that procurement in that fiscal year.

(h) DEFINITIONS.—In this section:

(1) The term "covered non-defense agency" means each of the following:

(A) The Department of the Treasury.

(B) The Department of the Interior.

(C) The National Aeronautics and Space Administration.

(2) The term "governmentwide acquisition contract", with respect to a covered non-defense agency, means a task or delivery order contract that—

(A) is entered into by the non-defense agency; and

(B) may be used as the contract under which property or services are procured for 1 or more other departments or agencies of the Federal Government.

SEC. 812. MANAGEMENT STRUCTURE FOR THE PROCUREMENT OF CONTRACT SERVICES.

(a) MANAGEMENT STRUCTURE.—

(1) IN GENERAL.—Section 2330 of title 10, United States Code, is amended to read as follows:

"§ 2330. Procurement of contract services: management structure

"(a) REQUIREMENT FOR MANAGEMENT STRUCTURE.—The Secretary of Defense shall establish and implement a management structure for the procurement of contract services for the Department of Defense. The management structure shall provide, at a minimum, for the following:

"(1) The Under Secretary of Defense for Acquisition, Technology, and Logistics shall—

"(A) develop and maintain (in consultation with the service acquisition executives) policies, procedures, and best practices guidelines addressing the procurement of contract services, including policies, procedures, and best practices guidelines for—

"(i) acquisition planning;

"(ii) solicitation and contract award;

"(iii) requirements development and management;

"(iv) contract tracking and oversight;

"(v) performance evaluation; and

"(vi) risk management;

"(B) work with the service acquisition executives and other appropriate officials of the Department of Defense—

"(i) to identify the critical skills and competencies needed to carry out the procurement of contract services on behalf of the Department of Defense;

"(ii) to develop a comprehensive strategy for recruiting, training, and deploying employees to meet the requirements for such skills and competencies; and

"(iii) to ensure that the military departments and Defense Agencies have staff and administrative support that are adequate to effectively perform their duties under this section;

"(C) establish contract services acquisition categories, based on dollar thresholds, for the purpose of establishing the level of review, decision authority, and applicable procedures in such categories; and

"(D) oversee the implementation of the requirements of this section and the policies, procedures, and best practices guidelines established pursuant to subparagraph (A).

"(2) The service acquisition executive of each military department shall be the senior official responsible for the management of acquisition of contract services for or on behalf of the military department.

"(3) The Under Secretary of Defense for Acquisition, Technology, and Logistics shall be the senior official responsible for the management of acquisition of contract services for or on be-

half of the Defense Agencies and other components of the Department of Defense outside the military departments.

"(b) DUTIES AND RESPONSIBILITIES OF SENIOR OFFICIALS RESPONSIBLE FOR THE MANAGEMENT OF ACQUISITION OF CONTRACT SERVICES.—(1) Except as provided in paragraph (2), the senior officials responsible for the management of acquisition of contract services shall assign responsibility for the review and approval of procurements in each contract services acquisition category established under subsection (a)(1)(C) to specific Department of Defense officials, subject to the direction, supervision, and oversight of such senior officials.

"(2) With respect to the acquisition of contract services by a component or command of the Department of Defense the primary mission of which is the acquisition of products and services, such acquisition shall be conducted in accordance with policies, procedures, and best practices guidelines developed and maintained by the Under Secretary of Defense for Acquisition, Technology, and Logistics pursuant to subsection (a)(1), subject to oversight by the senior officials referred to in paragraph (1).

"(3) In carrying out paragraph (1), each senior official responsible for the management of acquisition of contract services shall—

"(A) implement the requirements of this section and the policies, procedures, and best practices guidelines developed by the Under Secretary of Defense for Acquisition, Technology, and Logistics pursuant to subsection (a)(1)(A);

"(B) authorize the procurement of contract services through contracts entered into by agencies outside the Department of Defense in appropriate circumstances, in accordance with the requirements of section 854 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (10 U.S.C. 2304 note), section 814 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (31 U.S.C. 1535 note), and the regulations implementing such sections;

"(C) dedicate full-time commodity managers to coordinate the procurement of key categories of services;

"(D) ensure that contract services are procured by means of procurement actions that are in the best interests of the Department of Defense and are entered into and managed in compliance with applicable laws, regulations, directives, and requirements;

"(E) ensure that competitive procedures and performance-based contracting are used to the maximum extent practicable for the procurement of contract services; and

"(F) monitor data collection under section 2330a of this title, and periodically conduct spending analyses, to ensure that funds expended for the procurement of contract services are being expended in the most rational and economical manner practicable.

"(c) DEFINITIONS.—In this section:

"(1) The term 'procurement action' includes the following actions:

"(A) Entry into a contract or any other form of agreement.

"(B) Issuance of a task order, delivery order, or military interdepartmental purchase request.

"(2) The term 'contract services' includes all services acquired from private sector entities by or for the Department of Defense, other than services relating to research and development or military construction.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 137 of such title is amended by striking the item relating to section 2330 and inserting the following new item:

"2330. Procurement of contract services: management structure.".

(b) PHASED IMPLEMENTATION.—The requirements of section 2330 of title 10, United States Code (as added by subsection (a)), shall be implemented as follows:

(1) The Under Secretary of Defense for Acquisition, Technology, and Logistics shall—

(A) establish an initial set of contract services acquisition categories, based on dollar thresholds, by not later than June 1, 2006; and

(B) issue an initial set of policies, procedures, and best practices guidelines in accordance with section 2330(a)(1)(A) by not later than October 1, 2006.

(2) The contract services acquisition categories established by the Under Secretary shall include—

(A) one or more categories for acquisitions with an estimated value of $250,000,000 or more;

(B) one or more categories for acquisitions with an estimated value of at least $10,000,000 but less than $250,000,000; and

(C) one or more categories for acquisitions with an estimated value greater than the simplified acquisition threshold but less than $10,000,000.

(3) The senior officials responsible for the management of acquisition of contract services shall assign responsibility to specific individuals in the Department of Defense for the review and approval of procurements in the contract services acquisition categories established by the Under Secretary, as follows:

(A) Not later than October 1, 2006, for all categories established pursuant to paragraph (2)(A).

(B) Not later than October 1, 2007, for all categories established pursuant to paragraph (2)(B).

(C) Not later than October 1, 2009, for all categories established pursuant to paragraph (2)(C).

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a final report on the implementation of section 2330 of title 10, United States Code, as added by this section.

SEC. 813. REPORT ON SERVICE SURCHARGES FOR PURCHASES MADE FOR MILITARY DEPARTMENTS THROUGH OTHER DEPARTMENT OF DEFENSE AGENCIES.

(a) REPORTS BY MILITARY DEPARTMENTS.—For each of fiscal years 2005 and 2006, the Secretary of each military department shall, not later than 180 days after the last day of that fiscal year, submit to the Under Secretary of Defense for Acquisition, Technology, and Logistics a report on the service charges imposed on

such military department for purchases in amounts greater than the simplified acquisition threshold that were made for that military department during such fiscal year through a contract entered into by an agency of the Department of Defense other than that military department. The report shall specify the amounts of the service charges and identify the services provided in exchange for such charges.

(b) ANALYSIS OF MILITARY DEPARTMENT REPORT.—Not later than 90 days after receiving a report of the Secretary of a military department for a fiscal year under subsection (a), the Under Secretary of Defense for Acquisition, Technology, and Logistics shall review the service charges delineated in such report for the acquisitions covered by the report and the services provided in exchange for such charges and shall compare those charges with the costs of alternative means for making such acquisitions. The analysis shall include the Under Secretary's determinations of whether the imposition and amounts of the service charges were reasonable.

(c) REPORTS TO CONGRESS.—Not later than October 1, 2006 (for reports for fiscal year 2005 under subsection (a)), and not later than October 1, 2007 (for reports for fiscal year 2006 under subsection (a)), the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees a report on the reports submitted by the Secretaries of the military departments under subsection (a), together with the Under Secretary's determinations under subsection (b) with regard to the matters set forth in those reports.

(d) SIMPLIFIED ACQUISITION THRESHOLD DEFINED.—In this section, the term "simplified acquisition threshold" has the meaning given such term in section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11)).

SEC. 814. REVIEW OF DEFENSE ACQUISITION STRUCTURES AND CAPABILITIES.

(a) REVIEW BY DEFENSE ACQUISITION UNIVERSITY.—The Defense Acquisition University, acting under the direction and authority of the Under Secretary of Defense for Acquisition, Technology, and Logistics, shall conduct a review of the acquisition structures and capabilities of the Department of Defense, including the acquisition structures and capabilities of the following:

(1) Each military department.

(2) Each defense agency.

(3) Any other element of the Department of Defense that has an acquisition function.

(b) ELEMENTS OF REVIEW.—

(1) IN GENERAL.—In reviewing the acquisition structures and capabilities of an organization under subsection (a), the Defense Acquisition University shall—

(A) determine the current structure of the organization;

(B) review the evolution of the current structure of the organization, including the reasons for each reorganization of the structure;

(C) identify the capabilities needed by the organization to fulfill its function and assess the capacity of the organization, as currently structured, to provide such capabilities;

(D) identify any gaps, shortfalls, or inadequacies relating to acquisitions in the current structures and capabilities of the organization;

(E) identify any recruiting, retention, training, or professional development steps that may be needed to address any such gaps, shortfalls, or inadequacies; and

(F) make such recommendations as the review team determines to be appropriate.

(2) EMPHASIS IN REVIEW.—In conducting the review of acquisition structures and capabilities under subsection (a), the University shall place special emphasis on consideration of—

(A) structures, capabilities, and processes for joint acquisition, including actions that may be needed to improve such structures, capabilities, and processes; and

(B) actions that may be needed to improve acquisition outcomes.

(c) FUNDING.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall provide the Defense Acquisition University the funds required to conduct the review under subsection (a).

(d) REPORT ON REVIEW.—

(1) IN GENERAL.—Not later than 180 days after the completion of the review required by subsection (a), the University shall submit to the Under Secretary of Defense for Acquisition, Technology, and Logistics a report on the review.

(2) ANNEX.—The report shall include a separate annex on the acquisition structures and capabilities on each organization covered by the review. The annex—

(A) shall address the matters specified under subsection (b) with respect to such organization; and

(B) may include such recommendations with respect to such organization as the University considers appropriate.

(3) TRANSMITTAL OF FINAL REPORT.—Not later than 90 days after the receipt of the report under paragraph (1), the Under Secretary shall transmit to the congressional defense committees a copy of the report, together with the comments of the Under Secretary on the report.

(e) DEFENSE ACQUISITION UNIVERSITY DEFINED.—In this section, the term "Defense Acquisition University" means the Defense Acquisition University established pursuant to section 1746 of title 10, United States Code.

SEC. 815. MODIFICATION OF REQUIREMENTS APPLICABLE TO CONTRACTS AUTHORIZED BY LAW FOR CERTAIN MILITARY MATERIEL.

(a) INCLUSION OF COMBAT VEHICLES UNDER REQUIREMENTS.—Section 2401 of title 10, United States Code, is amended—

(1) by striking "vessel or aircraft" each place it appears and inserting "vessel, aircraft, or combat vehicle";

(2) in subsection (c), by striking "aircraft or naval vessel" each place it appears and inserting "aircraft, naval vessel, or combat vehicle";

(3) in subsection (e), by striking "aircraft or naval vessels" each place it appears and inserting "aircraft, naval vessels, or combat vehicles"; and

(4) in subsection (f)—

(A) by striking "aircraft and naval vessels" and inserting "aircraft, naval vessels, and combat vehicles"; and

(B) by striking "such aircraft and vessels" and inserting "such aircraft, vessels, and combat vehicles".

(b) ADDITIONAL INFORMATION FOR CONGRESS.—Subsection (b) of such section is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking "and" at the end;

(B) in subparagraph (C), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following new subparagraph:

"(D) the Secretary has certified to those committees—

"(i) that entering into the proposed contract as a means of obtaining the vessel, aircraft, or combat vehicle is the most cost-effective means of obtaining such vessel, aircraft, or combat vehicle; and

"(ii) that the Secretary has determined that the lease complies with all applicable laws, Office of Management and Budget circulars, and Department of Defense regulations."; and

(2) by adding at the end the following new paragraphs:

"(3) Upon receipt of a notice under paragraph (1)(C), a committee identified in paragraph (1)(B) may request the Inspector General of the Department of Defense or the Comptroller General of the United States to conduct a review of the proposed contract to determine whether or not such contract meets the requirements of this section.

"(4) If a review is requested under paragraph (3), the Inspector General of the Department of Defense or the Comptroller General of the United States, as the case may be, shall submit to the Secretary and the congressional defense committees a report on such review before the expiration of the period specified in paragraph (1)(C).".

(c) APPLICABILITY OF ACQUISITION REGULATIONS.—Such section is further amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

"(f)(1) If a lease or charter covered by this section is a capital lease or a lease-purchase—

"(A) the lease or charter shall be treated as an acquisition and shall be subject to all applicable statutory and regulatory requirements for the acquisition of aircraft, naval vessels, or combat vehicles; and

"(B) funds appropriated to the Department of Defense for operation and maintenance may not be obligated or expended for the lease or charter.

"(2) In this subsection, the terms 'capital lease' and 'lease-purchase' have the meanings given those terms in Appendix B to Office of Management and Budget Circular A–11, as in effect on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2006.".

(d) CONFORMING AND CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

"§ 2401. Requirement for authorization by law of certain contracts relating to vessels, aircraft, and combat vehicles".

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 141 of such title is amended by striking the item relating to section 2401 and inserting the following new item:

"2401. Requirement for authorization by law of certain contracts relating to vessels, aircraft, and combat vehicles.".

SEC. 816. GUIDANCE ON USE OF TIERED EVALUATIONS OF OFFERS FOR CONTRACTS AND TASK ORDERS UNDER CONTRACTS.

(a) GUIDANCE REQUIRED.—The Secretary of Defense shall prescribe guidance for the military departments and the Defense Agencies on the use of tiered evaluations of offers for contracts and for task or delivery orders under contracts.

(b) ELEMENTS.—The guidance prescribed under subsection (a) shall include a prohibition on the initiation by a contracting officer of a tiered evaluation of an offer for a contract or for a task or delivery order under a contract unless the contracting officer—

(1) has conducted market research in accordance with part 10 of the Federal Acquisition Regulation in order to determine whether or not a sufficient number of qualified small businesses are available to justify limiting competition for the award of such contract or task or delivery order under applicable law and regulations;

(2) is unable, after conducting market research under paragraph (1), to make the determination described in that paragraph; and

(3) includes in the contract file a written explanation of why such contracting officer was unable to make such determination.

SEC. 817. JOINT POLICY ON CONTINGENCY CONTRACTING.

(a) JOINT POLICY.—

(1) REQUIREMENT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, shall develop a joint policy for contingency contracting during combat operations and post-conflict operations.

(2) MATTERS COVERED.—The joint policy for contingency contracting required by paragraph (1) shall, at a minimum, provide for—

(A) the designation of a senior commissioned officer in each military department with the responsibility for administering the policy;

(B) the assignment of a senior commissioned officer with appropriate acquisition experience and qualifications to act as head of contingency contracting during combat operations, post-conflict operations, and contingency operations, who shall report directly to the commander of the combatant command in whose area of responsibility the operations occur;

(C) an organizational approach to contingency contracting that is designed to ensure that each military department is prepared to conduct contingency contracting during combat operations and post-conflict operations;

(D) a requirement to provide training (including training under a program to be created by the Defense Acquisition University) to contingency contracting personnel in—

(i) the use of law, regulations, policies, and directives related to contingency contracting operations;

(ii) the appropriate use of rapid acquisition methods, including the use of exceptions to competition requirements under section 2304 of title 10, United States Code, sealed bidding, letter contracts, indefinite delivery indefinite quantity task orders, set asides under section 8(a) of the Small Business Act (15 U.S.C. 637(a)), undefinitized contract actions, and other tools available to expedite the delivery of goods and services during combat operations or post-conflict operations;

(iii) the appropriate use of rapid acquisition authority, commanders' emergency response program funds, and other tools unique to contingency contracting; and

(iv) instruction on the necessity for the prompt transition from the use of rapid acquisition authority to the use of full and open competition and other methods of contracting that maximize transparency in the acquisition process;

(E) appropriate steps to ensure that training is maintained for such personnel even when they are not deployed in a contingency operation; and

(F) such steps as may be needed to ensure jointness and cross-service coordination in the area of contingency contracting.

(b) REPORTS.—

(1) INTERIM REPORT.—

(A) REQUIREMENT.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives an interim report on contingency contracting.

(B) MATTERS COVERED.—The report shall include discussions of the following:

(i) Progress in the development of the joint policy under subsection (a).

(ii) The ability of the Armed Forces to support contingency contracting.

(iii) The ability of commanders of combatant commands to request contingency contracting support and the ability of the military departments and the acquisition support agencies to respond to such requests and provide such support, including the availability of rapid acquisition personnel for such support.

(iv) The ability of the current civilian and military acquisition workforce to deploy to combat theaters of operations and to conduct contracting activities during combat and during post-conflict, reconstruction, or other contingency operations.

(v) The effect of different periods of deployment on continuity in the acquisition process.

(2) FINAL REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense shall submit to the committees listed in paragraph (1)(A) a final report on contingency contracting, containing a discussion of the implementation of the joint policy developed under subsection (a), including updated discussions of the matters covered in the interim report.

(c) DEFINITIONS.—In this section:

(1) CONTINGENCY CONTRACTING PERSONNEL.—The term "contingency contracting personnel" means members of the Armed Forces and civilian employees of the Department of Defense who are members of the defense acquisition workforce and, as part of their duties, are assigned to provide support to contingency operations (whether deployed or not).

(2) CONTINGENCY CONTRACTING.—The term "contingency contracting" means all stages of the process of acquiring property or services by the Department of Defense during a contingency operation.

(3) CONTINGENCY OPERATION.—The term "contingency operation" has the meaning provided in section 101(13) of title 10, United States Code.

(4) ACQUISITION SUPPORT AGENCIES.—The term "acquisition support agencies" means Defense Agencies and Department of Defense Field Activities that carry out and provide support for acquisition-related activities.

SEC. 818. ACQUISITION STRATEGY FOR COMMERCIAL SATELLITE COMMUNICATION SERVICES.

(a) REQUIREMENT FOR SPEND ANALYSIS.—The Secretary of Defense shall, as a part of the effort of the Department of Defense to develop a revised strategy for acquiring commercial satellite communication services, perform a complete spend analysis of the acquisitions by the Department of commercial satellite communication services for the period from fiscal year 2000 through fiscal year 2005. That analysis shall, at a minimum, include a determination of the following:

(1) Total acquisition costs in aggregate, by fiscal year, for items and services purchased.

(2) Total quantity of items and services purchased.

(3) Quantity and cost of items and services purchased by each entity from each supplier and who used the items and services purchased.

(4) Purchasing patterns that may lead to recommendations in which the Department of Defense may centralize operations, consolidate requirements, or leverage purchasing power.

(b) REPORT ON ACQUISITION STRATEGY.—

(1) IN GENERAL.—Not later than five months after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the acquisition strategy of the Department of Defense for commercial satellite communications services.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A description of the spend analysis required by subsection (a), including the results of the analysis.

(B) The proposed strategy of the Department for acquiring commercial satellite communication services, which—

(i) shall be based in appropriate part on the results of the analysis required by subsection (a); and

(ii) shall take into account various methods of aggregating purchases and leveraging the purchasing power of the Department, including through the use of multiyear contracting for commercial satellite communication services.

(C) A proposal for such legislative action as the Secretary considers necessary to acquire appropriate types and amounts of commercial satellite communications services using methods of aggregating purchases and leveraging the purchasing power of the Department (including the use of multiyear contracting), or if the use of such methods is determined inadvisable, a statement of the rationale for such determination.

(D) A proposal for such other legislative action that the Secretary considers necessary to implement the strategy of the Department for acquiring commercial satellite communication services.

SEC. 819. AUTHORIZATION OF EVALUATION FACTOR FOR DEFENSE CONTRACTORS EMPLOYING OR SUBCONTRACTING WITH MEMBERS OF THE SELECTED RESERVE OF THE RESERVE COMPONENTS OF THE ARMED FORCES.

(a) DEFENSE CONTRACTS.—In awarding any contract for the procurement of goods or services to an entity, the Secretary of Defense is authorized to use as an evaluation factor whether the entity intends to carry out the contract using employees or individual subcontractors who are members of the Selected Reserve of the reserve components of the Armed Forces.

(b) DOCUMENTATION OF SELECTED RESERVE-RELATED EVALUATION FACTOR.—Any entity claiming intent to carry out a contract using employees or individual subcontractors who are members of the Selected Reserve of the reserve components of the Armed Forces shall submit proof of the use of such employees or subcontractors for the Department of Defense to consider in carrying out subsection (a) with respect to that contract.

(c) REGULATIONS.—The Federal Acquisition Regulation shall be revised as necessary to implement this section.

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

SEC. 821. PARTICIPATION BY DEPARTMENT OF DEFENSE IN ACQUISITION WORKFORCE TRAINING FUND.

(a) REQUIRED CONTRIBUTIONS TO ACQUISITION WORKFORCE TRAINING FUND BY DEPARTMENT OF DEFENSE.—Section 37(h)(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 433(h)(3)) is amended—

(1) in subparagraph (A), by striking "other than the Department of Defense" and inserting ", except as provided in subparagraph (D)" ; and

(2) by redesignating subparagraphs (D), (E), (F), and (G) as subparagraphs (E), (F), (G), and (H), respectively, and inserting after subparagraph (C) the following new subparagraph (D):

"(D) The Administrator of General Services shall transfer to the Secretary of Defense fees collected from the Department of Defense pursuant to subparagraph (B), to be used by the Defense Acquisition University for purposes of acquisition workforce training.".

(b) CONFORMING AMENDMENTS.—

(1) OFFICE OF FEDERAL PROCUREMENT POLICY ACT.—Section 37(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 433(a)) is amended by striking "This section" and inserting "Except as provided in subsection (h)(3), this section".

(2) PUBLIC LAW 108–136.—Section 1412 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 117 Stat. 1664) is amended by striking subsection (c).

(c) DEFENSE ACQUISITION UNIVERSITY FUNDING.—Amounts transferred under section 37(h)(3)(D) of the Office of Federal Procurement Policy Act (as amended by subsection (a)) for use by the Defense Acquisition University shall be in addition to other amounts authorized for the University.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fees collected under contracts described in section 37(h)(3)(B) of the Office of Federal Procurement Policy Act (41 U.S.C. 433(h)(3)(B)) after the date of the enactment of this Act.

SEC. 822. INCREASE IN COST ACCOUNTING STANDARD THRESHOLD.

Section 26(f)(2)(A) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f)(A)) is amended by striking "$500,000" and inserting "the amount set forth in section 2306a(a)(1)(A)(i) of title 10, United States Code, as such amount is adjusted in accordance with applicable requirements of law".

SEC. 823. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN PROTOTYPE PROJECTS.

Section 845 of the National Defense Authorization Act for Fiscal Year 1994 (10 U.S.C. 2371 note) is amended—

(1) in subsection (a)—

(A) by striking "The Director" and inserting "(1) Subject to paragraph (2), the Director"; and

(B) by adding at the end the following new paragraphs:

"(2) The authority of this section—

"(A) may be exercised for a prototype project that is expected to cost the Department of Defense in excess of $20,000,000 but not in excess of $100,000,000 only upon a written determination by the senior procurement executive for the agency (as designated for the purpose of section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c)) that—

"(i) the requirements of subsection (d) will be met; and

"(ii) the use of the authority of this section is essential to promoting the success of the prototype project; and

"(B) may be exercised for a prototype project that is expected to cost the Department of Defense in excess of $100,000,000 only if—

"(i) the Under Secretary of Defense for Acquisition, Technology, and Logistics determines in writing that—

"(I) the requirements of subsection (d) will be met; and

"(II) the use of the authority of this section is essential to meet critical national security objectives; and

"(ii) the congressional defense committees are notified in writing at least 30 days before such authority is exercised.

"(3) The authority of a senior procurement executive under paragraph (2)(A), and the authority of the Under Secretary of Defense for Acquisition, Technology, and Logistics under paragraph (2)(B), may not be delegated.";

(2) by redesignating subsection (h) as subsection (i); and

(3) by inserting after subsection (g) the following new subsection (h):

"(h) APPLICABILITY OF PROCUREMENT ETHICS REQUIREMENTS.—An agreement entered into under the authority of this section shall be treated as a Federal agency procurement for the purposes of section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423).".

SEC. 824. INCREASED LIMIT APPLICABLE TO ASSISTANCE PROVIDED UNDER CERTAIN PROCUREMENT TECHNICAL ASSISTANCE PROGRAMS.

Section 2414(a)(2) of title 10, United States Code, is amended by striking "$150,000" and inserting "$300,000".

Subtitle D—United States Defense Industrial Base Provisions

SEC. 831. CLARIFICATION OF EXCEPTION FROM BUY AMERICAN REQUIREMENTS FOR PROCUREMENT OF PERISHABLE FOOD FOR ESTABLISHMENTS OUTSIDE THE UNITED STATES.

Section 2533a(d)(3) of title 10, United States Code, is amended by inserting ", or for," after "perishable foods by".

SEC. 832. TRAINING FOR DEFENSE ACQUISITION WORKFORCE ON THE REQUIREMENTS OF THE BERRY AMENDMENT.

(a) TRAINING DURING FISCAL YEAR 2006.—The Secretary of Defense shall ensure that each member of the defense acquisition workforce who participates personally and substantially in the acquisition of textiles on a regular basis receives training during fiscal year 2006 on the requirements of section 2533a of title 10, United States Code (commonly referred to as the "Berry Amendment"), and the regulations implementing that section.

(b) INCLUSION OF INFORMATION IN NEW TRAINING PROGRAMS.—The Secretary shall ensure that any training program developed or implemented after the date of the enactment of this Act for members of the defense acquisition workforce who participate personally and substantially in the acquisition of textiles on a regular basis includes comprehensive information on the requirements described in subsection (a).

SEC. 833. AMENDMENTS TO DOMESTIC SOURCE REQUIREMENTS RELATING TO CLOTHING MATERIALS AND COMPONENTS COVERED.

(a) NOTICE.—Section 2533a of title 10, United States Code, is amended by adding at the end the following new subsection:

"(k) NOTIFICATION REQUIRED WITHIN 7 DAYS AFTER CONTRACT AWARD IF CERTAIN EXCEPTIONS APPLIED.—In the case of any contract for the procurement of an item described in subparagraph (B), (C), (D), or (E) of subsection (b)(1), if the Secretary of Defense or of the military department concerned applies an exception set forth in subsection (c) or (e) with respect to that contract, the Secretary shall, not later than 7 days after the award of the contract, post a notification that the exception has been applied on the Internet site maintained by the General Services Administration known as FedBizOps.gov (or any successor site).".

(b) CLOTHING MATERIALS AND COMPONENTS COVERED.—Subsection (b) of section 2533a of title 10, United States Code, is amended in paragraph (1)(B) by inserting before the semicolon the following: "and the materials and components thereof, other than sensors, electronics, or other items added to, and not normally associated with, clothing (and the materials and components thereof)".

Subtitle E—Other Matters

SEC. 841. REVIEW AND REPORT ON DEPARTMENT OF DEFENSE EFFORTS TO IDENTIFY CONTRACT FRAUD, WASTE, AND ABUSE.

(a) REVIEW BY COMPTROLLER GENERAL.—The Comptroller General shall conduct a review of efforts by the Department of Defense to identify and assess the areas of vulnerability of Department of Defense contracts to fraud, waste, and abuse.

(b) MATTERS COVERED.—

(1) IN GENERAL.—In conducting the review, the Comptroller General shall summarize the ongoing efforts of the Department of Defense, including the reviews described in paragraph (2), and make recommendations about areas not addressed or items that need further investigation.

(2) DEPARTMENT OF DEFENSE REVIEWS.—The reviews by the Department of Defense referred to in paragraph (1) are the following:

(A) A report by a task force of the Defense Science Board dated March 2005 and titled "Management Oversight in Acquisition Organizations".

(B) An audit by the Inspector General of the Department of Defense titled "Service Acquisition Executives Management Oversight and Procurement Authority".

(C) A task force to address contract fraud, waste, and abuse designated by the Deputy Secretary of Defense.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the review, including the Comptroller General's findings and recommendations.

SEC. 842. EXTENSION OF CONTRACT GOAL FOR SMALL DISADVANTAGED BUSINESSES AND CERTAIN INSTITUTIONS OF HIGHER EDUCATION.

Section 2323(k) of title 10, United States Code, is amended by striking "2006" both places it appears and inserting "2009".

SEC. 843. EXTENSION OF DEADLINE FOR REPORT OF ADVISORY PANEL ON LAWS AND REGULATIONS ON ACQUISITION PRACTICES.

Section 1423(d) of the Services Acquisition Reform Act of 2003 (title XIV of Public Law 108–136; 117 Stat. 1669; 41 U.S.C. 405 note) is amended by striking "one year" and inserting "18 months".

SEC. 844. EXCLUSION OF CERTAIN SECURITY EXPENSES FROM CONSIDERATION FOR PURPOSE OF SMALL BUSINESS SIZE STANDARDS.

Section 3(a) of the Small Business Act (15 U.S.C. 632(a)), is amended by adding at the end the following:

"(4) EXCLUSION OF CERTAIN SECURITY EXPENSES FROM CONSIDERATION FOR PURPOSE OF SMALL BUSINESS SIZE STANDARDS.—

"(A) DETERMINATION REQUIRED.—Not later than 30 days after the date of enactment of this paragraph, the Administrator shall review the application of size standards established pursuant to paragraph (2) to small business concerns that are performing contracts in qualified areas and determine whether it would be fair and appropriate to exclude from consideration in the average annual gross receipts of such small business concerns any payments made to such small business concerns by Federal agencies to reimburse such small business concerns for the cost of subcontracts entered for the sole purpose of providing security services in a qualified area.

"(B) ACTION REQUIRED.—Not later than 60 days after the date of enactment of this paragraph, the Administrator shall either—

"(i) initiate an adjustment to the size standards, as described in subparagraph (A), if the Administrator determines that such an adjustment would be fair and appropriate; or

"(ii) provide a report to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives explaining in detail the basis for the determination by the Administrator that such an adjustment would not be fair and appropriate.

"(C) QUALIFIED AREAS.—In this paragraph, the term 'qualified area' means—

"(i) Iraq,

"(ii) Afghanistan, and

"(iii) any foreign country which included a combat zone, as that term is defined in section 112(c)(2) of the Internal Revenue Code of 1986, at the time of performance of the relevant Federal contract or subcontract.".

SEC. 845. DISASTER RELIEF FOR SMALL BUSINESS CONCERNS DAMAGED BY DROUGHT.

(a) DROUGHT DISASTER AUTHORITY.—

(1) DEFINITION OF DISASTER.—Section 3(k) of the Small Business Act (15 U.S.C. 632(k)) is amended—

(A) by inserting "(1)" after "(k)"; and

(B) by adding at the end the following:

"(2) For purposes of section 7(b)(2), the term 'disaster' includes—

"(A) drought; and

"(B) below average water levels in the Great Lakes, or on any body of water in the United States that supports commerce by small business concerns.".

(2) DROUGHT DISASTER RELIEF AUTHORITY.—Section 7(b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)) is amended—

(A) by inserting "(including drought), with respect to both farm-related and nonfarm-related small business concerns," before "if the Administration"; and

(B) in subparagraph (B), by striking "the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961)" and inserting the following: "section 321 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961), in which case, assistance under this paragraph may be provided to farm-related and nonfarm-related small business concerns, subject to the other applicable requirements of this paragraph".

(b) LIMITATION ON LOANS.—From funds otherwise appropriated for loans under section 7(b) of the Small Business Act (15 U.S.C. 636(b)), not more than $9,000,000 may be used during each of fiscal years 2005 through 2008, to provide drought disaster loans to nonfarm-related small business concerns in accordance with this section and the amendments made by this section.

(c) PROMPT RESPONSE TO DISASTER REQUESTS.—Section 7(b)(2)(D) of the Small Business Act (15 U.S.C. 636(b)(2)(D)) is amended by striking "Upon receipt of such certification, the Administration may" and inserting "Not later than 30 days after the date of receipt of such certification by a Governor of a State, the Administration shall respond in writing to that Governor on its determination and the reasons therefore, and may".

(d) RULEMAKING.—Not later than 45 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall promulgate final rules to carry out this section and the amendments made by this section.

SEC. 846. EXTENSION OF LIMITED ACQUISITION AUTHORITY FOR THE COMMANDER OF THE UNITED STATES JOINT FORCES COMMAND.

(a) EXTENSION OF AUTHORITY.—Subsection (f) of section 167a of title 10, United States Code, is amended—

(1) by striking "through 2006" and inserting "through 2008"; and

(2) by striking "September 30, 2006" and inserting "September 30, 2008".

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the implementation of section 167a of title 10, United States Code.

SEC. 847. CIVILIAN BOARD OF CONTRACT APPEALS.

(a) IN GENERAL.—The Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.) is amended by adding at the end the following new section:

"SEC. 42. CIVILIAN BOARD OF CONTRACT APPEALS.

"(a) BOARD ESTABLISHED.—There is established in the General Services Administration a board of contract appeals to be known as the Civilian Board of Contract Appeals (in this section referred to as the 'Civilian Board').

"(b) MEMBERSHIP.—

"(1) APPOINTMENT.—(A) The Civilian Board shall consist of members appointed by the Administrator of General Services (in consultation with the Administrator for Federal Procurement Policy) from a register of applicants maintained by the Administrator of General Services, in accordance with rules issued by the Administrator of General Services (in consultation with the Administrator for Federal Procurement Policy) for establishing and maintaining a register of eligible applicants and selecting Civilian Board members. The Administrator of General Services shall appoint a member without regard to political affiliation and solely on the basis of the professional qualifications required to perform the duties and responsibilities of a Civilian Board member.

"(B) The members of the Civilian Board shall be selected and appointed to serve in the same manner as administrative law judges appointed pursuant to section 3105 of title 5, United States Code, with an additional requirement that such members shall have had not fewer than five years of experience in public contract law.

"(C) Notwithstanding subparagraph (B) and subject to paragraph (2), the following persons shall serve as Civilian Board members: any full-time member of any agency board of contract appeals other than the Armed Services Board of Contract Appeals, the Postal Service Board of Contract Appeals, and the board of contract appeals of the Tennessee Valley Authority serving as such on the day before the effective date of this section.

"(2) REMOVAL.—Members of the Civilian Board shall be subject to removal in the same manner as administrative law judges, as provided in section 7521 of title 5, United States Code.

"(3) COMPENSATION.—Compensation for members of the Civilian Board shall be determined under section 5372a of title 5, United States Code.

"(c) FUNCTIONS.—

"(1) IN GENERAL.—The Civilian Board shall have jurisdiction as provided by section 8(d) of the Contract Disputes Act of 1978 (41 U.S.C. 607(b)).

"(2) ADDITIONAL JURISDICTION.—The Civilian Board may, with the concurrence of the Federal agency or agencies affected—

"(A) assume jurisdiction over any additional category of laws or disputes over which an agency board of contract appeals established pursuant to section 8 of the Contract

Disputes Act exercised jurisdiction before the effective date of this section; and

"(B) assume any other functions performed by such a board before such effective date on behalf of such agencies.".

(b) TRANSFERS.—The personnel employed in connection with, and the assets, liabilities, contracts, property, records, and unexpended balance of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available to, or to be made available in connection with the functions vested by law in the agency boards of contract appeals established pursuant to section 8 of the Contract Disputes Act of 1978 (41 U.S.C. 607) (as in effect on the day before the effective date described in subsection (g)) other than the Armed Services Board of Contract Appeals, the board of contract appeals of the Tennessee Valley Authority, and the Postal Service Board of Contract Appeals shall be transferred to the Civilian Board of Contract Appeals for appropriate allocation by the Chairman of that Board.

(c) TERMINATION OF BOARDS OF CONTRACT APPEALS.—

(1) TERMINATION.—Effective on the effective date described in subsection (g), the agency boards of contract appeals established pursuant to section 8 of the Contract Disputes Act of 1978 (41 U.S.C. 607) (as in effect on the day before such effective date), other than the Armed Services Board of Contract Appeals, the board of contract appeals of the Tennessee Valley Authority, and the Postal Service Board of Contract Appeals, shall terminate.

(2) SAVINGS PROVISION.—(A) This section and the amendments made by this section shall not affect any proceedings pending on the effective date described in subsection (g) before any agency board of contract appeals terminated by paragraph (1).

(B) In the case of any such proceedings pending before an agency board of contract appeals other than the Armed Services Board of Contract Appeals or the board of contract appeals of the Tennessee Valley Authority, the proceedings shall be continued by the Civilian Board of Contract Appeals, and orders which were issued in any such proceeding by the agency board shall continue in effect until modified, terminated, superseded, or revoked by the Civilian Board of Contract Appeals, by a court of competent jurisdiction, or by operation of law.

(d) AMENDMENTS TO CONTRACTS DISPUTES ACT.—

(1) AMENDMENTS TO DEFINITIONS.—Section 2 of the Contract Disputes Act of 1978 (41 U.S.C. 601) is amended—

(A) in paragraph (2), by striking ", the United States Postal Service, and the Postal Rate Commission";

(B) by redesignating paragraph (7) as paragraph (9);

(C) by amending paragraph (6) to read as follows:

"(6) the terms 'agency board' or 'agency board of contract appeals' mean—

"(A) the Armed Services Board of Contract Appeals established under section 8(a)(1) of this Act;

"(B) the Civilian Board of Contract Appeals established under section 42 of the Office of Federal Procurement Policy Act (41 U.S.C. 403 et seq.);

"(C) the board of contract appeals of the Tennessee Valley Authority; or

"(D) the Postal Service Board of Contract Appeals established under section 8(c) of this Act;"; and

(D) by inserting after paragraph (6) the following new paragraphs:

"(7) the term 'Armed Services Board' means the Armed Services Board of Contract Appeals established under section 8(a)(1) of this Act;

"(8) the term 'Civilian Board' means the Civilian Board of Contract Appeals established under section 42 of the Office of Federal Procurement Policy Act (41 U.S.C. 403 et seq.); and".

(2) AMENDMENTS RELATING TO JURISDICTION.—Section 8 of the Contract Disputes Act of 1978 (41 U.S.C. 607) is amended—

(A) in subsection (d)—

(i) by striking the first sentence and inserting the following: "The Armed Services Board shall have jurisdiction to decide any appeal from a decision of a contracting officer of the Department of Defense, the Department of the Army, the Department of the Navy, the Department of the Air Force, or the National Aeronautics and Space Administration relative to a contract made by that department or agency. The Civilian Board shall have jurisdiction to decide any appeal from a decision of a contracting officer of any executive agency (other than the Department of Defense, the Department of the Army, the Department of the Navy, the Department of the Air Force, the National Aeronautics and Space Administration, the United States Postal Service, the Postal Rate Commission, or the Tennessee Valley Authority) relative to a contract made by that agency. Each other agency board shall have jurisdiction to decide any appeal from a decision of a contracting officer relative to a contract made by its agency."; and

(ii) in the second sentence, by striking "Claims Court" and inserting "Court of Federal Claims";

(B) by striking subsection (c) and inserting the following:

"(c) There is established an agency board of contract appeals to be known as the 'Postal Service Board of Contract Appeals'. Such board shall have jurisdiction to decide any appeal from a decision of a contracting officer of the United States Postal Service or the Postal Rate Commission relative to a contract made by either agency. Such board shall consist of judges appointed by the Postmaster General who shall meet the qualifications of and serve in the same manner as members of the Civilian Board of Contract Appeals. This Act shall apply to contract disputes before the Postal Service Board of Contract Appeals in the same manner as they apply to contract disputes before the Civilian Board.".

(3) CONFORMING AMENDMENTS.—Section 8 of the Contract Disputes Act of 1978 (41 U.S.C. 607) is further amended—

(A) in subsection (a)(1)—

(i) by striking "Except as provided in paragraph (2) an agency board of contract appeals" and inserting "An Armed Services Board of Contract Appeals"; and

(ii) by striking "an executive agency when the agency head" and inserting "the Department of Defense when the Secretary of Defense"; and

(B) in subsection (b)(1)—

(i) by striking "Except as provided in paragraph (2), the members of agency boards" and inserting "The members of the Armed Services Board of Contract Appeals";

(ii) in the second sentence, by striking "agency boards" and inserting "such Board";

(iii) in the third sentence, by striking "each board" and inserting "such Board" and by striking "the agency head" and inserting "the Secretary of Defense"; and

(iv) in the fourth sentence, by striking "an agency board" and inserting "such Board".

(4) REPEAL OF OBSOLETE PROVISIONS.—Section 8 of the Contract Disputes Act of 1978 (41 U.S.C. 607) is further amended by striking subsections (h) and (i).

(e) REFERENCES.—Any reference to an agency board of contract appeals other than the Armed Services Board of Contract Appeals, the board of contract appeals of the Tennessee Valley Authority, or the Postal Service Board of Contract Appeals in any provision of law or in any rule, regulation, or other paper of the United States shall be treated as referring to the Civilian Board of Contract Appeals established under section 42 of the Office of Federal Procurement Policy Act.

(f) CONFORMING AND CLERICAL AMENDMENTS.—(1) Section 5372a(a)(1) of title 5, United States Code, is amended by inserting after "of 1978" the following: "or a member of the Civilian Board of Contract Appeals appointed under section 42 of the Office of Federal Procurement Policy Act".

(2) The table of contents for the Office of Federal Procurement Policy Act (contained in section 1(b)) is amended by adding at the end the following new item:

"42. Civilian Board of Contract Appeals.".

(g) EFFECTIVE DATE.—Section 42 of the Office of Federal Procurement Policy Act, as added by this section, and the amendments and repeals made by this section, shall take effect 1 year after the date of the enactment of this Act.

SEC. 848. STATEMENT OF POLICY AND REPORT RELATING TO CONTRACTING WITH EMPLOYERS OF PERSONS WITH DISABILITIES.

(a) EXTENSIONS OF INAPPLICABILITY OF CERTAIN ACTS.—Section 853 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2021) is amended in subsections (a)(2)(A) and (b)(2)(A) by striking "2005" and inserting "2006".

(b) STATEMENT OF POLICY.—The Secretary of Defense, the Secretary of Education, and the Chairman of the Committee for Purchase From People Who Are Blind or Severely Disabled shall jointly issue a statement of policy related to the implementation of the Ran-

dolph-Sheppard Act (20 U.S.C. 107 et seq.) and the Javits-Wagner-O'Day Act (41 U.S.C. 48) within the Department of Defense and the Department of Education. The joint statement of policy shall specifically address the application of those Acts to both operation and management of all or any part of a military mess hall, military troop dining facility, or any similar dining facility operated for the purpose of providing meals to members of the Armed Forces, and shall take into account and address, to the extent practicable, the positions acceptable to persons representing programs implemented under each Act.

(c) REPORT.—Not later than April 1, 2006, the Secretary of Defense, the Secretary of Education, and the Chairman of the Committee for Purchase From People Who Are Blind or Severely Disabled shall submit to the Committees on Armed Services of the Senate and the House of Representatives, the Committee on Health, Education, Labor and Pensions of the Senate, and the Committee on Education and the Workforce of the House of Representatives a report describing the joint statement of policy issued under subsection (b), with such findings and recommendations as the Secretaries consider appropriate.

SEC. 849. STUDY ON DEPARTMENT OF DEFENSE CONTRACTING WITH SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study on Department of Defense procurement contracts with small business concerns owned and controlled by service-disabled veterans.

(b) ELEMENTS OF STUDY.—The study required by subsection (a) shall include the following determinations:

(1) Any steps taken by the Department of Defense to meet the Government-wide goal of participation by small business concerns owned and controlled by service-disabled veterans in at least 3 percent of the total value of all prime contract and subcontract awards, as required under section 15(g) of the Small Business Act (15 U.S.C. 644(g)).

(2) If the Department of Defense has failed to meet such goal, an explanation of the reasons for such failure.

(3) Any steps taken within the Department of Defense to make contracting officers aware of the 3 percent goal and to ensure that procurement officers are working actively to achieve such goal.

(4) An estimate of the number of appropriately qualified small business concerns owned and controlled by service-disabled veterans which submitted responsive offers on contracts with the Department of Defense during the preceding fiscal year.

(5) Any outreach efforts made by the Department to enter into contracts with small business concerns owned and controlled by service-disabled veterans.

(6) Any additional outreach efforts the Department should make.

(7) The appropriate role of prime contractors in achieving goals established for small business concerns owned and controlled by service-disabled veterans under section 36 of the Small Business Act (15 U.S.C. 657f).

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the findings of the study conducted under this section.

(d) SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—In this section, the term "small business concern owned and controlled by service-disabled veterans" has the meaning given that term in section 3(q) of the Small Business Act (15 U.S.C. 632(q)).

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

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Sec. 933. Operational files of the Defense Intelligence Agency.

Subtitle A—General Department of Defense Management Matters

SEC. 901. PARITY IN PAY LEVELS AMONG UNDER SECRETARY POSITIONS.

(a) POSITIONS OF UNDER SECRETARIES OF MILITARY DEPARTMENTS RAISED TO LEVEL III OF THE EXECUTIVE SCHEDULE.—Section 5314 of title 5, United States Code, is amended by inserting after "Under Secretary of Defense for Intelligence" the following:

"Under Secretary of the Air Force.
"Under Secretary of the Army.
"Under Secretary of the Navy.".

(b) CONFORMING AMENDMENT.—Section 5315 of such title is amended by striking the following:

"Under Secretary of the Air Force.
"Under Secretary of the Army.
"Under Secretary of the Navy.".

SEC. 902. EXPANSION OF ELIGIBILITY FOR LEADERSHIP OF DEPARTMENT OF DEFENSE TEST RESOURCE MANAGEMENT CENTER.

(a) DIRECTOR OF CENTER.—Paragraph (1) of section 196(b) of title 10, United States Code, is amended by striking "commissioned officers" and all that follows through the end of the sentence and inserting "individuals who have substantial experience in the field of test and evaluation.".

(b) DEPUTY DIRECTOR OF CENTER.—Paragraph (2) of such section is amended by striking "senior civilian officers and employees of the Department of Defense" and inserting "individuals".

SEC. 903. STANDARDIZATION OF AUTHORITY FOR ACCEPTANCE OF GIFTS AND DONATIONS FOR DEPARTMENT OF DEFENSE REGIONAL CENTERS FOR SECURITY STUDIES.

(a) AUTHORITY TO ACCEPT.—

(1) IN GENERAL.—Section 2611 of title 10, United States Code, is amended to read as follows:

"§ 2611. Regional centers for security studies: acceptance of gifts and donations

"(a) AUTHORITY TO ACCEPT GIFTS AND DONATIONS.—(1) Subject to subsection (c), the Secretary of Defense may, on behalf of any Department of Defense regional center for security studies, any combination of such centers, or such centers generally, accept from any source specified in subsection (b) any gift or donation for purposes of defraying the costs or enhancing the operation of such a center, combination of centers, or centers generally, as the case may be.

"(2) For purposes of this section, the Department of Defense regional centers for security studies are the following:

"(A) The George C. Marshall European Center for Security Studies.

"(B) The Asia-Pacific Center for Security Studies.

"(C) The Center for Hemispheric Defense Studies.

"(D) The Africa Center for Strategic Studies.

"(E) The Near East South Asia Center for Strategic Studies.

"(b) SOURCES.—The sources from which gifts and donations may be accepted under subsection (a) are the following:

"(1) The government of a State or a political subdivision of a State.

"(2) The government of a foreign country.

"(3) A foundation or other charitable organization, including a foundation or charitable organization that is organized or operates under the laws of a foreign country.

"(4) Any source in the private sector of the United States or a foreign country.

"(c) LIMITATION.—The Secretary may not accept a gift or donation under subsection (a) if acceptance of the gift or donation would compromise or appear to compromise—

"(1) the ability of the Department of Defense, any employee of the Department, or any member of the armed forces to carry out the responsibility or duty of the Department in a fair and objective manner; or

"(2) the integrity of any program of the Department, or of any person involved in such a program.

"(d) CRITERIA FOR ACCEPTANCE.—The Secretary shall prescribe written guidance setting forth the criteria to be used in determining whether the acceptance of a gift or donation would have a result described in subsection (c).

"(e) CREDITING OF FUNDS.—Funds accepted by the Secretary under section (a) shall be credited to appropriations available to the Department of Defense for the regional center, combination of centers, or centers generally for which accepted. Funds so credited shall be merged with the appropriations to which credited and shall be available for the regional center, combination of centers, or centers generally, as the case may be, for the same purposes as the appropriations with which merged. Any funds accepted under this section shall remain available until expended.

"(f) GIFT OR DONATION DEFINED.—In this section, the term 'gift or donation' means any gift or donation of funds, materials (including research materials), real or personal property, or services (including lecture services and faculty services).".

(2) CLERICAL AMENDMENT.—The item relating to section 2611 in the table of sections at the beginning of chapter 155 of such title is amended to read as follows:

"2611. Regional centers for security studies: acceptance of gifts and donations.".

(b) ANNUAL REPORT ON GIFT ACCEPTANCE.—Section 184(b)(4) of title 10, United States Code, is amended by striking "under any of the" and all that follows and inserting "under section 2611 of this title.".

(c) CONFORMING AMENDMENTS.—

(1) Section 1306 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2892) is amended —

(A) by striking subsection (a);

(B) by redesignating subsection (b) as subsection (a);

(C) by striking "(1)" the first place it appears;

(D) by redesignating paragraph (2) as subsection (b);

(E) by inserting "SOURCE OF FUNDS.—" before "Costs for"; and

(F) by striking "paragraph (1)" and inserting "subsection (a)".

(2) Section 1065 of the National Defense Authorization Act for Fiscal Year 1997 (10 U.S.C. 113 note) is amended—

(A) by striking subsection (a); and

(B) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

SEC. 904. DIRECTORS OF SMALL BUSINESS PROGRAMS IN DEPARTMENT OF DEFENSE AND MILITARY DEPARTMENTS.

(a) REDESIGNATION OF EXISTING POSITIONS AND OFFICES.—

(1) POSITIONS REDESIGNATED.—The following positions within the Department of Defense are redesignated as follows:

(A) The Director of Small and Disadvantaged Business Utilization of the Department of Defense is redesignated as the Director of Small Business Programs of the Department of Defense.

(B) The Director of Small and Disadvantaged Business Utilization of the Department of the Army is redesignated as the Director of Small Business Programs of the Department of the Army.

(C) The Director of Small and Disadvantaged Business Utilization of the Department of the Navy is redesignated as the Director of Small Business Programs of the Department of the Navy.

(D) The Director of Small and Disadvantaged Business Utilization of the Department of the Air Force is redesignated as the Director of Small Business Programs of the Department of the Air Force.

(2) OFFICES REDESIGNATED.—The following offices within the Department of Defense are redesignated as follows:

(A) The Office of Small and Disadvantaged Business Utilization of the Department of Defense is redesignated as the Office of Small Business Programs of the Department of Defense.

(B) The Office of Small and Disadvantaged Business Utilization of the Department of the Army is redesignated as the Office of Small Business Programs of the Department of the Army.

(C) The Office of Small and Disadvantaged Business Utilization of the Department of the Navy is redesignated as the Office of Small Business Programs of the Department of the Navy.

(D) The Office of Small and Disadvantaged Business Utilization of the Department of the Air Force is redesignated as the Office of Small Business Programs of the Department of the Air Force.

(3) REFERENCES.—Any reference in any law, regulation, document, paper, or other record of the United States to a position or office redesignated by paragraph (1) or (2) shall be deemed to be a reference to the position or office as so redesignated.

(b) DEPARTMENT OF DEFENSE.—

(1) OSD POSITION AND OFFICE.—Chapter 4 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 144. Director of Small Business Programs

"(a) DIRECTOR.—There is a Director of Small Business Programs in the Department of Defense. The Director is appointed by the Secretary of Defense.

"(b) OFFICE OF SMALL BUSINESS PROGRAMS.—The Office of Small Business Programs of the Department of Defense is the office that is established within the Office of the Secretary of Defense under section 15(k) of the Small Business Act (15 U.S.C. 644(k)). The Director of Small Business Programs is the head of such office.

"(c) DUTIES AND POWERS.—(1) The Director of Small Business Programs shall, subject to paragraph (2), perform such duties regarding small business programs of the Department of Defense, and shall exercise such powers regarding those programs, as the Secretary of Defense may prescribe.

"(2) Section 15(k) of the Small Business Act (15 U.S.C. 644(k)), except for the designations of the Director and the Office, applies to the Director of Small Business Programs.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"144. Director of Small Business Programs.".

(c) DEPARTMENT OF THE ARMY.—

(1) POSITION AND OFFICE.—Chapter 303 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 3024. Director of Small Business Programs

"(a) DIRECTOR.—There is a Director of Small Business Programs in the Department of the Army. The Director is appointed by the Secretary of the Army.

"(b) OFFICE OF SMALL BUSINESS PROGRAMS.—The Office of Small Business Programs of the Department of the Army is the office that is established within the Department of the Army under section 15(k) of the Small Business Act (15 U.S.C. 644(k)). The Director of Small Business Programs is the head of such office.

"(c) DUTIES AND POWERS.—(1) The Director of Small Business Programs shall, subject to paragraph (2), perform such duties regarding small business programs of the Department of the Army, and shall exercise such powers regarding those programs, as the Secretary of the Army may prescribe.

"(2) Section 15(k) of the Small Business Act (15 U.S.C. 644(k)), except for the designations of the Director and the Office, applies to the Director of Small Business Programs.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"3024. Director of Small Business Programs.".

(d) DEPARTMENT OF THE NAVY.—

(1) POSITION AND OFFICE.—Chapter 503 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 5028. Director of Small Business Programs

"(a) DIRECTOR.—There is a Director of Small Business Programs in the Department of the Navy. The Director is appointed by the Secretary of the Navy.

"(b) OFFICE OF SMALL BUSINESS PROGRAMS.—The Office of Small Business Programs of the Department of the Navy is the office that is established within the Department of the Navy under section 15(k) of the Small Business Act (15 U.S.C. 644(k)). The Director of Small Business Programs is the head of such office.

"(c) DUTIES AND POWERS.—(1) The Director of Small Business Programs shall, subject to paragraph (2), perform such duties re-

garding small business programs of the Department of the Navy, and shall exercise such powers regarding those programs, as the Secretary of the Navy may prescribe.

"(2) Section 15(k) of the Small Business Act (15 U.S.C. 644(k)), except for the designations of the Director and the Office, applies to the Director of Small Business Programs.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"5028. Director of Small Business Programs.".

(e) DEPARTMENT OF THE AIR FORCE.—

(1) POSITION AND OFFICE.—Chapter 803 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 8024. Director of Small Business Programs

"(a) DIRECTOR.—There is a Director of Small Business Programs in the Department of the Air Force. The Director is appointed by the Secretary of the Air Force.

"(b) OFFICE OF SMALL BUSINESS PROGRAMS.—The Office of Small Business Programs of the Department of the Air Force is the office that is established within the Department of the Air Force under section 15(k) of the Small Business Act (15 U.S.C. 644(k)). The Director of Small Business Programs is the head of such office.

"(c) DUTIES AND POWERS.—(1) The Director of Small Business Programs shall, subject to paragraph (2), perform such duties regarding small business programs of the Department of the Air Force, and shall exercise such powers regarding those programs, as the Secretary of the Air Force may prescribe.

"(2) Section 15(k) of the Small Business Act (15 U.S.C. 644(k)), except for the designations of the Director and the Office, applies to the Director of Small Business Programs.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"8024. Director of Small Business Programs.".

SEC. 905. PLAN TO DEFEND THE HOMELAND AGAINST CRUISE MISSILES AND OTHER LOW-ALTITUDE AIRCRAFT.

(a) PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for the defense of the United States homeland against cruise missiles, unmanned aerial vehicles, and other low-altitude aircraft that may be launched in an attack against the United States homeland.

(b) FOCUS OF PLAN.—In developing the plan, the Secretary shall focus on the role of Department of Defense components in the defense of the homeland against an attack described in subsection (a), but shall also address the role, if any, of other departments and agencies of the United States Government in that defense.

(c) ELEMENTS OF PLAN.—The plan shall include the following:

(1) The identification of an official or office within the Department of Defense to be responsible for coordinating the implementation of the plan described in subsection (a) from both an operational and acquisition perspective.

(2) Identification of (A) the capabilities required by the Department of Defense in order to fulfill the mission of the Department to defend the homeland against attack by cruise missiles, unmanned aerial vehicles, and other low-altitude aircraft, and (B) any current shortfall in those capabilities.

(3) Identification of each element of the Department of Defense that will be responsible under the plan for acquisition in order to achieve one or more of the capabilities identified pursuant to paragraph (2).

(4) A schedule for implementing the plan.

(5) A statement of the funding required to implement the Department of Defense portion of the plan.

(6) An identification of the roles and missions, if any, of other departments and agencies of the United States Government in contributing to the defense of the homeland against attack described in paragraph (2).

(d) SCOPE OF PLAN.—The plan shall be coordinated with plans of the Department of Defense for defending the United States homeland against attack by short-range to medium-range ballistic missiles.

SEC. 906. PROVISION OF AUDIOVISUAL SUPPORT SERVICES BY WHITE HOUSE COMMUNICATIONS AGENCY ON NONREIMBURSABLE BASIS.

(a) PROVISION ON NONREIMBURSABLE BASIS.—Section 912 of the National Defense Authorization Act for Fiscal Year 1997 (10 U.S.C. 111 note) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by inserting "AND AUDIOVISUAL SUPPORT SERVICES" after "TELECOMMUNICATIONS SUPPORT"; and

(B) by inserting "and audiovisual support services" after "provision of telecommunications support"; and

(2) in subsection (b), by inserting "and audiovisual" after "other than telecommunications".

(b) REPEAL OF OBSOLETE PROVISIONS.—Such section is further amended by striking subsections (d), (e), and (f).

SEC. 907. REPORT ON ESTABLISHMENT OF A DEPUTY SECRETARY OF DEFENSE FOR MANAGEMENT.

(a) STUDY REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, as determined by the Secretary, select one or two Federally Funded Research and Development Centers to conduct a study of the feasibility and advisability of establishing a Deputy Secretary of Defense for Management. The Secretary shall provide for each Center conducting a study under this section to submit a report on such study to the Secretary and to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives not later than December 1, 2006.

(b) CONTENT OF STUDY.—Each study under this section shall address—

(1) the extent to which the establishment of a Deputy Secretary of Defense for Management would—

(A) improve the management of the Department of Defense;

(B) expedite the process of management reform in the Department; and

(C) enhance the implementation of business systems modernization in the Department;

(2) the appropriate relationship of the Deputy Secretary of Defense for Management to other Department of Defense officials;

(3) the appropriate term of service for a Deputy Secretary of Defense for Management; and

(4) the experience of any other Federal agencies that have instituted similar management positions.

(c) DEPUTY SECRETARY FOR MANAGEMENT POSITION DESCRIBED.—For the purposes of this section, a Deputy Secretary of Defense for Management is an official who—

(1) serves as the Chief Management Officer of the Department of Defense;

(2) is the principal advisor to the Secretary of Defense on matters relating to the management of the Department of Defense, including defense business activities, to ensure Department-wide capability to carry out the strategic plan of the Department of Defense in support of national security objectives; and

(3) takes precedence in the Department of Defense immediately after the Deputy Secretary of Defense.

SEC. 908. RESPONSIBILITY OF THE JOINT CHIEFS OF STAFF AS MILITARY ADVISERS TO THE HOMELAND SECURITY COUNCIL.

(a) RESPONSIBILITY AS MILITARY ADVISERS.—

(1) IN GENERAL.—Subsection (b) of section 151 of title 10, United States Code, is amended—

(A) in paragraph (1), by inserting "the Homeland Security Council," after "the National Security Council,"; and

(B) in paragraph (2), by inserting "the Homeland Security Council," after "the National Security Council,".

(2) CONSULTATION BY CHAIRMAN.—Subsection (c)(2) of such section is amended by inserting "the Homeland Security Council," after "the National Security Council," both places it appears.

(3) ADVICE AND OPINIONS OF MEMBERS OTHER THAN CHAIRMAN.—Subsection (d) of such section is amended—

(A) in paragraph (1), by inserting "the Homeland Security Council," after "the National Security Council," both places it appears; and

(B) in paragraph (2), by inserting "the Homeland Security Council," after "the National Security Council,".

(4) ADVICE ON REQUEST.—Subsection (e) of such section is amended by inserting "the Homeland Security Council," after "the National Security Council," both places it appears.

(b) ATTENDANCE AT MEETING OF HOMELAND SECURITY COUNCIL.—Section 903 of the Homeland Security Act of 2002 (6 U.S.C. 493) is amended—

(1) by inserting "(a) MEMBERS—" before "The members"; and

(2) by adding at the end the following new subsection:

"(b) ATTENDANCE OF CHAIRMAN OF JOINT CHIEFS OF STAFF AT MEETINGS.— The Chairman of the Joint Chiefs of Staff (or, in the

absence of the Chairman, the Vice Chairman of the Joint Chiefs of Staff) may, in the role of the Chairman of the Joint Chiefs of Staff as principal military adviser to the Council and subject to the direction of the President, attend and participate in meetings of the Council.".

SEC. 909. IMPROVEMENT IN HEALTH CARE SERVICES FOR RESIDENTS OF ARMED FORCES RETIREMENT HOME.

(a) AVAILABILITY OF PHYSICIANS AND DENTISTS; MEDICAL CARE TRANSPORTATION.—Section 1513 of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 413) is amended—

(1) in subsection (a), by striking "subsection (b)" and inserting "subsections (b), (c), and (d)";

(2) in the third sentence of subsection (b), by striking "The" and inserting "Except as provided in subsection (d), the"; and

(3) by adding at the end the following new subsections:

"(c) AVAILABILITY OF PHYSICIANS AND DENTISTS.—(1) In providing for the health care needs of residents at a facility of the Retirement Home under subsection (b), the Retirement Home shall have a physician and a dentist—

"(A) available at the facility during the daily business hours of the facility; and

"(B) available on an on-call basis at other times.

"(2) The physicians and dentists required by this subsection shall have the skills and experience suited to residents of the facility served by the physicians and dentists.

"(3) To ensure the availability of health care services for residents of a facility of the Retirement Home, the Chief Operating Officer, in consultation with the Medical Director, shall establish uniform standards, appropriate to the medical needs of the residents, for access to health care services during and after the daily business hours of the facility.

"(d) TRANSPORTATION TO MEDICAL CARE OUTSIDE RETIREMENT HOME FACILITIES.—(1) With respect to each facility of the Retirement Home, the Retirement Home shall provide daily scheduled transportation to nearby medical facilities used by residents of the facility. The Retirement Home may provide, based on a determination of medical need, unscheduled transportation for a resident of the facility to any medical facility located not more than 30 miles from the facility for the provision of necessary and urgent medical care for the resident.

"(2) The Retirement Home may not collect a fee from a resident for transportation provided under this subsection.".

(b) COMPTROLLER GENERAL ASSESSMENT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report containing—

(1) an assessment of the regulatory oversight and monitoring of health care and nursing home care services provided by the Armed Forces Retirement Home; and

(2) such recommendations as the Comptroller General considers appropriate in light of the results of the assessment.

Subtitle B—Space Activities

SEC. 911. SPACE SITUATIONAL AWARENESS STRATEGY AND SPACE CONTROL MISSION REVIEW.

(a) FINDINGS.—The Congress finds that—

(1) the Department of Defense has the responsibility, within the executive branch, for developing the strategy and the systems of the United States for ensuring freedom to operate United States space assets affecting national security; and

(2) the foundation of any credible strategy for ensuring freedom to operate United States space assets is a comprehensive system for space situational awareness.

(b) SPACE SITUATIONAL AWARENESS STRATEGY.—

(1) REQUIREMENT.—The Secretary of Defense shall develop a strategy, to be known as the "Space Situational Awareness Strategy", for ensuring freedom to operate United States space assets affecting national security. The Secretary shall submit the Space Situational Awareness Strategy to Congress not later than April 15, 2006. The Secretary shall submit to Congress an updated, current version of the strategy not later than April 15 of every odd-numbered year thereafter.

(2) TIME PERIODS.—The Space Situational Awareness Strategy shall cover—

(A) the 20-year period from 2006 through 2025; and

(B) three separate successive periods, the first beginning with 2006, designed to align with the next three periods for the Future-Years Defense Plan.

(3) MATTERS TO BE INCLUDED.—The Space Situational Awareness Strategy shall include the following for each period specified in paragraph (2):

(A) A threat assessment describing the perceived threats to United States space assets affecting national security.

(B) A list of the desired effects and required space situational awareness capabilities required for national security.

(C) Details for a coherent and comprehensive strategy for the United States for space situational awareness, together with a description of the systems architecture to implement that strategy in light of the threat assessment and the desired effects and required capabilities identified under subparagraphs (A) and (B).

(D) The space situational awareness capabilities roadmap required by subsection (c).

(c) SPACE SITUATIONAL AWARENESS CAPABILITIES ROADMAP.—The Space Situational Awareness Strategy shall include a roadmap, to be known as the "space situational awareness capabilities roadmap", which shall include the following:

(1) A description of each of the individual program concepts that will make up the systems architecture described pursuant to subsection (b)(3)(C).

(2) For each such program concept, a description of the specific capabilities to be achieved and the threats to be abated.

(d) SPACE SITUATIONAL AWARENESS IMPLEMENTATION PLAN.—

(1) REQUIREMENT.—The Secretary of the Air Force shall develop a plan, to be known as the "space situational awareness implementation plan", for the development of the systems architecture described pursuant to subsection (b)(3)(C).

(2) MATTERS TO BE INCLUDED.—The space situational awareness implementation plan shall include a description of the following:

(A) The capabilities of all systems deployed as of mid-2005 or planned for modernization or acquisition from 2006 to 2015.

(B) Recommended solutions for inadequacies in the architecture to address threats and the desired effects and required capabilities identified under subparagraphs (A) and (B) of subsection (b)(3).

(e) SPACE CONTROL MISSION REVIEW AND ASSESSMENT.—

(1) REQUIREMENT.—The Secretary of Defense shall provide for a review and assessment of the requirements of the Department of Defense for the space control mission. The review and assessment shall be conducted by an entity of the Department of Defense outside of the Department of the Air Force.

(2) MATTERS TO BE INCLUDED.—The review and assessment under paragraph (1) shall consider the following:

(A) Whether current activities of the Department of Defense match current requirements of the Department for the current space control mission.

(B) Whether there exists proper allocation of appropriate resources to fulfill the current space control mission.

(C) The plans of the Department of Defense for the future space control mission.

(3) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the results of the review and assessment under paragraph (1). The report shall include the following:

(A) The findings and conclusions of the entity conducting the review and assessment on (A) requirements of the Department of Defense for the space control mission, and (B) the efforts of the Department to meet those requirements.

(B) Recommendations regarding the best means by which the Department may meet those requirements.

(4) SPACE CONTROL MISSION DEFINED.—In this subsection, the term "space control mission" means the mission of the Department of Defense involving the following:

(A) Space situational awareness.

(B) Defensive counterspace operations.

(C) Offensive counterspace operations.

SEC. 912. MILITARY SATELLITE COMMUNICATIONS.

(a) FINDINGS.—Congress finds the following:

(1) Military requirements for satellite communications exceed the capability of on-orbit assets as of mid-2005.

(2) To meet future military requirements for satellite communications, the Secretary of the Air Force has initiated a highly complex and revolutionary program called the Transformational Satellite Communications System (TSAT).

(3) If the program referred to in paragraph (2) experiences setbacks that prolong the development and deployment of the capability to be provided by that program, the Secretary of the Air Force must be prepared to implement contingency programs to achieve interim improvements in the capabilities of satellite communications to meet military requirements through upgrades to current systems.

(b) DEVELOPMENT OF OPTIONS.—In order to prepare for the contingency referred to in subsection (a)(3), the Director of the National Security Space Office of the Department of Defense shall provide for an assessment, to be conducted by an entity outside the Department of Defense, to develop and compare options for the individual acquisition of additional Advanced Extremely High Frequency space vehicles, in conjunction with modifications to future acquisitions under the Wideband Gapfiller System program, that will accomplish the following:

(1) Minimize nonrecurring costs.

(2) Improve communications-on-the-move capabilities.

(3) Increase net centricity for communications.

(4) Increase satellite throughput.

(5) Increase user connectivity.

(6) Improve airborne communications support.

(7) Minimize effects of a break in production.

(8) Minimize risk associated with gaps in functional availability of on-orbit assets.

(c) ANALYSIS OF ALTERNATIVES REPORT.—Not later than April 15, 2006, the Director of the National Security Space Office shall submit to Congress a report providing an analysis of alternatives with respect to the options developed pursuant to subsection (b). The analysis of alternatives shall be prepared taking into consideration the findings and recommendations of the independent assessment conducted under subsection (b).

SEC. 913. OPERATIONALLY RESPONSIVE SPACE.

(a) JOINT OPERATIONALLY RESPONSIVE SPACE PAYLOAD TECHNOLOGY ORGANIZATION.—

(1) IN GENERAL.—The Secretary of Defense shall establish or designate an organization in the Department of Defense to coordinate joint operationally responsive space payload technology.

(2) MASTER PLAN.—The organization established or designated under paragraph (1) shall produce an annual master plan for coordination of operationally responsive space payload technology and shall coordinate resources provided to stimulate technical development of small satellite payloads. The annual master plan shall describe focus areas for development of operationally responsive space payload technology, including—

(A) miniaturization technology for satellite payloads;

(B) increased sensor acuity;

(C) concept of operations exploration;

(D) increased processor capability; and

(E) such additional matters as the head of that organization determines appropriate.

(3) REQUESTS FOR PROPOSALS.—The Secretary of Defense, acting through the Director of the Office of Force Transformation, shall award contracts, from amounts available for

that purpose for any fiscal year, for technology projects that support the focus areas set out in the master plan for development of operationally responsive space payload technology.

(4) ASSESSMENT FACTORS.—In assessing any proposal submitted for a contract under paragraph (3), the Secretary shall consider —

(A) how the proposal correlates to the goals articulated in the master plan under paragraph (2) and to the National Security Space Architecture; and

(B) the probability, for the project for which the proposal is submitted, of eventual transition either to a laboratory of one of the military departments for continued development or to a joint program office for operational deployment.

(b) REPORT ON JOINT PROGRAM OFFICE FOR TACSAT.—Not later than February 28, 2006, the Secretary of Defense shall submit to the congressional defense committees a report providing a plan for the creation of a joint program office for the Tactical Satellite program and for transition of that program out of the Office of Force Transformation and to the administration of the joint program office. The report shall be prepared in conjunction with the Department of Defense executive agent for space.

(c) JOINT REPORT ON CERTAIN SPACE AND MISSILE DEFENSE ACTIVITIES.—Not later than February 28, 2006, the Department of Defense executive agent for space and the Director of the Missile Defense Agency shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a joint report on the value of each of the following:

(1) Increased use of the Rocket Systems Launch Program for the respective missions of the Department of the Air Force and the Missile Defense Agency.

(2) An agreement between the Director of the Missile Defense Agency and the Secretary of the Air Force for eventual transition of operational control of small satellite demonstrations from the Missile Defense Agency to the Department of the Air Force.

(3) A partnership between the Missile Defense Agency and the Department of the Air Force in the development of common high-altitude and near-space assets for the respective missions of the Missile Defense Agency and the Department of the Air Force.

SEC. 914. REPORT ON USE OF SPACE RADAR FOR TOPOGRAPHICAL MAPPING FOR SCIENTIFIC AND CIVIL PURPOSES.

(a) REPORT REQUIRED.—Not later than October 1, 2006, the Secretary of Defense shall submit to the congressional defense committees a report on the feasibility and advisability of using systems developed within the Space Radar program of the Department of Defense for purposes of providing coastal zone and other topographical mapping information, and related information, to the scientific community and other elements of the private sector for scientific and civil purposes.

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

(1) A description and evaluation of any use of Space Radar systems for scientific or civil purposes that is identified by the Secretary for purposes of the report.

(2) A description and evaluation of any addition or modification to Space Radar systems that is identified by the Secretary for purposes of the report that would increase the utility of those systems to the scientific community or other elements of the private sector for scientific or civil purposes, including the use of additional frequencies, the development or enhancement of ground systems, and the enhancement of operations.

(3) A description and evaluation of the effects, if any, on the primary missions of the Space Radar, and on the development of the Space Radar, of the use of systems developed within the Space Radar program for scientific or civil purposes.

(4) A description of the costs of any addition or modification identified pursuant to paragraph (2).

(5) A description of the process for developing and validating requirements for the Space Radar, including the involvement of the Civil Applications Committee or other organizations outside the Department of Defense.

(6) A description and evaluation of the processes that would be used to modify Space Radar systems in order to meet the needs of the scientific community, or other elements of the private sector with respect to the use of those systems for scientific or civil purposes, and for meeting the costs of such modifications.

SEC. 915. SENSE OF CONGRESS REGARDING NATIONAL SECURITY ASPECT OF UNITED STATES PREEMINENCE IN HUMAN SPACEFLIGHT.

(a) FINDINGS.—The Congress finds that the following:

(1) Preeminence by the United States in human spaceflight allows the United States to project leadership around the world and forms an important component of United States national security.

(2) Continued development of human spaceflight in low-Earth orbit, on the Moon, and beyond adds to the overall national strategic posture.

(3) Human spaceflight enables continued stewardship of the region between the Earth and the Moon—an area that is critical and of growing national and international security relevance.

(4) Human spaceflight provides unprecedented opportunities for the United States to lead peaceful and productive international relationships with the world community in support of United States security and geo-political objectives.

(5) An increasing number of nations are pursuing human spaceflight and space-related capabilities, including China and India.

(6) Past investments in human spaceflight capabilities represent a national resource that can be built upon and leveraged for a broad range of purposes, including national and economic security.

(7) The industrial base and capabilities represented by the Space Transportation System (popularly referred to as the "space shuttle") provide a critical launch capability for the Nation.

(b) SENSE OF CONGRESS.—It is the sense of Congress that it is in the national security interest of the United States to maintain preeminence in human spaceflight.

Subtitle C—Chemical Demilitarization Program

SEC. 921. CLARIFICATION OF COOPERATIVE AGREEMENT AUTHORITY UNDER CHEMICAL DEMILITARIZATION PROGRAM.

(a) AGREEMENTS WITH FEDERALLY RECOGNIZED INDIAN TRIBAL ORGANIZATIONS.—Section 1412(c)(4) of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521(c)(4)), is amended—

(1) by inserting "(A)" after "(4)";

(2) in the first sentence—

(A) by inserting "and to tribal organizations" after "to State and local governments"; and

(B) by inserting "and tribal organizations" after "assist those governments"

(3) by designating the text beginning "Additionally, the Secretary " as subparagraph (B);

(4) in the first sentence of subparagraph (B), as designated by paragraph (3), by inserting ", and with tribal organizations," after "with State and local governments"; and

(5) by adding at the end the following:

"(C) In this paragraph, the term 'tribal organization' has the meaning given that term in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(l)).".

(b) EFFECTIVE DATE.—The amendments made by subsection (a)—

(1) take effect as of December 5, 1991; and

(2) apply with respect to any cooperative agreement entered into on or after that date.

SEC. 922. CHEMICAL DEMILITARIZATION FACILITIES.

(a) AUTHORITY TO USE RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FUNDS TO CONSTRUCT FACILITIES.—The Secretary of Defense may, using amounts authorized to be appropriated by section 201(4) for research, development, test, and evaluation, Defense-wide and available for chemical weapons demilitarization activities under the Assembled Chemical Weapons Alternatives program, carry out construction projects, or portions of construction projects, for facilities necessary to support chemical demilitarization operations at each of the following:

(1) Pueblo Army Depot, Colorado.

(2) Blue Grass Army Depot, Kentucky.

(b) SCOPE OF AUTHORITY.—The authority in subsection (a) to carry out a construction project for facilities includes authority to carry out planning and design and the acquisition of land for the construction or improvement of such facilities.

(c) LIMITATION ON AMOUNT OF FUNDS.—The amount of funds that may be utilized under the authority in subsection (a) may not exceed $51,000,000.

(d) DURATION OF AUTHORITY.—A construction project, or portion of a construction project, may not be commenced under the authority in subsection (a) after September 30, 2006.

(e) NOTICE AND WAIT.—The Secretary may not carry out a construction project, or portion of a construction project, under the authority in subsection (a) until the end of the 21-day period beginning on the date on which the Secretary submits to the congressional defense committees notice of the Secretary's intent to carry out such project and confirms his intent to seek funding for these projects beginning in fiscal year 2007 through the military construction appropriations accounts.

Subtitle D—Intelligence-Related Matters

SEC. 931. DEPARTMENT OF DEFENSE STRATEGY FOR OPEN-SOURCE INTELLIGENCE.

(a) FINDINGS.—Congress makes the following findings:

(1) Open-source intelligence (OSINT) is intelligence that is produced from publicly available information and is collected, exploited, and disseminated in a timely manner to an appropriate audience for the purpose of addressing a specific intelligence requirement.

(2) With the Information Revolution, the amount, significance, and accessibility of open-source information has expanded significantly, but the intelligence community has not expanded its exploitation efforts and systems to produce open-source intelligence.

(3) The production of open-source intelligence is a valuable intelligence discipline that must be integrated into intelligence tasking, collection, processing, exploitation, and dissemination to ensure that United States policymakers are fully and completely informed.

(4) The dissemination and use of validated open-source intelligence inherently enables information sharing since open-source intelligence is produced without the use of sensitive sources and methods. Open-source intelligence products can be shared with the American public and foreign allies because of the unclassified nature of open-source intelligence.

(5) The National Commission on Terrorist Attacks Upon the United States (popularly referred to as the "9/11 Commission"), in its final report released on July 22, 2004, identified shortfalls in the ability of the United States to use all-source intelligence, a large component of which is open-source intelligence.

(6) In the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458), Congress calls for coordination of the collection, analysis, production, and dissemination of open-source intelligence.

(7) The Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction, in its report to the President released on March 31, 2005, found that "the need for exploiting open-source material is greater now than ever before," but that "the Intelligence Community's open source programs have not expanded commensurate with either the increase in available information or with the growing importance of open source data to today's problems".

(b) DEPARTMENT OF DEFENSE STRATEGY FOR OPEN-SOURCE INTELLIGENCE.—

(1) DEVELOPMENT OF STRATEGY.—The Secretary of Defense shall develop a strategy for the purpose of integrating open-source intelligence into the Defense intelligence process. The strategy shall be known as the "Defense Strategy for Open-Source Intelligence". The strategy shall be incorporated within the larger Defense intelligence strategy.

(2) SUBMISSION.—The Secretary shall submit to Congress a report setting forth the strategy developed under paragraph (1). The report shall be submitted not later than 180 days after the date of the enactment of this Act.

(c) MATTERS TO BE INCLUDED.—The strategy under subsection (b) shall include the following

(1) A plan for providing funds over the period of the future-years defense program for the development of a robust open-source intelligence capability for the Department of Defense, with particular emphasis on exploitation and dissemination.

(2) A description of how management of the collection of open-source intelligence is currently conducted within the Department of Defense and how that management can be improved.

(3) A description of the tools, systems, centers, organizational entities, and procedures to be used within the Department of Defense to perform open-source intelligence tasking, collection, processing, exploitation, and dissemination.

(4) A description of proven tradecraft for effective exploitation of open-source intelligence, to include consideration of operational security.

(5) A detailed description on how open-source intelligence will be fused with all other intelligence sources across the Department of Defense.

(6) A description of—

(A) a training plan for Department of Defense intelligence personnel with respect to open-source intelligence; and

(B) open-source intelligence guidance for Department of Defense intelligence personnel.

(7) A plan to incorporate the function of oversight of open-source intelligence—

(A) into the Office of the Undersecretary of Defense for Intelligence; and

(B) into service intelligence organizations.

(8) A plan to incorporate and identify an open-source intelligence specialty into personnel systems of the Department of Defense, including military personnel systems.

(9) A plan for the use of intelligence personnel of the reserve components to augment and support the open-source intelligence mission.

(10) A plan for the use of the Open-Source Information System for the purpose of exploitation and dissemination of open-source intelligence.

SEC. 932. COMPREHENSIVE INVENTORY OF DEPARTMENT OF DEFENSE INTELLIGENCE AND INTELLIGENCE-RELATED PROGRAMS AND PROJECTS.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the con-

gressional committees specified in subsection (b) a report providing a comprehensive inventory of Department of Defense intelligence and intelligence-related programs and projects. The Secretary shall prepare the inventory in consultation with the Director of National Intelligence, as appropriate.

(b) COMMITTEES.—The congressional committees referred to in subsection (a) are the following:

(1) The Committee on Armed Services and the Select Committee on Intelligence of the Senate.

(2) The Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 933. OPERATIONAL FILES OF THE DEFENSE INTELLIGENCE AGENCY.

(a) PROTECTION OF OPERATIONAL FILES OF DEFENSE INTELLIGENCE AGENCY.—

(1) PROTECTION OF FILES.—Title VII of the National Security Act of 1947 (50 U.S.C. 431 et seq.) is amended by adding at the end the following new section:

"OPERATIONAL FILES OF THE DEFENSE INTELLIGENCE AGENCY

"SEC. 705. (a) EXEMPTION OF OPERATIONAL FILES.—The Director of the Defense Intelligence Agency, in coordination with the Director of National Intelligence, may exempt operational files of the Defense Intelligence Agency from the provisions of section 552 of title 5, United States Code, which require publication, disclosure, search, or review in connection therewith.

"(b) OPERATIONAL FILES DEFINED.—(1) In this section, the term 'operational files' means—

"(A) files of the Directorate of Human Intelligence of the Defense Intelligence Agency (and any successor organization of that directorate) that document the conduct of foreign intelligence or counterintelligence operations or intelligence or security liaison arrangements or information exchanges with foreign governments or their intelligence or security services; and

"(B) files of the Directorate of Technology of the Defense Intelligence Agency (and any successor organization of that directorate) that document the means by which foreign intelligence or counterintelligence is collected through technical systems.

"(2) Files that are the sole repository of disseminated intelligence are not operational files.

"(c) SEARCH AND REVIEW FOR INFORMATION.—Notwithstanding subsection (a), exempted operational files shall continue to be subject to search and review for information concerning:

"(1) United States citizens or aliens lawfully admitted for permanent residence who have requested information on themselves pursuant to the provisions of section 552 or 552a of title 5, United States Code.

"(2) Any special activity the existence of which is not exempt from disclosure under the provisions of section 552 of title 5, United States Code.

"(3) The specific subject matter of an investigation by any of the following for any impropriety, or violation of law, Executive Order, or Presidential directive, in the conduct of an intelligence activity:

"(A) The Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

"(B) The Committee on Armed Services and the Select Committee on Intelligence of the Senate.

"(C) The Intelligence Oversight Board.

"(D) The Department of Justice.

"(E) The Office of General Counsel of the Department of Defense or of the Defense Intelligence Agency.

"(F) The Office of Inspector General of the Department of Defense or of the Defense Intelligence Agency.

"(G) The Office of the Director of the Defense Intelligence Agency.

"(d) INFORMATION DERIVED OR DISSEMINATED FROM EXEMPTED OPERATIONAL FILES.—(1) Files that are not exempted under subsection (a) that contain information derived or disseminated from exempted operational files shall be subject to search and review.

"(2) The inclusion of information from exempted operational files in files that are not exempted under subsection (a) shall not affect the exemption under subsection (a) of the originating operational files from search, review, publication, or disclosure.

"(3) The declassification of some of the information contained in an exempted operational file shall not affect the status of the operational file as being exempt from search, review, publication, or disclosure.

"(4) Records from exempted operational files that have been disseminated to and referenced in files that are not exempted under subsection (a) and that have been returned to exempted operational files for sole retention shall be subject to search and review.

"(e) ALLEGATION; IMPROPER WITHHOLDING OF RECORDS; JUDICIAL REVIEW.—(1) Except as provided in paragraph (2), whenever any person who has requested agency records under section 552 of title 5, United States Code, alleges that the Defense Intelligence Agency has withheld records improperly because of failure to comply with any provision of this section, judicial review shall be available under the terms set forth in section 552(a)(4)(B) of title 5, United States Code.

"(2) Judicial review shall not be available in the manner provided under paragraph (1) as follows:

"(A) In any case in which information specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign relations which is filed with, or produced for, the court by the Defense Intelligence Agency, such information shall be examined ex parte, in camera by the court.

"(B) The court shall determine, to the fullest extent practicable, issues of fact based on sworn written submissions of the parties.

"(C) When a complainant alleges that requested records were improperly withheld because of improper placement solely in exempted operational files, the complainant shall support such allegation with a sworn written submission based upon personal knowledge or otherwise admissible evidence.

"(D)(i) When a complainant alleges that requested records were improperly withheld because of improper exemption of

operational files, the Defense Intelligence Agency shall meet its burden under section 552(a)(4)(B) of title 5, United States Code, by demonstrating to the court by sworn written submission that exempted operational files likely to contain responsible records currently perform the functions set forth in subsection (b).

"(ii) The court may not order the Defense Intelligence Agency to review the content of any exempted operational file or files in order to make the demonstration required under clause (i), unless the complainant disputes the Defense Intelligence Agency's showing with a sworn written submission based on personal knowledge or otherwise admissible evidence.

"(E) In proceedings under subparagraphs (C) and (D), the parties shall not obtain discovery pursuant to rules 26 through 36 of the Federal Rules of Civil Procedure, except that requests for admission may be made pursuant to rules 26 and 36.

"(F) If the court finds under this subsection that the Defense Intelligence Agency has improperly withheld requested records because of failure to comply with any provision of this subsection, the court shall order the Defense Intelligence Agency to search and review the appropriate exempted operational file or files for the requested records and make such records, or portions thereof, available in accordance with the provisions of section 552 of title 5, United States Code, and such order shall be the exclusive remedy for failure to comply with this section (other than subsection (f)).

"(G) If at any time following the filing of a complaint pursuant to this paragraph the Defense Intelligence Agency agrees to search the appropriate exempted operational file or files for the requested records, the court shall dismiss the claim based upon such complaint.

"(H) Any information filed with, or produced for the court pursuant to subparagraphs (A) and (D) shall be coordinated with the Director of National Intelligence before submission to the court.

"(f) DECENNIAL REVIEW OF EXEMPTED OPERATIONAL FILES.—(1) Not less than once every 10 years, the Director of the Defense Intelligence Agency and the Director of National Intelligence shall review the exemptions in force under subsection (a) to determine whether such exemptions may be removed from a category of exempted files or any portion thereof. The Director of National Intelligence must approve any determinations to remove such exemptions.

"(2) The review required by paragraph (1) shall include consideration of the historical value or other public interest in the subject matter of the particular category of files or portions thereof and the potential for declassifying a significant part of the information contained therein.

"(3) A complainant that alleges that the Defense Intelligence Agency has improperly withheld records because of failure to comply with this subsection may seek judicial review in the district court of the United States of the district in which any of the parties reside, or in the District of Columbia. In such a proceeding, the court's review shall be limited to determining the following:

"(A) Whether the Defense Intelligence Agency has conducted the review required by paragraph (1) before the expiration of the 10-year period beginning on the date of the enactment of this

section or before the expiration of the 10-year period beginning on the date of the most recent review.

"(B) Whether the Defense Intelligence Agency, in fact, considered the criteria set forth in paragraph (2) in conducting the required review.

"(g) TERMINATION.—This section shall cease to be effective on December 31, 2007.".

(2) CLERICAL AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 704 the following new item:

"Sec. 705. Operational files of the Defense Intelligence Agency.".

(b) SEARCH AND REVIEW OF CERTAIN OTHER OPERATIONAL FILES.—The National Security Act of 1947 is further amended—

(1) in section 702(a)(3)(C) (50 U.S.C. 432(a)(3)(C)), by adding at the end the following new clause:

"(vi) The Office of the Inspector General of the National Geospatial-Intelligence Agency.";

(2) in section 703(a)(3)(C) (50 U.S.C. 432a(a)(3)(C)), by adding at the end the following new clause:

"(vii) The Office of the Inspector General of the NRO.";

and

(3) in section 704(c)(3) (50 U.S.C. 432b(c)(3)), by adding at the end the following new subparagraph:

"(H) The Office of the Inspector General of the National Security Agency.".

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

Sec. 1001. Transfer authority.
Sec. 1002. Authorization of emergency supplemental appropriations for fiscal years 2005 and 2006.
Sec. 1003. Increase in fiscal year 2005 general transfer authority.
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Subtitle B—Naval Vessels and Shipyards

Sec. 1011. Conveyance, Navy drydock, Seattle, Washington.
Sec. 1012. Conveyance, Navy drydock, Jacksonville, Florida.
Sec. 1013. Conveyance, Navy drydock, Port Arthur, Texas.
Sec. 1014. Transfer of battleships U.S.S. WISCONSIN and U.S.S. IOWA.
Sec. 1015. Transfer of ex-U.S.S. Forrest Sherman.
Sec. 1016. Report on leasing of vessels to meet national defense sealift requirements.
Sec. 1017. Establishment of the USS Oklahoma Memorial and other memorials at Pearl Harbor.
Sec. 1018. Authority to use National Defense Sealift Fund to purchase certain maritime prepositioning ships currently under charter to the Navy.

Subtitle C—Counter-Drug Activities

Sec. 1021. Resumption of reporting requirement regarding Department of Defense expenditures to support foreign counter-drug activities.
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Subtitle D—Matters Related to Homeland Security

Sec. 1031. Responsibilities of Assistant Secretary of Defense for Homeland Defense relating to nuclear, chemical, and biological emergency response.
Sec. 1032. Testing of preparedness for emergencies involving nuclear, radiological, chemical, biological, and high-yield explosives weapons.
Sec. 1033. Department of Defense chemical, biological, radiological, nuclear, and high-yield explosives response teams.
Sec. 1034. Repeal of Department of Defense emergency response assistance program.
Sec. 1035. Report on use of Department of Defense aerial reconnaissance assets to support Homeland Security border security missions.

Subtitle E—Reports and Studies

Sec. 1041. Review of Defense Base Act insurance.
Sec. 1042. Report on Department of Defense response to findings and recommendations of Defense Science Board Task Force on High Performance Microchip Supply.

Subtitle F—Other Matters

Sec. 1051. Commission on the Implementation of the New Strategic Posture of the United States.
Sec. 1052. Reestablishment of EMP Commission.
Sec. 1053. Modernization of authority relating to security of defense property and facilities.
Sec. 1054. Revision of Department of Defense counterintelligence polygraph program.
Sec. 1055. Preservation of records pertaining to radioactive fallout from nuclear weapons testing.
Sec. 1056. Technical and clerical amendments.
Sec. 1057. Deletion of obsolete definitions in titles 10 and 32, United States Code.
Sec. 1058. Support for youth organizations.
Sec. 1059. Special immigrant status for persons serving as translators with United States Armed Forces.
Sec. 1060. Expansion of emergency services under reciprocal agreements.
Sec. 1061. Renewal of moratorium on return of veterans memorial objects to foreign nations without specific authorization in law.
Sec. 1062. Sense of Congress on national security interest of maintaining aeronautics research and development.
Sec. 1063. Airport certification.

Subtitle G—Military Mail Matters

Sec. 1071. Safe delivery of mail in military mail system.

Subtitle A—Financial Matters

SEC. 1001. TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2006 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—The total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $3,500,000,000.

(b) LIMITATIONS.—The authority provided by this section to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. AUTHORIZATION OF EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEARS 2005 AND 2006.

(a) EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND TSUNAMI RELIEF, 2005.—Amounts authorized to be appropriated to the Department of Defense and the Department of Energy for fiscal year 2005 in the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375) are hereby adjusted, with respect to any such authorized amount, by the amount by which appropriations pursuant to such authorization are increased by a supplemental appropriation or decreased by a rescission, or both, or are increased by a transfer of funds, pursuant to title I and chapter 2 of title IV of division A of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13).

(b) FIRST EMERGENCY SUPPLEMENTAL TO MEET NEEDS ARISING FROM HURRICANE KATRINA.—Amounts authorized to be appropriated to the Department of Defense for fiscal year 2005 in the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375) are hereby adjusted, with respect to any such authorized amount, by the amount by which appropriations pursuant to such authorized amount are increased by a supplemental appropriation, or by a transfer of funds, pursuant to the Emergency Supplemental Appropriations Act to Meet Immediate Needs Arising From the Consequences of Hurricane Katrina, 2005 (Public Law 109–61).

(c) SECOND EMERGENCY SUPPLEMENTAL TO MEET NEEDS ARISING FROM HURRICANE KATRINA.—Amounts authorized to be appropriated to the Department of Defense for fiscal year 2005 in the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 are hereby adjusted, with respect to any such authorized amount, by the amount by which appropriations pursuant to such authorized amount are increased by a supplemental appropriation, or by a transfer of funds, pursuant to the Second Emergency Supplemental Appropriations Act to Meet Immediate Needs Arising From the Consequences of Hurricane Katrina, 2005 (Public Law 109–62).

(d) SUPPLEMENTAL APPROPRIATIONS FOR AVIAN FLU PREPAREDNESS.—Amounts authorized to be appropriated to the Department of Defense for fiscal year 2006 in this Act are hereby adjusted, with respect to any such authorized amount, by the amount by which appropriations pursuant to such authorized amount are increased by a supplemental appropriation, or by a transfer of funds, arising from the proposal of the President relating to avian flu preparedness that was submitted to Congress on November 1, 2006.

(e) AMOUNTS REALLOCATED FOR HURRICANE-RELATED DISASTER RELIEF.—Amounts authorized to be appropriated to the Department of Defense for fiscal year 2006 in this Act are hereby adjusted, with respect to any such authorized amount, by the amount by which appropriations pursuant to such authorized amount are increased by a reallocation of funds from the Disaster Relief Fund of the Federal Emergency Management Agency arising from the proposal of the Director of the Office of Management and Budget on the reallocation of amounts for hurricane-related disaster relief that was submitted to the President on October 28, 2005, and transmitted to the Speaker of the House of Representatives on that date.

(f) AMOUNTS FOR HUMANITARIAN ASSISTANCE FOR EARTHQUAKE VICTIMS IN PAKISTAN.—There is authorized to be appropriated as emergency supplemental appropriations for the Department of Defense for fiscal year 2006, $40,000,000 for the use of the Department of Defense for overseas, humanitarian, disaster, and civic aid for the purpose of providing humanitarian assistance to the victims of the earthquake that devastated northern Pakistan on October 8, 2005.

(g) REPORTS ON USE OF CERTAIN FUNDS.—

(1) REPORT ON USE OF EMERGENCY SUPPLEMENTAL FUNDS.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the obligation and expenditure, as of that date, of any funds appropriated to the Department of Defense for fiscal year 2005 pursuant to the Acts referred to in subsections (a), (b), and (c) as authorized by such subsections. The report shall set forth—

(A) the amounts so obligated and expended; and

(B) the purposes for which such amounts were so obligated and expended.

(2) REPORT ON EXPENDITURE OF REIMBURSABLE FUNDS.—The Secretary shall include in the report required by paragraph (1) a statement of any expenditure by the Department of Defense of funds that were reimbursable by the Federal Emergency Management Agency, or any other department or agency of the Federal Government, from funds appropriated in an Act referred to in subsection (a), (b), or (c) to such department or agency.

(3) REPORT ON USE OF CERTAIN OTHER FUNDS.—Not later than May 15, 2006, and quarterly thereafter through November 15, 2006, the Secretary shall submit to the congressional defense committees a report on the obligation and expenditure, during the previous fiscal year quarter, of any funds appropriated to the Department of Defense as specified in subsection (d) and any funds reallocated to the Department as specified in subsection (e). Each report shall, for the fiscal year quarter covered by such report, set forth—

(A) the amounts so obligated and expended; and

(B) the purposes for which such amounts were so obligated and expended.

(h) REPORT ON ASSISTANCE FOR EARTHQUAKE VICTIMS IN PAKISTAN.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report describing Department of Defense efforts to provide relief to victims of the earthquake that devastated north-

ern Pakistan on October 8, 2005, and assessing the need for further reconstruction and relief assistance.

SEC. 1003. INCREASE IN FISCAL YEAR 2005 GENERAL TRANSFER AUTHORITY.

Section 1001(a)(2) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2034) is amended by striking "$3,500,000,000" and inserting "$6,185,000,000".

SEC. 1004. REPORTS ON FEASIBILITY AND DESIRABILITY OF CAPITAL BUDGETING FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) CAPITAL BUDGETING DEFINED.—For the purposes of this section, the term "capital budgeting" means a budget process that—

(1) identifies large capital outlays that are expected to be made in future years, together with identification of the proposed means to finance those outlays and the expected benefits of those outlays;

(2) separately identifies revenues and outlays for capital assets from revenues and outlays for an operating budget;

(3) allows for the issue of long-term debt to finance capital investments; and

(4) provides the budget authority for acquiring a capital asset over several fiscal years (rather than in a single fiscal year at the beginning of such acquisition).

(b) REPORTS REQUIRED.—Not later than July 1, 2006, the Secretary of Defense and the Secretary of each military department shall each submit to Congress a report analyzing the feasibility and desirability of using a capital budgeting system for the financing of major defense acquisition programs. Each such report shall address the following matters:

(1) The potential long-term effect on the defense industrial base of the United States of continuing with the current full upfront funding system for major defense acquisition programs.

(2) Whether use of a capital budgeting system could create a more effective decisionmaking process for long-term investments in major defense acquisition programs.

(3) The manner in which a capital budgeting system for major defense acquisition programs would affect the budget planning and formulation process of the military departments.

(4) The types of financial mechanisms that would be needed to provide funds for such a capital budgeting system.

SEC. 1005. UNITED STATES CONTRIBUTION TO NATO COMMON-FUNDED BUDGETS IN FISCAL YEAR 2006.

(a) FISCAL YEAR 2006 LIMITATION.—The total amount contributed by the Secretary of Defense in fiscal year 2006 for the common-funded budgets of NATO may be any amount up to, but not in excess of, the amount specified in subsection (b) (rather than the maximum amount that would otherwise be applicable to those contributions under the fiscal year 1998 baseline limitation).

(b) TOTAL AMOUNT.—The amount of the limitation applicable under subsection (a) is the sum of the following:

(1) The amounts of unexpended balances, as of the end of fiscal year 2005, of funds appropriated for fiscal years before fiscal year 2006 for payments for those budgets.

(2) The amount specified in subsection (c)(1).

(3) The amount specified in subsection (c)(2).

(4) The total amount of the contributions authorized to be made under section 2501.

(c) AUTHORIZED AMOUNTS.—Amounts authorized to be appropriated by titles II and III of this Act are available for contributions for the common-funded budgets of NATO as follows:

(1) Of the amount provided in section 201(1), $763,000 for the Civil Budget.

(2) Of the amount provided in section 301(1), $289,447,000 for the Military Budget.

(d) DEFINITIONS.—For purposes of this section:

(1) COMMON-FUNDED BUDGETS OF NATO.—The term "common-funded budgets of NATO" means the Military Budget, the Security Investment Program, and the Civil Budget of the North Atlantic Treaty Organization (and any successor or additional account or program of NATO).

(2) FISCAL YEAR 1998 BASELINE LIMITATION.—The term "fiscal year 1998 baseline limitation" means the maximum annual amount of Department of Defense contributions for common-funded budgets of NATO that is set forth as the annual limitation in section 3(2)(C)(ii) of the resolution of the Senate giving the advice and consent of the Senate to the ratification of the Protocols to the North Atlantic Treaty of 1949 on the Accession of Poland, Hungary, and the Czech Republic (as defined in section 4(7) of that resolution), approved by the Senate on April 30, 1998.

Subtitle B—Naval Vessels and Shipyards

SEC. 1011. CONVEYANCE, NAVY DRYDOCK, SEATTLE, WASHINGTON.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy is authorized to convey the yard floating drydock YFD–70, located in Seattle, Washington, to Todd Pacific Shipyards Corporation, that company being the current user of the drydock.

(b) CONDITION OF CONVEYANCE.—The Secretary shall require as a condition of the conveyance under subsection (a) that the drydock remain at the facilities of Todd Pacific Shipyards Corporation until at least September 30, 2010.

(c) CONSIDERATION.—As consideration for the conveyance of the drydock under subsection (a), the purchaser shall provide compensation to the United States the value of which, as determined by the Secretary, is equal to the fair market value of the drydock, as determined by the Secretary.

(d) TRANSFER AT NO COST TO UNITED STATES.—The provisions of section 7306(c) of title 10, United States Code, shall apply to the conveyance under this section.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 1012. CONVEYANCE, NAVY DRYDOCK, JACKSONVILLE, FLORIDA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy is authorized to convey the medium auxiliary floating drydock SUSTAIN (AFDM–7), located in Duval County, Florida, to Atlantic Ma-

rine Property Holding Company, that company being the current user of the drydock.

(b) CONDITION OF CONVEYANCE.—The Secretary shall require as a condition of the conveyance under subsection (a) that the drydock remain at the facilities of Atlantic Marine Property Holding Company until at least September 30, 2010.

(c) CONSIDERATION.—As consideration for the conveyance of the drydock under subsection (a), the purchaser shall provide compensation to the United States the value of which, as determined by the Secretary, is equal to the fair market value of the drydock, as determined by the Secretary.

(d) TRANSFER AT NO COST TO UNITED STATES.—The provisions of section 7306(c) of title 10, United States Code, shall apply to the conveyance under this section.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 1013. CONVEYANCE, NAVY DRYDOCK, PORT ARTHUR, TEXAS.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy is authorized to convey to the port authority of the city of Port Arthur, Texas, the inactive medium auxiliary floating drydock designated as AFDM–2, currently administered through the National Defense Reserve Fleet.

(b) CONDITION OF CONVEYANCE.—The Secretary shall require as a condition of the conveyance under subsection (a) that the drydock remain at the facilities of the port authority named in subsection (a).

(c) CONSIDERATION.—As consideration for the conveyance of the drydock under subsection (a), the purchaser shall provide compensation to the United States the value of which, as determined by the Secretary, is equal to the fair market value of the drydock, as determined by the Secretary.

(d) TRANSFER AT NO COST TO UNITED STATES.—The provisions of section 7306(c) of title 10, United States Code, shall apply to the conveyance under this section.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 1014. TRANSFER OF BATTLESHIPS U.S.S. WISCONSIN AND U.S.S. IOWA.

(a) TRANSFER OF BATTLESHIP WISCONSIN.—The Secretary of the Navy is authorized—

(1) to strike the battleship U.S.S. WISCONSIN (BB–64) from the Naval Vessel Register; and

(2) to transfer that vessel, by gift or otherwise, in accordance with section 7306 of title 10, United States Code, except that the Secretary shall require, as a condition of transfer, that the transferee locate the vessel in the Commonwealth of Virginia.

(b) TRANSFER OF BATTLESHIP IOWA.—The Secretary of the Navy is authorized—

(1) to strike the battleship U.S.S. IOWA (BB–61) from the Naval Vessel Register; and

(2) to transfer that vessel, by gift or otherwise, in accordance with section 7306 of title 10, United States Code, except that the Secretary shall require, as a condition of transfer, that the transferee locate the vessel in the State of California.

(c) INAPPLICABILITY OF NOTICE-AND-WAIT REQUIREMENT.—Section 7306(d) of title 10, United States Code, does not apply to the transfer authorized by subsection (a) or the transfer authorized by subsection (b).

(d) AUTHORITY FOR REVERSION IN EVENT OF NATIONAL EMERGENCY.—The Secretary of the Navy shall require that the terms of the transfer of a vessel under this section include a requirement that, in the event the President declares a national emergency pursuant to the National Emergencies Act (50 U.S.C. 1601 et seq.), the transferee of the vessel shall, upon request of the Secretary of Defense, return the vessel to the United States and that, in such a case, unless the transferee is otherwise notified by the Secretary, title to the vessel shall revert immediately to the United States.

(e) REPEAL OF SUPERSEDED REQUIREMENTS AND AUTHORITIES.—

(1) Section 1011 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat. 421) is repealed.

(2) Section 1011 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2118) is repealed.

SEC. 1015. TRANSFER OF EX-U.S.S. FORREST SHERMAN.

(a) TRANSFER.—The Secretary of the Navy may transfer the decommissioned destroyer ex-U.S.S. Forrest Sherman (DD–931) to the USS Forrest Sherman DD–931 Foundation, Inc., a nonprofit organization under the laws of the State of Maryland, subject to the submission of a donation application for that vessel that is satisfactory to the Secretary.

(b) APPLICABLE LAW.—The transfer under this section is subject to subsections (b) and (c) of section 7306 of title 10, United States Code. Subsection (d) of that section is hereby waived with respect to such transfer.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the transfer under subsection (a) as the Secretary considers appropriate.

(d) EXPIRATION OF AUTHORITY.—The authority granted by subsection (a) shall expire at the end of the five-year period beginning on the date of the enactment of this Act.

SEC. 1016. REPORT ON LEASING OF VESSELS TO MEET NATIONAL DEFENSE SEALIFT REQUIREMENTS.

(a) REPORT REQUIREMENT.—The Secretary of Defense shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate by no later than March 1, 2006, a report on leasing (including chartering) of vessels by the Department of Defense to meet national defense sealift requirements, including leasing under sections 2401 and 2401a of title 10, United States Code.

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

(1) A description of—

(A) the portion of national defense sealift requirements that, during the 3-year period preceding the date of the enactment of this Act, was met through leasing of vessels;

(B) the portion of such requirements that was met during that period through use of vessels owned by the United States; and

(C) for each of the portions described under subparagraph (A) and (B), a description of the number of each type of vessel used to meet such requirements, including roll-on/roll-off vessels, dry bulk carriers, oilers, and other vessel types.

(2) With respect to vessels that were leased in the 3-year period preceding the date of the enactment of this Act—

(A) a listing of such vessels;

(B) identification of the country in which each vessel was constructed or reconstructed;

(C) identification of the country under the laws of which each vessel is documented;

(D) with respect to periods during which each vessel was operated under lease to the Department of Defense, identification of the routes on which each vessel operated and the ports at which each vessel called;

(E) the terms of the lease for each vessel that govern—

(i) amounts required to be paid by the United States;

(ii) the length of the lease term;

(iii) maintenance, repair, and alteration, including provisions regarding—

(I) alterations required under the lease; and

(II) qualified maintenance or repair of the vessel in a foreign shipyard or foreign ship repair facility; and

(iv) where alterations or qualified maintenance or repair may be performed; and

(F) a description of qualified maintenance or repair that was performed on each vessel in the 3-year period preceding the date of the enactment of this Act, including—

(i) the amounts paid by the lessor for such work; and

(ii) identification of whether such work was performed in the United States or in a foreign country.

(3) Estimation of any increase in total costs that would have been incurred by the United States if qualified maintenance or repair that was performed on leased vessels in the 3-year period preceding the date of the enactment of this Act were required to be performed in the United States.

(4) Other impacts to the economy of the United States if qualified maintenance or repair that was performed on leased vessels in the 3-year period preceding the date of the enactment of this Act were required to be performed in the United States.

(c) QUALIFIED MAINTENANCE OR REPAIR DEFINED.—In this section the term "qualified maintenance or repair"—

(1) except as provided in paragraph (2), means—

(A) any inspection of a vessel that is—

(i) required under chapter 33 of title 46, United States Code; and

(ii) performed in a period in which the vessel is under lease by the Department of Defense;

(B) any maintenance or repair of a vessel that is determined, in the course of an inspection referred to in subparagraph (A), to be necessary to comply with the laws of the United States; and

(C) any routine maintenance or repair; and

(2) does not include any emergency work that is necessary to enable a vessel to return to a port in the United States.

SEC. 1017. ESTABLISHMENT OF THE USS OKLAHOMA MEMORIAL AND OTHER MEMORIALS AT PEARL HARBOR.

(a) ESTABLISHMENT OF THE USS OKLAHOMA MEMORIAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy, in consultation with the Secretary of the Interior, shall identify an appropriate site on Ford Island, Hawaii, for a memorial for the U.S.S. Oklahoma (BB–37). The Secretary of the Interior shall establish the memorial at the identified site by authorizing the USS Oklahoma Memorial Foundation to construct a memorial. The Secretary shall certify that—

(1) the USS Oklahoma Memorial Foundation has sufficient funding to complete construction of the memorial; and

(2) the memorial meets the requirements of subsection (c).

(b) ADMINISTRATION OF THE MEMORIAL.—Once established, the Secretary of the Interior shall administer the USS Oklahoma Memorial as a part of the USS Arizona Memorial, a unit of the National Park System, in accordance with the laws and regulations applicable to land administered by the National Park Service and any agreement between the Secretary of the Interior and the Secretary of the Navy. The Secretary of the Navy shall retain administrative jurisdiction over the land where the USS Oklahoma Memorial is established.

(c) REQUIREMENTS FOR PEARL HARBOR MEMORIALS.—The site selection, design, and construction of the USS Oklahoma Memorial and any memorials established after the date of the enactment of this Act that are associated with the attack at Pearl Harbor on December 7, 1941, shall be consistent with the requirements in the document titled "Pearl Harbor Naval Complex Design Guidelines and Evaluation Criteria for Memorials", dated April 2005.

(d) ESTABLISHMENT AND OPERATION OF TRANSPORTATION SYSTEM.—The Secretary of the Interior may establish and operate a transportation system over roads linking the USS Arizona Memorial Visitor Center with one or more of the existing and future historic sites and historic visitor attractions within the Pearl Harbor Naval Complex, including Ford Island. Transportation on this system may be provided with or without charge, directly or through a contract or concessioner, and without regard to whether service is provided to sites or attractions that are under the jurisdiction of or administered by the National Park Service.

SEC. 1018. AUTHORITY TO USE NATIONAL DEFENSE SEALIFT FUND TO PURCHASE CERTAIN MARITIME PREPOSITIONING SHIPS CURRENTLY UNDER CHARTER TO THE NAVY.

(a) FISCAL YEAR 2006 LIMITATION.—The authority provided by subsection (c)(1) of section 2218 of title 10, United States Code, may not be used for the purchase of more than six vessels described in subsection (c) using funds appropriated to the National Defense Sealift Fund for fiscal year 2006.

(b) AUTHORITY.—The Secretary of Defense may purchase any vessel described in subsection (c) through the use of the authority in subsection (c)(1) of section 2218 of title 10, United States Code, without regard to the limitation in subsection (f)(1) of that section.

(c) COVERED VESSELS.—Subsections (a) and (b) apply with respect to any vessel that as of the date of the enactment of this Act—

(1) is chartered by the Department of Defense under a 25-year lease; and

(2) is used by the Navy as a maritime prepositioning ship.

(d) TECHNICAL AMENDMENTS TO UPDATE STATUTE.—Section 2218(f)(1) of title 10, United States Code, is amended—

(1) by striking "Not more than a total of five vessels built in foreign ship yards may be" and inserting "A vessel built in a foreign ship yard may not be"; and

(2) by inserting before the period at the end the following: ", unless specifically authorized by law".

Subtitle C—Counter-Drug Activities

SEC. 1021. RESUMPTION OF REPORTING REQUIREMENT REGARDING DEPARTMENT OF DEFENSE EXPENDITURES TO SUPPORT FOREIGN COUNTER-DRUG ACTIVITIES.

(a) ADDITIONAL REPORT REQUIRED.—Section 1022 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–255), as amended by section 1022 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1215), is further amended by striking "January 1, 2001, and April 15, 2002," and inserting "April 15, 2006,".

(b) ADDITIONAL INFORMATION REQUIRED.—Such section is further amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph (3):

"(3) A description of each base of operation or training facility established, constructed, or operated using the assistance, including any minor construction projects carried out using such assistance, and the amount of assistance expended on base of operations and training facilities.".

SEC. 1022. CLARIFICATION OF AUTHORITY FOR JOINT TASK FORCES TO SUPPORT LAW ENFORCEMENT AGENCIES CONDUCTING COUNTER-TERRORISM ACTIVITIES.

Section 1022 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 117 Stat. 1594) is amended—

(1) by redesignating subsection (b) as subsection (d); and

(2) by inserting after subsection (a) the following new subsections:

"(b) AVAILABILITY OF FUNDS.—During fiscal years 2006 and 2007, funds available to a joint task force to support counter-drug activities may also be used to provide the counter-terrorism support authorized by subsection (a).

"(c) REPORT REQUIRED.—Not later than December 31, 2006, the Secretary of Defense shall submit to Congress a report evaluating the effect on counter-drug and counter-terrorism activities and objectives of using counter-drug funds of a joint task force to provide counter-terrorism support authorized by subsection (a).".

SEC. 1023. SENSE OF CONGRESS REGARDING DRUG TRAFFICKING DETERRENCE.

(a) FINDINGS.—Congress finds the following:

(1) According to the Department of State, drug trafficking organizations shipped approximately nine tons of cocaine to the United States through the Dominican Republic in 2004, and are increasingly using small, high-speed watercraft.

(2) Drug traffickers use the Caribbean corridor to smuggle narcotics to the United States via Puerto Rico and the Dominican Republic. This route is ideal for drug trafficking because of its geographic expanse, numerous law enforcement jurisdictions, and fragmented investigative efforts.

(3) The tethered aerostat system in Lajas, Puerto Rico, contributes to deterring and detecting smugglers moving illicit drugs into Puerto Rico. The aerostat's range and operational capabilities allow it to provide surveillance coverage of the eastern Caribbean corridor and the strategic waterway between Puerto Rico and the Dominican Republic, known as the Mona Passage.

(4) Including maritime radar on the Lajas aerostat will expand its ability to detect suspicious vessels in the eastern Caribbean corridor.

(b) SENSE OF CONGRESS.—Given the findings contained in subsection (a), it is the sense of Congress that—

(1) Congress and the Department of Defense should fund the Counter-Drug Tethered Aerostat program; and

(2) the Department of Defense should install maritime radar on the Lajas, Puerto Rico, aerostat.

Subtitle D—Matters Related to Homeland Security

SEC. 1031. RESPONSIBILITIES OF ASSISTANT SECRETARY OF DEFENSE FOR HOMELAND DEFENSE RELATING TO NUCLEAR, CHEMICAL, AND BIOLOGICAL EMERGENCY RESPONSE.

Subsection (a) of section 1413 of the Defense Against Weapons of Mass Destruction Act of 1996 (50 U.S.C. 2313) is amended to read as follows:

"(a) DEPARTMENT OF DEFENSE.—The Assistant Secretary of Defense for Homeland Defense is responsible for the coordination of Department of Defense assistance to Federal, State, and local officials in responding to threats involving nuclear, radiological, biological, chemical weapons, or high-yield explosives or related materials or technologies, including assistance in identifying, neutralizing, dismantling, and disposing of nuclear, radiological, biologi-

cal, chemical weapons, and high-yield explosives and related materials and technologies.".

SEC. 1032. TESTING OF PREPAREDNESS FOR EMERGENCIES INVOLVING NUCLEAR, RADIOLOGICAL, CHEMICAL, BIOLOGICAL, AND HIGH-YIELD EXPLOSIVES WEAPONS.

(a) SECRETARY OF HOMELAND SECURITY FUNCTIONS.—Subsection (a) of section 1415 of the Defense Against Weapons of Mass Destruction Act of 1996 (50 U.S.C. 2315) is amended—

(1) in the subsection heading, by striking "CHEMICAL OR" and inserting "NUCLEAR, RADIOLOGICAL, CHEMICAL, OR";

(2) in paragraph (1)—

(A) by striking "Secretary of Defense" and inserting "Secretary of Homeland Security"; and

(B) by striking "biological weapons and related materials and emergencies involving" and inserting "nuclear, radiological, biological, and";

(3) in paragraph (2), by striking "during each of fiscal years 1997 through 2013" and inserting "in accordance with sections 102(c) and 430(c)(1) of the Homeland Security Act of 2002 (6 U.S.C. 112(c), 238(c)(1))"; and

(4) in paragraph (3)—

(A) by inserting "the Secretary of Defense," before "the Director of the Federal Bureau of Investigation"; and

(B) by striking "the Director of the Federal Emergency Management Agency,".

(b) REPEAL OF SECRETARY OF ENERGY FUNCTIONS.—Such section is further amended by striking subsection (b).

(c) CONFORMING AMENDMENTS.—Subsection (c) of such section—

(1) is redesignated as subsection (b); and

(2) is amended—

(A) in the first sentence, by striking "The official responsible for carrying out a program developed under subsection (a) or (b) shall revise the program" and inserting "The Secretary of Homeland Security shall revise the program developed under subsection (a)"; and

(B) in the second sentence, by striking "the official" and inserting "the Secretary".

(d) REPEAL OF OBSOLETE PROVISIONS.—Such section is further amended by striking subsections (d) and (e).

SEC. 1033. DEPARTMENT OF DEFENSE CHEMICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR, AND HIGH-YIELD EXPLOSIVES RESPONSE TEAMS.

Section 1414 of the Defense Against Weapons of Mass Destruction Act of 1996 (50 U.S.C. 2314) is amended as follows:

(1) The heading of such section is amended to read as follows:

"SEC. 1414. CHEMICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR, AND HIGH-YIELD EXPLOSIVES RESPONSE TEAM.".

(2) Subsection (a) of such section is amended by striking "or related materials" and inserting "radiological, nuclear, and high-yield explosives".

(3) Subsection (b) of such section is amended—

(A) in the subsection heading, by striking "PLAN" and inserting "PLANS";

(B) in the first sentence, by striking "Not later than" and all that follows through "response plans and" and inserting "The Secretary of Homeland Security shall incorporate into the National Response Plan prepared pursuant to section 502(6) of the Homeland Security Act of 2002 (6 U.S.C. 312(6)), other existing Federal emergency response plans, and"; and

(C) in the second sentence—

(i) by striking "Director" and inserting "Secretary of Homeland Security"; and

(ii) by striking "consultation" and inserting "coordination".

SEC. 1034. REPEAL OF DEPARTMENT OF DEFENSE EMERGENCY RESPONSE ASSISTANCE PROGRAM.

Section 1412 of the Defense Against Weapons of Mass Destruction Act of 1996 (50 U.S.C. 2312) is repealed.

SEC. 1035. REPORT ON USE OF DEPARTMENT OF DEFENSE AERIAL RECONNAISSANCE ASSETS TO SUPPORT HOMELAND SECURITY BORDER SECURITY MISSIONS.

(a) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report containing the results of a study regarding the use of aerial reconnaissance equipment of the Department of Defense in missions in which the Armed Forces support the Department of Homeland Security in performing its international border security mission. The Secretary of Defense shall conduct the study and prepare the report in coordination with the Secretary of Homeland Security.

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

(1) A description of the current use of aerial reconnaissance equipment of the Department of Defense to conduct aerial reconnaissance over the international land and maritime borders of the United States in missions in which the Armed Forces support the Department of Homeland Security in performing its international border security mission.

(2) A statement of the costs of such missions and the source of funds for such missions.

(3) The conclusions derived from a study of how the Department of Defense leverages dual-use aerial reconnaissance assets and technology, such as unmanned aerial vehicles and tethered aerostat radars, for both homeland defense and homeland security purposes.

Subtitle E—Reports and Studies

SEC. 1041. REVIEW OF DEFENSE BASE ACT INSURANCE.

(a) REVIEW REQUIRED.—The Secretary of Defense shall review current and future needs, options, and risks associated with Defense Base Act insurance. The review shall be conducted in coordination with the Director of the Office of Management and Budget and appropriate officials of the Department of Labor, the Department of State, and the United States Agency for International Development.

(b) MATTERS TO BE ADDRESSED.—The review under subsection (a) shall address the following matters:

(1) Cost-effective options for acquiring Defense Base Act insurance.

(2) Methods for coordinating data collection efforts among agencies and contractors on numbers of employees, costs of insurance, and other information relevant to decisions on Defense Base Act insurance.

(3) Improved communication and coordination within and among agencies on the implementation of Defense Base Act insurance.

(4) Actions to be taken to address difficulties in the administration of Defense Base Act insurance, including on matters relating to cost, data, enforcement, and claims processing.

(c) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the results of the review under subsection (a). The report shall set forth the findings of the Secretary as a result of the review and such recommendations, including recommendations for legislative or administrative action, as the Secretary considers appropriate in light of the review.

(d) DEFENSE BASE ACT INSURANCE DEFINED.—In this section, the term "Defense Base Act insurance" means workers' compensation insurance provided to contractor employees pursuant to the Defense Base Act (42 U.S.C. 1651 et seq.).

SEC. 1042. REPORT ON DEPARTMENT OF DEFENSE RESPONSE TO FINDINGS AND RECOMMENDATIONS OF DEFENSE SCIENCE BOARD TASK FORCE ON HIGH PERFORMANCE MICROCHIP SUPPLY.

(a) REPORT REQUIRED.—Not later than July 1, 2006, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the implementation of the recommendations of the Defense Science Board Task Force on High Performance Microchip Supply.

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

(1) An analysis of each finding of the Task Force.

(2) A detailed description of the response of the Department of Defense to each recommendation of the Task Force, including—

(A) for each recommendation that is being implemented or that the Secretary plans to implement—

(i) a summary of actions that have been taken to implement the recommendation; and

(ii) a schedule, with specific milestones, for completing the implementation of the recommendation; and

(B) for each recommendation that the Secretary does not plan to implement—

(i) the reasons for the decision not to implement the recommendation; and

(ii) a summary of alternative actions the Secretary plans to take to address the purposes underlying the recommendation.

(3) A summary of any additional actions the Secretary plans to take to address concerns raised by the Task Force.

Subtitle F—Other Matters

SEC. 1051. COMMISSION ON THE IMPLEMENTATION OF THE NEW STRATEGIC POSTURE OF THE UNITED STATES.

(a) ESTABLISHMENT OF COMMISSION.—

(1) ESTABLISHMENT.—There is hereby established a commission to be known as the "Commission on the Implementation of the New Strategic Posture of the United States". The Secretary of Defense shall enter into a contract with a federally funded research and development center to provide for the organization, management, and support of the Commission. Such contract shall be entered into in consultation with the Secretary of Energy. The selection of the federally funded research and development center shall be made in consultation with the chairman and ranking minority member of the Committee on Armed Services of the Senate and the chairman and ranking minority member of the Committee on Armed Services of the House of Representatives.

(2) COMPOSITION.—

(A) MEMBERSHIP.—The Commission shall be composed of 12 members who shall be appointed by the Secretary of Defense. In selecting individuals for appointment to the Commission, the Secretary of Defense shall consult with the chairman and ranking minority member of the Committee on Armed Services of the Senate and the chairman and ranking minority member of the Committee on Armed Services of the House of Representatives.

(B) QUALIFICATIONS.—Members of the Commission shall be appointed from among private United States citizens with knowledge and expertise in the political, military, operational, and technical aspects of nuclear strategy.

(3) CHAIRMAN OF THE COMMISSION.—The Secretary of Defense shall designate one of the members of the Commission to serve as chairman of the Commission.

(4) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall be filled in the same manner as the original appointment.

(5) SECURITY CLEARANCES.—All members of the Commission shall hold appropriate security clearances.

(b) DUTIES OF COMMISSION.—

(1) REVIEW OF IMPLEMENTATION OF NUCLEAR POSTURE REVIEW.—The Commission shall examine programmatic requirements to achieve the goals set forth in the report of the Secretary of Defense submitted to Congress on December 31, 2001, providing the results of the Nuclear Posture Review conducted pursuant to section 1041 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654, 1654A–262) and results of periodic assessments of the Nuclear Posture Review. Matters examined by the Commission shall include the following:

(A) The process of establishing requirements for strategic forces and how that process accommodates employment of nonnuclear strike platforms and munitions in a strategic role.

(B) How strategic intelligence, reconnaissance, and surveillance requirements differ from nuclear intelligence, reconnaissance, and surveillance requirements.

(C) The ability of a limited number of strategic platforms to carry out a growing range of nonnuclear strategic strike missions.

(D) The limits of tactical systems to perform nonnuclear global strategic missions in a prompt manner.

(E) An assessment of the ability of the current nuclear stockpile to address the evolving strategic threat environment through 2008.

(2) RECOMMENDATIONS.—The Commission shall include in its report recommendations with respect to the following:

(A) Changes to the requirements process to employ nonnuclear strike platforms and munitions in a strategic role.

(B) Changes to the nuclear stockpile and infrastructure required to preserve a nuclear capability commensurate with the changes to the strategic threat environment through 2008.

(C) Actions the Secretary of Defense and the Secretary of Energy can take to preserve flexibility of the defense nuclear complex while reducing the cost of a Cold War strategic infrastructure.

(D) Identify shortfalls in the strategic modernization programs of the United States that would undermine the ability of the United States to develop new nonnuclear strategic strike capabilities.

(3) COOPERATION FROM GOVERNMENT.—

(A) COOPERATION.—In carrying out its duties, the Commission shall receive the full and timely cooperation of the Secretary of Defense, the Secretary of Energy, and any other United States Government official in providing the Commission with analyses, briefings, and other information necessary for the fulfillment of its responsibilities.

(B) LIAISON WITH DOE & DOD.—The Secretary of Energy and the Secretary of Defense shall each designate at least one officer or employee of the Department of Energy and the Department of Defense, respectively, to serve as a liaison officer between the department and the Commission.

(c) REPORTS.—

(1) COMMISSION REPORT.—Not later than June 30, 2007, the Commission shall submit to the Secretary of Defense and the Committees on Armed Services of the Senate and House of Representatives a report on the Commission's findings and conclusions.

(2) SECRETARY OF DEFENSE RESPONSE.—

(A) IN GENERAL.—The Secretary of Defense may submit to the Commission a response to the report of the Commission under paragraph (1). If the Secretary elects to submit to the Commission a response to the report of the Commis-

sion, the Secretary shall also submit such response to the committees specified in paragraph (1).

(B) MATTERS TO BE INCLUDED.—The response, if any, of the Secretary to the report of the Commission shall include—

(i) comments on the findings and conclusions of the Commission; and

(ii) an explanation of what actions, if any, the Secretary intends to take to implement the recommendations of the Commission and, with respect to each such recommendation, the Secretary's reasons for implementing, or not implementing, the recommendation.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Upon request of the chairman of the Commission, the head of any Federal department or agency may detail, on a nonreimbursable basis, up to three employees of such department or agency to the Commission to assist it in carrying out its duties.

(e) FUNDING.—Funds for activities of the Commission shall be provided from amounts appropriated for the Department of Defense.

(f) TERMINATION OF COMMISSION.—The Commission shall terminate on July 30, 2007.

(g) IMPLEMENTATION.—

(1) FFRDC CONTRACT.—The Secretary of Defense shall enter into the contract required under subsection (a)(1) not later that 60 days after the date of the enactment of this Act.

(2) FIRST MEETING.—The Commission shall convene its first meeting not later than 30 days after the date as of which all members of the Commission have been appointed.

SEC. 1052. REESTABLISHMENT OF EMP COMMISSION.

(a) REESTABLISHMENT.—The commission established pursuant to title XIV of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–345), known as the Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack, is hereby reestablished.

(b) MEMBERSHIP.—The Commission as reestablished shall have the same membership as the Commission had as of the date of the submission of the report of the Commission pursuant to section 1403(a) of such Act, as in effect before the date of the enactment of this Act. Service on the Commission is voluntary, and Commissioners may elect to terminate their service on the Commission.

(c) COMMISSION CHARTER DEFINED.—In this section, the term "Commission charter" means title XIV of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–345 et seq.).

(d) ESTABLISHMENT AND PURPOSE.—Section 1401 of the Commission charter (114 Stat. 1654A–345) is amended—

(1) by striking subsections (e) and (g);

(2) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively;

(3) by inserting after subsection (a) the following new subsection (b):

"(b) PURPOSE.—The purpose of the Commission is to monitor, investigate, make recommendations, and report to Congress on the evolving threat to the United States from electromagnetic pulse

(hereinafter in this title referred to as 'EMP') attack resulting from the detonation of a nuclear weapon or weapons at high altitude.";

(4) in subsection (c), as redesignated by paragraph (2), by striking the second and third sentences and inserting "In the event of a vacancy in the membership of the Commission, the Secretary of Defense shall appoint a new member."; and

(5) in subsection (d), as redesignated by paragraph (2), by striking "pulse (hereafter" and all that follows and inserting "pulse effects referred to in subsection (b).".

(e) DUTIES OF COMMISSION.—Section 1402 of the Commission charter (114 Stat. 1654A–346) is amended to read as follows:

"SEC. 1402. DUTIES OF COMMISSION.

"The Commission shall assess the following:

"(1) The vulnerability of electric-dependent military systems and other electric-dependent systems in the United States to an EMP attack, giving special attention to the progress, or lack of progress, by the Department of Defense, other Government departments and agencies of the United States, and entities of the private sector in taking steps to protect such systems from such an attack.

"(2) The report of the Secretary of Defense submitted to Congress under section 1403(b) of this Act as in effect before the enactment of the National Defense Authorization Act for Fiscal Year 2006.".

(f) REPORT.—Section 1403 of the Commission charter (114 Stat. 1654A–345) is amended to read as follows:

"SEC. 1403. REPORTS.

"(a) FINAL REPORT.—Not later than June 30, 2007, the Commission shall submit to Congress a report providing the Commission's assessment of the matters specified in section 1402. That report shall include recommendations for any steps the Commission believes should be taken by the United States to better protect systems referred to in section 1402(1) from an EMP attack.

"(b) INTERIM REPORTS.—Before the submission of its report under subsection (a), the Commission may submit to Congress interim reports at such times as the Commission considers appropriate.".

(g) CLERICAL AMENDMENT.—The heading for subsection (c) of section 1405 of the Commission charter (114 Stat. 1654A–347) is amended by striking "COMMISSION" and inserting "PANELS".

(h) COMMISSION PERSONNEL MATTERS.—Section 1406(c)(2) of the Commission charter (114 Stat. 1654A–347) is amended by striking "for grade GS–15 of the General Schedule" and inserting "for senior level and scientific or professional positions".

(i) FUNDING.—Section 1408 of the Commission charter (114 Stat. 1654A–348) is amended—

(1) by inserting "for any fiscal year" after "activities of the Commission"; and

(2) by striking "for fiscal year 2001" and inserting "for that fiscal year".

(j) TERMINATION.—Section 1049 of of the Commission charter (114 Stat. 1654A–348) is amended by striking "60 days" and inserting "30 days".

SEC. 1053. MODERNIZATION OF AUTHORITY RELATING TO SECURITY OF DEFENSE PROPERTY AND FACILITIES.

Section 21 of the Internal Security Act of 1950 (50 U.S.C. 797) is amended to read as follows:

"PENALTY FOR VIOLATION OF SECURITY REGULATIONS AND ORDERS

"SEC. 21. (a) MISDEMEANOR VIOLATION OF DEFENSE PROPERTY SECURITY REGULATIONS.—

"(1) MISDEMEANOR.—Whoever willfully violates any defense property security regulation shall be fined under title 18, United States Code, or imprisoned not more than one year, or both.

"(2) DEFENSE PROPERTY SECURITY REGULATION DESCRIBED.—For purposes of paragraph (1), a defense property security regulation is a property security regulation that, pursuant to lawful authority—

"(A) shall be or has been promulgated or approved by the Secretary of Defense (or by a military commander designated by the Secretary of Defense or by a military officer, or a civilian officer or employee of the Department of Defense, holding a senior Department of Defense director position designated by the Secretary of Defense) for the protection or security of Department of Defense property; or

"(B) shall be or has been promulgated or approved by the Administrator of the National Aeronautics and Space Administration for the protection or security of NASA property.

"(3) PROPERTY SECURITY REGULATION DESCRIBED.—For purposes of paragraph (2), a property security regulation, with respect to any property, is a regulation—

"(A) relating to fire hazards, fire protection, lighting, machinery, guard service, disrepair, disuse, or other unsatisfactory conditions on such property, or the ingress thereto or egress or removal of persons therefrom; or

"(B) otherwise providing for safeguarding such property against destruction, loss, or injury by accident or by enemy action, sabotage, or other subversive actions.

"(4) DEFINITIONS.—In this subsection:

"(A) DEPARTMENT OF DEFENSE PROPERTY.—The term 'Department of Defense property' means covered property subject to the jurisdiction, administration, or in the custody of the Department of Defense, any Department or agency of which that Department consists, or any officer or employee of that Department or agency.

"(B) NASA PROPERTY.—The term 'NASA property' means covered property subject to the jurisdiction, administration, or in the custody of the National Aeronautics and Space Administration or any officer or employee thereof.

"(C) COVERED PROPERTY.—The term 'covered property' means aircraft, airports, airport facilities, vessels, harbors, ports, piers, water-front facilities, bases, forts, posts, laboratories, stations, vehicles, equipment, explosives, or other property or places.

"(D) REGULATION AS INCLUDING ORDER.—The term 'regulation' includes an order.

"(b) POSTING.—Any regulation or order covered by subsection (a) shall be posted in conspicuous and appropriate places.".

SEC. 1054. REVISION OF DEPARTMENT OF DEFENSE COUNTERINTELLIGENCE POLYGRAPH PROGRAM.

(a) IN GENERAL.—Section 1564a of title 10, United States Code, is amended to read as follows:

"§ 1564a. Counterintelligence polygraph program

"(a) AUTHORITY FOR PROGRAM.—The Secretary of Defense may carry out a program for the administration of counterintelligence polygraph examinations to persons described in subsection (b). The program shall be conducted in accordance with the standards specified in subsection (e).

"(b) PERSONS COVERED.—Except as provided in subsection (d), the following persons, if their duties are described in subsection (c), are subject to this section:

"(1) Military and civilian personnel of the Department of Defense.

"(2) Personnel of defense contractors.

"(3) A person assigned or detailed to the Department of Defense.

"(4) An applicant for a position in the Department of Defense.

"(c) COVERED TYPES OF DUTIES.—The Secretary of Defense may provide, under standards established by the Secretary, that a person described in subsection (b) is subject to this section if that person's duties involve—

"(1) access to information that—

"(A) has been classified at the level of top secret; or

"(B) is designated as being within a special access program under section 4.4(a) of Executive Order No. 12958 (or a successor Executive order); or

"(2) assistance in an intelligence or military mission in a case in which the unauthorized disclosure or manipulation of information, as determined under standards established by the Secretary of Defense, could reasonably be expected to—

"(A) jeopardize human life or safety;

"(B) result in the loss of unique or uniquely productive intelligence sources or methods vital to United States security; or

"(C) compromise technologies, operational plans, or security procedures vital to the strategic advantage of the United States and its allies.

"(d) EXCEPTIONS FROM COVERAGE FOR CERTAIN INTELLIGENCE AGENCIES AND FUNCTIONS.—This section does not apply to the following persons:

"(1) A person assigned or detailed to the Central Intelligence Agency or to an expert or consultant under a contract with the Central Intelligence Agency.

"(2) A person who is—

"(A) employed by or assigned or detailed to the National Security Agency;

"(B) an expert or consultant under contract to the National Security Agency;

"(C) an employee of a contractor of the National Security Agency; or

"(D) a person applying for a position in the National Security Agency.

"(3) A person assigned to a space where sensitive cryptographic information is produced, processed, or stored.

"(4) A person employed by, or assigned or detailed to, an office within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs or a contractor of such an office.

"(e) STANDARDS.—(1) Polygraph examinations conducted under this section shall comply with all applicable laws and regulations.

"(2) Such examinations may be authorized for any of the following purposes:

"(A) To assist in determining the initial eligibility for duties described in subsection (c) of, and aperiodically thereafter, on a random basis, to assist in determining the continued eligibility of, persons described in subsections (b) and (c).

"(B) With the consent of, or upon the request of, the examinee, to—

"(i) resolve serious credible derogatory information developed in connection with a personnel security investigation; or

"(ii) exculpate him- or herself of allegations or evidence arising in the course of a counterintelligence or personnel security investigation.

"(C) To assist, in a limited number of cases when operational exigencies require the immediate use of a person's services before the completion of a personnel security investigation, in determining the interim eligibility for duties described in subsection (c) of the person.

"(3) Polygraph examinations conducted under this section shall provide adequate safeguards, prescribed by the Secretary of Defense, for the protection of the rights and privacy of persons subject to this section under subsection (b) who are considered for or administered polygraph examinations under this section. Such safeguards shall include the following:

"(A) The examinee shall receive timely notification of the examination and its intended purpose and may only be given the examination with the consent of the examinee.

"(B) The examinee shall be advised of the examinee's right to consult with legal counsel.

"(C) All questions asked concerning the matter at issue, other than technical questions necessary to the polygraph technique, must have a relevance to the subject of the inquiry.

"(f) OVERSIGHT.—(1) The Secretary shall establish a process to monitor responsible and effective application of polygraph examinations within the Department of Defense.

"(2) The Secretary shall make information on the use of polygraphs within the Department of Defense available to the congressional defense committees.

"(g) POLYGRAPH RESEARCH PROGRAM.—The Secretary shall carry out a continuing research program to support the polygraph examination activities of the Department of Defense. The program shall include the following:

"(1) An on-going evaluation of the validity of polygraph techniques used by the Department.

"(2) Research on polygraph countermeasures and anti-countermeasures.

"(3) Developmental research on polygraph techniques, instrumentation, and analytic methods.".

(b) EFFECTIVE DATE; IMPLEMENTATION.—The amendment made by subsection (a) shall apply with respect to polygraph examinations administered beginning on the date of the enactment of this Act.

SEC. 1055. PRESERVATION OF RECORDS PERTAINING TO RADIOACTIVE FALLOUT FROM NUCLEAR WEAPONS TESTING.

(a) PROHIBITION OF DESTRUCTION OF CERTAIN RECORDS.—The Secretary of Defense may not destroy any official record in the custody or control of the Department of Defense that contains information relating to radioactive fallout from nuclear weapons testing.

(b) PRESERVATION AND PUBLICATION OF INFORMATION.—The Secretary of Defense shall identify, preserve, and make available any unclassified information contained in official records referred to in subsection (a).

SEC. 1056. TECHNICAL AND CLERICAL AMENDMENTS.

(a) AMENDMENTS RELATING TO DEFINITION OF BASE CLOSURE LAWS.—

(1) Section 2694a(i) of title 10, United States Code, is amended by striking paragraph (2).

(2) Paragraph (1) of section 1333(i) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2701 note) is amended to read as follows:

"(1) BASE CLOSURE LAW.—The term 'base closure law' has the meaning given such term in section 101(a)(17) of title 10, United States Code.".

(3) Subsection (b) of section 2814 of the Military Construction Authorization Act for Fiscal Year 1995 (division B of Public Law 103–337; 10 U.S.C. 2687 note) is amended to read as follows:

"(b) BASE CLOSURE LAW DEFINED.—In this section, the term 'base closure law' has the meaning given such term in section 101(a)(17) of title 10, United States Code.".

(4) Subsection (c) of section 3341 of title 5, United States Code, is amended to read as follows:

"(c) For purposes of this section, the term 'base closure law' has the meaning given such term in section 101(a)(17) of title 10.".

(5) Chapter 5 of title 40, United States Code, is amended—

(A) in section 554(a)(1), by striking "means" and all that follows and inserting "has the meaning given that term in section 101(a)(17) of title 10."; and

(B) in section 572(b)(1)(B), by striking "section 2667(h)(2) of title 10" and inserting "section 101(a)(17) of title 10".

(6) The Act of November 13, 2000, entitled "An Act to amend the Organic Act of Guam, and for other purposes" (Public Law 106–504; 114 Stat. 2309) is amended by striking paragraph (2) of section 1(c) and inserting the following new paragraph (2):

"(2) The term 'base closure law' has the meaning given such term in section 101(a)(17) of title 10, United States Code.".

(b) DEFINITION OF STATE FOR PURPOSES OF SECTION 2694A.—Subsection (i) of section 2694a of title 10, United States Code, as amended by subsection (a)(1), is further amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(2) in paragraph (3), as so redesignated, by striking "and the territories and possessions of the United States" and inserting "Guam, the Virgin Islands, and American Samoa".

(c) OTHER MISCELLANEOUS CORRECTIONS TO TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) Section 101(e)(4)(B)(ii) is amended by striking the comma after "bulk explosives".

(2) Section 127b(d)(1) is amended by striking "polices" in the second sentence and inserting "policies".

(3) Section 1732 is amended—

(A) in subsection (c)—

(i) by striking "(b)(2)(A) and (b)(2)(B)" in paragraphs (1) and (2) and inserting "(b)(1)(A) and (b)(1)(B)"; and

(ii) by striking paragraph (3); and

(B) in subsection (d)(2), by striking "(b)(2)(A)(ii)" and inserting "(b)(1)(A)(ii)".

(4) Section 2410n(b) is amended by striking "compeititon" in the second sentence and inserting "competition".

(5) Section 2507(d) is amended by striking "section (a)" and inserting "subsection (a)".

(6) Section 2665(a) is amended by striking "under section 2664 of this title".

(7) Section 2703(b) is amended by striking "For purposes of the preceding sentence, the terms 'unexploded ordnance', 'discarded military munitions', and" and inserting "In this subsection, the terms 'discarded military munitions' and".

(8) Section 2773a(a) is amended by inserting "by" after "incorrect payment made" in the first sentence.

(9) Section 2801(d) is amended by striking "sections 2830 and 2835" and inserting "sections 2830, 2835, and 2836 of this chapter".

(10) Section 2881a(f) is amended by striking "Notwithstanding section 2885 of this title, the" and inserting "The".

(11) Section 3084 is amended by striking the semicolon in the section heading and inserting a colon.

(d) RONALD W. REAGAN NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005.—Section 1105(h) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2075) is amended by striking "(21 U.S.C." and inserting "(20 U.S.C.".

(e) BOB STUMP NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2003.—The Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314) is amended as follows:

(1) Section 314 (116 Stat. 2508) is amended—

(A) in subsection (d), by striking "(40 U.S.C." and inserting "(42 U.S.C."; and

(B) in subsection (e)(2), by striking "(40 U.S.C." and inserting "(42 U.S.C.".

(2) Section 635(a) (116 Stat. 2574) is amended by inserting "the first place it appears" after "by striking 'a claim'".

(f) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1994.—Section 1605(a)(4) of the National Defense Authorization Act for Fiscal Year 1994 (22 U.S.C. 2751 note) is amended by striking "Logisitics" in the first sentence and inserting "Logistics".

(g) TITLE 38, UNITED STATES CODE.—Section 8111(b)(1) of title 38, United States Code, is amended by inserting "of 1993" after "the Government Performance and Results Act".

SEC. 1057. DELETION OF OBSOLETE DEFINITIONS IN TITLES 10 AND 32, UNITED STATES CODE.

(a) DELETING OBSOLETE DEFINITION OF "TERRITORY" IN TITLE 10.—Title 10, United States Code, is amended as follows:

(1) Section 101(a) is amended by striking paragraph (2).

(2) The following sections are amended by striking the terms "Territory or", "or Territory", "a Territorial Department,", "or a Territory", "Territory and", "its Territories,", and "and Territories" each place they appear: sections 101(a)(3), 332, 822, 1072, 1103, 2671, 3037, 5148, 8037, 8074, 12204, and 12642.

(3) The following sections are amended by striking the terms "Territory," and "Territories," each place they appear: sections 849, 858, 888, 2668, 2669, 7545, and 9773.

(4) Section 808 is amended by striking "Territory, Commonwealth, or possession," and inserting "Commonwealth, possession,".

(5) The following sections are amended by striking "Territories, Commonwealths, or possessions" each place it appears and inserting "Commonwealths or possessions": sections 847, 2734, 4778, 5986, 7652, 7653, and 12406.

(6) The following sections are amended by striking "Territories, Commonwealths, and possessions" each place it appears and inserting "Commonwealths and possessions": sections 846, 3062, 3074, 4747, 4778, 8062, and 9778.

(7) Section 312 is amended by striking "States and Territories, and Puerto Rico" and inserting "States, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands".

(8) Section 335 is amended by striking "the unincorporated territories of".

(9) Sections 4301 and 9301 are amended by striking "State or Territory, Puerto Rico, or the District of Columbia" each place it appears and inserting "State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, or the Virgin Islands".

(10) Sections 4685 and 9685 are amended by striking "State or Territory concerned" each place it appears and inserting "State concerned or Guam or the Virgin Islands" and by striking "State and Territorial" each place it appears and inserting "State, Guam, and the Virgin Islands".

(11) Section 7851 is amended by striking "States, the Territories, and the District of Columbia" and inserting "States, the District of Columbia, Guam, and the Virgin Islands".

(12) Section 7854 is amended by striking "any State, any Territory, or the District of Columbia" and inserting "any State, the District of Columbia, Guam, or the Virgin Islands".

(b) DELETING OBSOLETE DEFINITION OF "TERRITORY" IN TITLE 32.—Title 32, United States Code, is amended as follows:

(1) Paragraph (1) of section 101 is amended to read as follows:

"(1) For purposes of other laws relating to the militia, the National Guard, the Army National Guard of the United States, and the Air National Guard of the United States, the term 'Territory' includes Guam and the Virgin Islands.".

(2) Sections 103, 104(c), 314, 315, 708(d), and 711 are amended by striking "State and Territory, Puerto Rico, and the District of Columbia" and "State or Territory, Puerto Rico, and the District of Columbia" each place they appear and inserting "State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, and the Virgin Islands".

(3) Sections 104(d), 107, 109, 503, 703, 704, 710, and 712 are amended by striking "State or Territory, Puerto Rico, or the District of Columbia" and "State or Territory, Puerto Rico, the Virgin Islands or the District of Columbia" each place they appear and inserting "State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, or the Virgin Islands".

(4) Sections 104(a), 505, 702(a), and 708(a) are amended by striking "State or Territory and Puerto Rico", "State or Territory or Puerto Rico", and "State or Territory, Puerto Rico" each place they appear and inserting "State, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands".

(5) Section 324 is amended by striking "State or Territory of whose National Guard he is a member, or by the laws of Puerto Rico, or the District of Columbia, if he is a member of its National Guard" and inserting "State of whose National Guard he is a member, or by the laws of the Commonwealth of Puerto Rico, or the District of Columbia, Guam, or the Virgin Islands, whose National Guard he is a member".

(6) Section 325 is amended by striking "State or Territory, or of Puerto Rico" and "State or Territory or Puerto Rico" each place they appear and inserting "State, or of the Commonwealth of Puerto Rico, Guam, or the Virgin Islands".

(7) Sections 326, 327, and 501 are amended by striking "States and Territories, Puerto Rico, and the District of Columbia" each place it appears and inserting "States, the Commonwealth of Puerto Rico, the District of Columbia, Guam, and the Virgin Islands".

SEC. 1058. SUPPORT FOR YOUTH ORGANIZATIONS.

(a) YOUTH ORGANIZATION DEFINED.—In this section, the term "youth organization" means—

(1) the Boy Scouts of America;

(2) the Girl Scouts of the United States of America;

(3) the Boys Clubs of America;

(4) the Girls Clubs of America;

(5) the Young Men's Christian Association;

(6) the Young Women's Christian Association;

(7) the Civil Air Patrol;

(8) the United States Olympic Committee;

(9) the Special Olympics;
(10) Campfire USA;
(11) the Young Marines;
(12) the Naval Sea Cadets Corps;
(13) 4–H Clubs;
(14) the Police Athletic League;
(15) Big Brothers—Big Sisters of America;
(16) National Guard Challenge Program; and
(17) any other organization designated by the President as an organization that is primarily intended to—
(A) serve individuals under the age of 21 years;
(B) provide training in citizenship, leadership, physical fitness, service to community, and teamwork; and
(C) promote the development of character and ethical and moral values.

(b) SUPPORT FOR YOUTH ORGANIZATIONS.—

(1) CONTINUATION OF SUPPORT.—No Federal law (including any rule, regulation, directive, instruction, or order) shall be construed to limit any Federal agency from providing any form of support for a youth organization (including the Boy Scouts of America or any group officially affiliated with the Boy Scouts of America) that would result in that Federal agency providing less support to that youth organization (or any similar organization chartered under the chapter of title 36, United States Code, relating to that youth organization) than was provided during the preceding fiscal year to that youth organization. This paragraph shall be subject to the availability of appropriations.

(2) YOUTH ORGANIZATIONS THAT CEASE TO EXIST.—Paragraph (1) shall not apply to any youth organization that ceases to exist.

(3) WAIVERS.—The head of a Federal agency may waive the application of paragraph (1) to a youth organization with respect to each conviction or investigation described under subparagraph (A) or (B) for a period of not more than two fiscal years if—
(A) any senior officer (including any member of the board of directors) of the youth organization is convicted of a criminal offense relating to the official duties of that officer or the youth organization is convicted of a criminal offense; or
(B) the youth organization is the subject of a criminal investigation relating to fraudulent use or waste of Federal funds.

(4) TYPES OF SUPPORT.—Support described in paragraph (1) includes—
(A) authorizing a youth organization to hold meetings, camping events, or other activities on Federal property;
(B) hosting any official event of a youth organization;
(C) loaning equipment for the use of a youth organization; and
(D) providing personnel services and logistical support for a youth organization.

(c) CONTINUATION OF DEPARTMENT OF DEFENSE OF SUPPORT FOR SCOUT JAMBOREES.—Section 2554 of title 10, United States

Code, is amended by adding at the end the following new subsection:

"(i)(1) The Secretary of Defense shall provide at least the same level of support under this section for a national or world Boy Scout Jamboree as was provided under this section for the preceding national or world Boy Scout Jamboree.

"(2) The Secretary of Defense may waive paragraph (1), if the Secretary—

"(A) determines that providing the support subject to paragraph (1) would be detrimental to the national security of the United States; and

"(B) submits to Congress a report containing such determination in a timely manner, and before the waiver takes effect.".

(d) EQUAL ACCESS FOR YOUTH ORGANIZATIONS.—Section 109 of the Housing and Community Development Act of 1974 (42 U.S.C. 5309) is amended—

(1) in the first sentence of subsection (b), by inserting "or (e)" after "subsection (a)"; and

(2) by adding at the end the following new subsection:

"(e) EQUAL ACCESS.—

"(1) DEFINITION.—In this subsection, the term 'youth organization' means an organization described under part B of subtitle II of title 36, United States Code, that is intended to serve individuals under the age of 21 years.

"(2) IN GENERAL.—No State or unit of general local government that has a designated open forum, limited public forum, or nonpublic forum and that is a recipient of assistance under this title shall deny equal access or a fair opportunity to meet to, or discriminate against, any youth organization, including the Boy Scouts of America or any group officially affiliated with the Boy Scouts of America, that wishes to conduct a meeting or otherwise participate in that designated open forum, limited public forum, or nonpublic forum.".

SEC. 1059. SPECIAL IMMIGRANT STATUS FOR PERSONS SERVING AS TRANSLATORS WITH UNITED STATES ARMED FORCES.

(a) IN GENERAL.—For purposes of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), subject to subsection (c)(1), the Secretary of Homeland Security may provide an alien described in subsection (b) with the status of a special immigrant under section 101(a)(27) of such Act (8 U.S.C. 1101(a)(27)), if the alien—

(1) files with the Secretary of Homeland Security a petition under section 204 of such Act (8 U.S.C. 1154) for classification under section 203(b)(4) of such Act (8 U.S.C. 1153(b)(4)); and

(2) is otherwise eligible to receive an immigrant visa and is otherwise admissible to the United States for permanent residence, except in determining such admissibility, the grounds for inadmissibility specified in section 212(a)(4) of such Act (8 U.S.C. 1182(a)(4)) shall not apply.

(b) ALIENS DESCRIBED.—

(1) PRINCIPAL ALIENS.—An alien is described in this subsection if the alien—

(A) is a national of Iraq or Afghanistan;

(B) worked directly with United States Armed Forces as a translator for a period of at least 12 months;

(C) obtained a favorable written recommendation from a general or flag officer in the chain of command of the United States Armed Forces unit that was supported by the alien; and

(D) before filing the petition described in subsection (a)(1), cleared a background check and screening, as determined by a general or flag officer in the chain of command of the United States Armed Forces unit that was supported by the alien.

(2) SPOUSES AND CHILDREN.—An alien is described in this subsection if the alien is the spouse or child of a principal alien described in paragraph (1), and is following or accompanying to join the principal alien.

(c) NUMERICAL LIMITATIONS.—

(1) IN GENERAL.—The total number of principal aliens who may be provided special immigrant status under this section during any fiscal year shall not exceed 50.

(2) COUNTING AGAINST SPECIAL IMMIGRANT CAP.—For purposes of the application of sections 201 through 203 of the Immigration and Nationality Act (8 U.S.C. 1151–1153) in any fiscal year, aliens eligible to be provided status under this section shall be treated as special immigrants described in section 101(a)(27) of such Act (8 U.S.C. 1101(a)(27)) who are not described in subparagraph (A), (B), (C), or (K) of such section.

(d) APPLICATION OF IMMIGRATION AND NATIONALITY ACT PROVISIONS.—The definitions in subsections (a) and (b) of section 101 of the Immigration and Nationality Act (8 U.S.C. 1101) shall apply in the administration of this section.

SEC. 1060. EXPANSION OF EMERGENCY SERVICES UNDER RECIPROCAL AGREEMENTS.

Subsection (b) of the first section of the Act of May 27, 1955 (42 U.S.C. 1856(b)), is amended by striking "and fire fighting" and inserting ", fire fighting, and emergency services, including basic medical support, basic and advanced life support, hazardous material containment and confinement, and special rescue events involving vehicular and water mishaps, and trench, building, and confined space extractions".

SEC. 1061. RENEWAL OF MORATORIUM ON RETURN OF VETERANS MEMORIAL OBJECTS TO FOREIGN NATIONS WITHOUT SPECIFIC AUTHORIZATION IN LAW.

Section 1051(c) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 10 U.S.C. 2572 note) is amended—

(1) by striking "the date of the enactment of this Act" and inserting "October 5, 1999,"; and

(2) by inserting before the period at the end the following: ", and during the period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2006 and ending on September 30, 2010".

SEC. 1062. SENSE OF CONGRESS ON NATIONAL SECURITY INTEREST OF MAINTAINING AERONAUTICS RESEARCH AND DEVELOPMENT.

(a) FINDINGS.—Congress makes the following findings:

(1) The advances made possible by Government-funded research in emerging aeronautics technologies have enabled long-

standing military air superiority for the United States in recent decades.

(2) Military aircraft incorporate advanced technologies developed at research centers of the National Aeronautics and Space Administration.

(3) The vehicle systems program of the National Aeronautics and Space Administration has provided major technology advances that have been used in every major civil and military aircraft developed over the last 50 years.

(4) It is important for the cooperative research efforts of the National Aeronautics and Space Administration and the Department of Defense that funding of research on military aviation technologies be robust.

(5) Recent National Aeronautics and Space Administration and independent studies have demonstrated the competitiveness, scientific merit, and necessity of existing aeronautics programs.

(6) The economic and military security of the United States is enhanced by the continued development of improved aeronautics technologies.

(7) A national effort is needed to ensure that the National Aeronautics and Space Administration can help meet future aviation needs.

(b) SENSE OF CONGRESS.—It is the sense of Congress that it is in the national security interest of the United States to maintain a strong aeronautics research and development program within the Department of Defense and the National Aeronautics and Space Administration.

SEC. 1063. AIRPORT CERTIFICATION.

For the airport referred to in paragraph (1) to be eligible to receive approval of an airport layout plan by the Federal Aviation Administration, such airport shall ensure and provide documentation that—

*(1) the governing body of an airport built after the date of enactment of this Act at site number 04506.3*A and under number 17–0027 of the National Plan of Integrated Airport Systems is composed of a majority of local residents who live in the county in which such airport is located; and*

(2) the airport complies with sections 303, 303A, and 303B of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253–253b) as implemented by the Federal Acquisition Regulation issued pursuant to section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421) regarding land procurement and developer selection.

Subtitle G—Military Mail Matters

SEC. 1071. SAFE DELIVERY OF MAIL IN MILITARY MAIL SYSTEM.

(a) PLAN FOR SAFE DELIVERY OF MILITARY MAIL.—

(1) PLAN REQUIRED.—The Secretary of Defense shall develop and implement a plan to ensure that the mail within the military mail system is safe for delivery. The plan shall provide for the screening of all mail within the military mail system in order to detect the presence of biological, chemical, or radio-

logical weapons, agents, or pathogens or explosive devices before mail within the military mail system is delivered to its intended recipients.

(2) FUNDING.—The budget justification materials submitted to Congress with the budget of the President for fiscal year 2007 and each fiscal year thereafter shall include a description of the amounts required in such fiscal year to carry out the plan.

(b) REPORT ON SAFETY OF MAIL FOR DELIVERY.—

(1) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the safety of mail within the military mail system for delivery.

(2) ELEMENTS.—The report shall include the following:

(A) An assessment of any existing deficiencies in the military mail system in ensuring that mail within the military mail system is safe for delivery.

(B) The plan required by subsection (a).

(C) An estimate of the time and resources required to implement the plan.

(D) A description of the delegation within the Department of Defense of responsibility for ensuring that mail within the military mail system is safe for delivery, including responsibility for the development, implementation, and oversight of improvements to the military mail system to ensure that mail within the military mail system is safe for delivery.

(3) FORM.—The report shall be submitted in unclassified form, but may include a classified annex.

(c) MAIL WITHIN THE MILITARY MAIL SYSTEM DEFINED.—

(1) IN GENERAL.—In this section, the term "mail within the military mail system" means—

(A) any mail that is posted through the Military Post Offices (including Army Post Offices (APOs) and Fleet Post Offices (FPOs)), Department of Defense mail centers, military Air Mail Terminals, and military Fleet Mail Centers; and

(B) any mail or package posted in the United States that is addressed to an unspecified member of the Armed Forces.

(2) INCLUSIONS AND EXCEPTION.—The term includes any official mail posted by the Department of Defense. The term does not include any mail posted as otherwise described in paragraph (1) that has been screened for safety for delivery by the United States Postal Service before such posting.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Subtitle A—Extensions of Authorities

Sec. 1101. Extension of eligibility to continue Federal employee health benefits.
Sec. 1102. Extension of Department of Defense voluntary reduction in force authority.
Sec. 1103. Extension of authority to make lump sum severance payments.
Sec. 1104. Permanent extension of Science, Mathematics, and Research for Transformation (SMART) Defense Education Program.

Sec. 1105. Authority to waive annual limitation on total compensation paid to Federal civilian employees.

Subtitle B—Veterans Preference Matters

Sec. 1111. Veterans' preference status for certain veterans who served on active duty during the period beginning on September 11, 2001, and ending as of the close of Operation Iraqi Freedom.
Sec. 1112. Veterans' preference eligibility for military reservists.

Subtitle C—Other Matters

Sec. 1121. Transportation of family members in connection with the repatriation of Federal employees held captive.
Sec. 1122. Strategic human capital plan for civilian employees of the Department of Defense.
Sec. 1123. Independent study on features of successful personnel management systems of highly technical and scientific workforces.
Sec. 1124. Support by Department of Defense of pilot project for Civilian Linguist Reserve Corps.
Sec. 1125. Increase in authorized number of positions in Defense Intelligence Senior Executive Service.

Subtitle A—Extensions of Authorities

SEC. 1101. EXTENSION OF ELIGIBILITY TO CONTINUE FEDERAL EMPLOYEE HEALTH BENEFITS.

Section 8905a(d)(4)(B) of title 5, United States Code, is amended—

(1) in clause (i), by striking "October 1, 2006" and inserting "October 1, 2010"; and

(2) in clause (ii)—

(A) by striking "February 1, 2007" and inserting "February 1, 2011"; and

(B) by striking "October 1, 2006" and inserting "October 1, 2010".

SEC. 1102. EXTENSION OF DEPARTMENT OF DEFENSE VOLUNTARY REDUCTION IN FORCE AUTHORITY.

Section 3502(f)(5) of title 5, United States Code, is amended by striking "September 30, 2005" and inserting "September 30, 2010".

SEC. 1103. EXTENSION OF AUTHORITY TO MAKE LUMP SUM SEVERANCE PAYMENTS.

Section 5595(i)(4) of title 5, United States Code, is amended by striking "October 1, 2006" and inserting "October 1, 2010".

SEC. 1104. PERMANENT EXTENSION OF SCIENCE, MATHEMATICS, AND RESEARCH FOR TRANSFORMATION (SMART) DEFENSE EDUCATION PROGRAM.

(a) PERMANENT EXTENSION.—Section 1105 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2074; 10 U.S.C. 2192 note) is amended—

(1) by striking "pilot" each place it appears in the section and subsection headings and the text;

(2) in subsection (a)—

(A) by striking "(1)"; and

(B) by striking paragraph (2);

(3) in subsection (b)—

(A) by striking "(b)" and all that follows through "a scholarship" and inserting "(b) FINANCIAL ASSISTANCE.—

(1) Under the program under this section, the Secretary of Defense may award a scholarship or fellowship";

(B) in paragraph (1)(B)—

(i) by striking "undergraduate" and inserting "associates degree, undergraduate degree,"; and

(ii) by inserting "accredited" before "institution of higher education";

(C) in paragraph (2)—

(i) by inserting "or fellowship" after "scholarship";

(ii) by inserting "equipment expenses," after "laboratory expenses,"; and

(iii) by striking the second sentence; and

(D) by adding at the end the following new paragraph:

"(3) Financial assistance provided under a scholarship or fellowship awarded under this section may be paid directly to the recipient of such scholarship or fellowship or to an administering entity for disbursement of the funds."; and

(4) in subsection (c)—

(A) in the heading, by inserting "FINANCIAL" before "ASSISTANCE"

(B) in paragraph (2)—

(i) by striking "a scholarship" and inserting "financial assistance";

(ii) by striking "the financial assistance provided under the scholarship" and inserting "such financial assistance"; and

(iii) by striking the second sentence and inserting the following: "Except as provided in subsection (d), the period of service required of a recipient may not be less than the total period of pursuit of a degree that is covered by such financial assistance.".

(b) EMPLOYMENT OF PROGRAM PARTICIPANTS.—Such section is further amended—

(1) by striking subsection (g);

(2) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g), respectively; and

(3) by inserting after subsection (c) the following new subsection (d):

"(d) EMPLOYMENT OF PROGRAM PARTICIPANTS.—(1) The Secretary of Defense may—

"(A) appoint or retain a person participating in the program under this section in a position on an interim basis during the period of such person's pursuit of a degree under the program and for a period not to exceed 2 years after completion of the degree, but only if, in the case of the period after completion of the degree—

"(i) there is no readily available appropriate permanent position for such person; and

"(ii) there is an active and ongoing effort to identify and assign such person to an appropriate permanent position as soon as practicable; and

"(B) if there is no appropriate permanent position available after the end of the periods described in subparagraph (A), separate such person from employment with the Department without regard to any other provision of law, in which event the

service agreement of such person under subsection (c) shall terminate.

"(2) The period of service of a person covered by paragraph (1) in a position on an interim basis under that paragraph shall, after completion of the degree, be treated as a period of service for purposes of satisfying the obligated service requirements of the person under the service agreement of the person under subsection (c).".

(c) REFUND FOR PERIOD OF UNSERVED OBLIGATED SERVICE.—Paragraph (1) of subsection (e) of such section, as redesignated by subsection (c)(1) of this section, is amended to read as follows:

"(1)(A) A participant in the program under this section who is not an employee of the Department of Defense and who voluntarily fails to complete the educational program for which financial assistance has been provided under this section, or fails to maintain satisfactory academic progress as determined in accordance with regulations prescribed by the Secretary of Defense, shall refund to the United States an appropriate amount, as determined by the Secretary.

"(B) A participant in the program under this section who is an employee of the Department of Defense and who—

"(i) voluntarily fails to complete the educational program for which financial assistance has been provided, or fails to maintain satisfactory academic progress as determined in accordance with regulations prescribed by the Secretary; or

"(ii) before completion of the period of obligated service required of such participant—

"(I) voluntarily terminates such participant's employment with the Department; or

"(II) is removed from such participant's employment with the Department on the basis of misconduct,

shall refund the United States an appropriate amount, as determined by the Secretary.".

(d) CODIFICATION.—

(1) AMENDMENT TO TITLE 10.—Chapter 111 of title 10, United States Code, is amended—

(A) by inserting after section 2192 the following:

"§ 2192a. Science, Mathematics, and Research for Transformation (SMART) Defense Education Program";

and

(B) by transferring and inserting the text of section 1105 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2074; 10 U.S.C. 2192 note), as amended by subsections (a), (b), and (c), so as to appear below the section heading for section 2192a, as added by subparagraph (A).

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2192 the following new item:

"2192a. Science, Mathematics, and Research for Transformation (SMART) Defense Education Program.".

(e) CONFORMING AMENDMENTS.—

(1) Section 1105 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2074; 10 U.S.C. 2192 note) is repealed.

(2) Section 3304(a)(3)(B)(ii) of title 5, United States Code, is amended—

(A) by striking "Scholarship Pilot Program" and inserting "Defense Education Program"; and

(B) by striking "section 1105" and all that follows through the period and inserting "section 2192a of title 10, United States Code.".

(f) EFFECT ON CURRENT PARTICIPANTS IN SMART PILOT PROGRAM.—Participation in the Science, Mathematics, and Research for Transformation (SMART) Defense Scholarship Pilot Program under section 1105 of Public Law 108–375 by an individual who has entered into an agreement under that pilot program before the date of the enactment of this Act shall be governed by the terms of such agreement without regard to the amendments made by this section.

SEC. 1105. AUTHORITY TO WAIVE ANNUAL LIMITATION ON TOTAL COMPENSATION PAID TO FEDERAL CIVILIAN EMPLOYEES.

(a) WAIVER AUTHORITY.—During 2006 and notwithstanding section 5547 of title 5, United States Code, the head of an executive agency may waive, subject to subsection (b), the limitation established in that section for total compensation (including limitations on the aggregate of basic pay and premium pay payable in a calendar year) of an employee who performs work while in an overseas location that is in the area of responsibility of the commander of the United States Central Command, in direct support of or directly related to a military operation (including a contingency operation as defined in section 101(13) of title 10, United States Code).

(b) $200,000 MAXIMUM TOTAL COMPENSATION.—The total compensation of an employee whose pay is covered by a waiver under subsection (a) may not exceed $200,000 in a calendar year.

(c) ADDITIONAL PAY NOT CONSIDERED BASIC PAY.—To the extent that a waiver under subsection (a) results in payment of additional premium pay of a type that is normally creditable as basic pay for retirement or any other purpose, such additional pay—

(1) shall not be considered to be basic pay for any purpose; and

(2) shall not be used in computing a lump sum payment for accumulated and accrued annual leave under section 5551 of title 5, United States Code.

Subtitle B—Veterans Preference Matters

SEC. 1111. VETERANS' PREFERENCE STATUS FOR CERTAIN VETERANS WHO SERVED ON ACTIVE DUTY DURING THE PERIOD BEGINNING ON SEPTEMBER 11, 2001, AND ENDING AS OF THE CLOSE OF OPERATION IRAQI FREEDOM.

(a) DEFINITION OF VETERAN.—Section 2108(1) of title 5, United States Code, is amended—

(1) in subparagraph (B), by striking "or" at the end;

(2) in subparagraph (C), by adding "or" after the semicolon; and

(3) by inserting after subparagraph (C) the following:

"(D) served on active duty as defined by section 101(21) of title 38 at any time in the armed forces for a period of more than 180 consecutive days any part of which occurred during the period beginning on September 11, 2001, and

ending on the date prescribed by Presidential proclamation or by law as the last date of Operation Iraqi Freedom;".

(b) CONFORMING AMENDMENT.—Section 2108(3)(B) of such title is amended by striking "paragraph (1)(B) or (C)" and inserting "paragraph (1)(B), (C), or (D)".

SEC. 1112. VETERANS' PREFERENCE ELIGIBILITY FOR MILITARY RESERVISTS.

(a) VETERANS' PREFERENCE ELIGIBILITY.—Section 2108(1) of title 5, United States Code, is amended by striking "separated from" and inserting "discharged or released from active duty in".

(b) SAVINGS PROVISION.—Nothing in the amendment made by subsection (a) may be construed to affect a determination made before the date of enactment of this Act that an individual is a preference eligible (as defined in section 2108(3) of title 5, United States Code).

Subtitle C—Other Matters

SEC. 1121. TRANSPORTATION OF FAMILY MEMBERS IN CONNECTION WITH THE REPATRIATION OF FEDERAL EMPLOYEES HELD CAPTIVE.

(a) ALLOWANCES AUTHORIZED.—Chapter 57 of title 5, United States Code, is amended by adding at the end the following new section:

"§ 5760. Travel and transportation allowances: transportation of family members incident to the repatriation of employees held captive

"(a) ALLOWANCE FOR FAMILY MEMBERS AND CERTAIN OTHERS.—(1) Under uniform regulations prescribed by the heads of agencies, travel and transportation described in subsection (d) may be provided for not more than 3 family members of an employee described in subsection (b).

"(2) In addition to the family members authorized to be provided travel and transportation under paragraph (1), the head of an agency may provide travel and transportation described in subsection (d) to an attendant to accompany a family member described in subsection (b) if the head of an agency determines—

"(A) the family member to be accompanied is unable to travel unattended because of age, physical condition, or other reason determined by the head of the agency; and

"(B) no other family member who is eligible for travel and transportation under subsection (a) is able to serve as an attendant for the family member.

"(3) If no family member of an employee described in subsection (b) is able to travel to the repatriation site of the employee, travel and transportation described in subsection (d) may be provided to not more than 2 persons related to and selected by the employee.

"(b) COVERED EMPLOYEES.—An employee described in this subsection is an employee (as defined in section 2105 of this title) who—

"(1) was held captive, as determined by the head of an agency concerned; and

"(2) is repatriated to a site inside or outside the United States.

"(c) ELIGIBLE FAMILY MEMBERS.—In this section, the term 'family member' has the meaning given the term in section 411h(b) of title 37.

"(d) TRAVEL AND TRANSPORTATION AUTHORIZED.—(1) The transportation authorized by subsection (a) is round-trip transportation between the home of the family member (or home of the attendant or person provided transportation under paragraph (2) or (3) of subsection (a), as the case may be) and the location of the repatriation site at which the employee is located.

"(2) In addition to the transportation authorized by subsection (a), the head of an agency may provide a per diem allowance or reimbursement for the actual and necessary expenses of the travel, or a combination thereof, but not to exceed the rates established for such allowances and expenses under section 404(d) of title 37.

"(3) The transportation authorized by subsection (a) may be provided by any of the means described in section 411h(d)(1) of title 37.

"(4) An allowance under this subsection may be paid in advance.

"(5) Reimbursement payable under this subsection may not exceed the cost of government-procured round-trip air travel.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 57 of such title is amended by adding at the end the following new item:

"5760. Travel and transportation allowances: transportation of family members incident to the repatriation of employees held captive.".

SEC. 1122. STRATEGIC HUMAN CAPITAL PLAN FOR CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE.

(a) PLAN REQUIRED.—(1) Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall develop and submit to the Committees on Armed Services of the Senate and House of Representatives a strategic plan to shape and improve the civilian employee workforce of the Department of Defense.

(2) The plan shall be known as the "strategic human capital plan".

(b) CONTENTS.—The strategic human capital plan required by subsection (a) shall include—

(1) an assessment of—

(A) the critical skills and competencies that will be needed in the future civilian employee workforce of the Department of Defense to support national security requirements and effectively manage the Department over the next decade;

(B) the skills and competencies of the existing civilian employee workforce of the Department and projected trends in that workforce based on expected losses due to retirement and other attrition; and

(C) gaps in the existing or projected civilian employee workforce of the Department that should be addressed to ensure that the Department has continued access to the critical skills and competencies described in subparagraph (A); and

(2) a plan of action for developing and reshaping the civilian employee workforce of the Department to address the gaps in critical skills and competencies identified under paragraph (1)(C), including—

(A) specific recruiting and retention goals, including the program objectives of the Department to be achieved through such goals; and

(B) specific strategies for development, training, deploying, compensating, and motivating the civilian employee workforce of the Department, including the program objectives of the Department to be achieved through such strategies.

(c) ANNUAL UPDATES.—Not later than March 1 of each year from 2007 through 2010, the Secretary shall update the strategic human capital plan required by subsection (a), as previously updated under this subsection.

(d) ANNUAL REPORTS.—Not later than March 1 of each year from 2007 through 2010, the Secretary shall submit to the appropriate committees of Congress—

(1) the update of the strategic human capital plan prepared in such year under subsection (c); and

(2) the assessment of the Secretary, using results-oriented performance measures, of the progress of the Department of Defense in implementing the strategic human capital plan.

(e) COMPTROLLER GENERAL REVIEW.—Not later than 90 days after the Secretary submits under subsection (a) the strategic human capital plan required by that subsection, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the plan.

SEC. 1123. INDEPENDENT STUDY ON FEATURES OF SUCCESSFUL PERSONNEL MANAGEMENT SYSTEMS OF HIGHLY TECHNICAL AND SCIENTIFIC WORKFORCES.

(a) INDEPENDENT STUDY.—The Secretary of Defense shall commission an independent study to identify the features of successful personnel management systems of the highly technical and scientific workforces of the Department of Defense laboratories and similar scientific facilities and institutions.

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

(1) An examination of the personnel management authorities under statute or regulation currently being used, or available for use, at Department of Defense demonstration laboratories to assist in the management of the workforce of such laboratories.

(2) A list of personnel management authorities and practices critical to successful mission execution, obtained through interviews with selected, premier government and private sector laboratory directors.

(3) A comparative assessment of the effectiveness of the Department of Defense technical workforce management authorities and practices with that of other similar entities.

(4) Such recommendations as are considered appropriate for the effective use of available personnel management authorities to ensure the successful personnel management of the highly technical and scientific workforce of the Department of Defense.

SEC. 1124. SUPPORT BY DEPARTMENT OF DEFENSE OF PILOT PROJECT FOR CIVILIAN LINGUIST RESERVE CORPS.

Subject to the availability of appropriated funds, the Secretary of Defense may support implementation of the Civilian Linguist Reserve Corps pilot project authorized by section 613 of the Intelligence Authorization Act for Fiscal Year 2005 (Public Law 108–487; 118 Stat. 3959; 50 U.S.C. 403–1b note).

SEC. 1125. INCREASE IN AUTHORIZED NUMBER OF POSITIONS IN DEFENSE INTELLIGENCE SENIOR EXECUTIVE SERVICE.

Section 1606(a) of title 10, United States Code, is amended by striking "544" and inserting "594".

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

Sec. 1201. Extension of humanitarian and civic assistance provided to host nations in conjunction with military operations.
Sec. 1202. Commanders' Emergency Response Program.
Sec. 1203. Modification of geographic restriction under bilateral and regional cooperation programs for payment of certain expenses of defense personnel of developing countries.
Sec. 1204. Authority for Department of Defense to enter into acquisition and cross-servicing agreements with regional organizations of which the United States is not a member.
Sec. 1205. Two-year extension of authority for payment of certain administrative services and support for coalition liaison officers.
Sec. 1206. Authority to build the capacity of foreign military forces.
Sec. 1207. Security and stabilization assistance.
Sec. 1208. Reimbursement of certain coalition nations for support provided to United States military operations.
Sec. 1209. Authority to transfer defense articles and provide defense services to the military and security forces of Iraq and Afghanistan.

Subtitle B—Nonproliferation Matters and Countries of Concern

Sec. 1211. Prohibition on procurements from Communist Chinese military companies.
Sec. 1212. Report on nonstrategic nuclear weapons.

Subtitle C—Reports and Sense of Congress Provisions

Sec. 1221. War-related reporting requirements.
Sec. 1222. Quarterly reports on war strategy in Iraq.
Sec. 1223. Report on records of civilian casualties in Afghanistan and Iraq.
Sec. 1224. Annual report on Department of Defense costs to carry out United Nations resolutions.
Sec. 1225. Report on claims related to the bombing of the LaBelle Discotheque.
Sec. 1226. Sense of Congress concerning cooperation with Russia on issues pertaining to missile defense.
Sec. 1227. United States policy on Iraq.

Subtitle D—Other Matters

Sec. 1231. Purchase of weapons overseas for force protection purposes in countries in which combat operations are ongoing.
Sec. 1232. Riot control agents.
Sec. 1233. Requirement for establishment of certain criteria applicable to Global Posture Review.
Sec. 1234. The United States-China Economic Security Review Commission.

Subtitle A—Assistance and Training

SEC. 1201. EXTENSION OF HUMANITARIAN AND CIVIC ASSISTANCE PROVIDED TO HOST NATIONS IN CONJUNCTION WITH MILITARY OPERATIONS.

(a) LIMITATION ON AMOUNT OF ASSISTANCE FOR CLEARANCE OF LANDMINES, ETC.—Subsection (c)(3) of section 401 of title 10, United States Code is amended by striking "$5,000,000" and inserting "$10,000,000".

(b) EXTENSION AND CLARIFICATION OF TYPES OF HEALTH CARE AUTHORIZED.—Subsection (e)(1) of such section is amended—

(1) by inserting "surgical," before "dental," both places it appears; and

(2) by inserting ", including education, training, and technical assistance related to the care provided" before the period at the end.

SEC. 1202. COMMANDERS' EMERGENCY RESPONSE PROGRAM.

(a) AUTHORITY FOR FISCAL YEARS 2006 AND 2007.—During each of fiscal years 2006 and 2007, from funds made available to the Department of Defense for operation and maintenance for such fiscal year, not to exceed $500,000,000 may be used by the Secretary of Defense in such fiscal year to provide funds—

(1) for the Commanders' Emergency Response Program; and

(2) for a similar program to assist the people of Afghanistan.

(b) QUARTERLY REPORTS.—Not later than 15 days after the end of each fiscal-year quarter of fiscal years 2006 and 2007, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes of the programs under subsection (a).

(c) SUBMISSION OF GUIDANCE.—

(1) INITIAL SUBMISSION.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a copy of the guidance issued by the Secretary to the Armed Forces concerning the allocation of funds through the Commanders' Emergency Response Program and any similar program to assist the people of Afghanistan.

(2) MODIFICATIONS.—If the guidance in effect for the purpose stated in paragraph (1) is modified, the Secretary shall submit to the congressional defense committees a copy of the modification not later than 15 days after the date on which the Secretary makes the modification.

(d) WAIVER AUTHORITY.—For purposes of exercising the authority provided by this section or any other provision of law making funding available for the Commanders' Emergency Response Program or any similar program to assist the people of Afghanistan, the Secretary of Defense may waive any provision of law not contained in this section that would (but for the waiver) prohibit, restrict, limit, or otherwise constrain the exercise of that authority.

(e) COMMANDERS' EMERGENCY RESPONSE PROGRAM DEFINED.—In this section, the term "Commanders' Emergency Response Program" means the program established by the Administrator of the Coalition Provisional Authority for the purpose of enabling United States military commanders in Iraq to respond to urgent humanitarian relief and reconstruction requirements within their areas of responsibility by carrying out programs that will immediately assist the Iraqi people.

SEC. 1203. MODIFICATION OF GEOGRAPHIC RESTRICTION UNDER BILATERAL AND REGIONAL COOPERATION PROGRAMS FOR PAYMENT OF CERTAIN EXPENSES OF DEFENSE PERSONNEL OF DEVELOPING COUNTRIES.

Section 1051(b)(1) of title 10, United States Code, is amended—

(1) by inserting "to and" after "in connection with travel"; and

(2) by striking "in which the developing country is located" and inserting "in which the bilateral or regional conference, seminar, or similar meeting for which expenses are authorized is located".

SEC. 1204. AUTHORITY FOR DEPARTMENT OF DEFENSE TO ENTER INTO ACQUISITION AND CROSS-SERVICING AGREEMENTS WITH REGIONAL ORGANIZATIONS OF WHICH THE UNITED STATES IS NOT A MEMBER.

Subchapter I of chapter 138 of title 10, United States Code, is amended by striking "of which the United States is a member" in sections 2341(1), 2342(a)(1)(C), and 2344(b)(4).

SEC. 1205. TWO-YEAR EXTENSION OF AUTHORITY FOR PAYMENT OF CERTAIN ADMINISTRATIVE SERVICES AND SUPPORT FOR COALITION LIAISON OFFICERS.

Section 1051a(e) of title 10, United States Code, is amended by striking "September 30, 2005" and inserting "September 30, 2007".

SEC. 1206. AUTHORITY TO BUILD THE CAPACITY OF FOREIGN MILITARY FORCES.

(a) AUTHORITY.—The President may direct the Secretary of Defense to conduct or support a program to build the capacity of a foreign country's national military forces in order for that country to—

(1) conduct counterterrorist operations; or

(2) participate in or support military and stability operations in which the United States Armed Forces are a participant.

(b) TYPES OF CAPACITY BUILDING.—

(1) AUTHORIZED ELEMENTS.—The program directed by the President under subsection (a) may include the provision of equipment, supplies, and training.

(2) REQUIRED ELEMENTS.—The program directed by the President under subsection (a) shall include elements that promote—

(A) observance of and respect for human rights and fundamental freedoms; and

(B) respect for legitimate civilian authority within that country.

(c) LIMITATIONS.—

(1) ANNUAL FUNDING LIMITATION.—The Secretary of Defense may use up to $200,000,000 of funds available for defense-wide operation and maintenance for any fiscal year to

conduct or support activities directed by the President under subsection (a) in that fiscal year.

(2) ASSISTANCE OTHERWISE PROHIBITED BY LAW.—The President may not use the authority in subsection (a) to provide any type of assistance described in subsection (b) that is otherwise prohibited by any provision of law.

(3) LIMITATION ON ELIGIBLE COUNTRIES.—The President may not use the authority in subsection (a) to provide assistance described in subsection (b) to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

(d) FORMULATION AND EXECUTION OF PROGRAM.—The Secretary of Defense and the Secretary of State shall jointly formulate any program directed by the President under subsection (a). The Secretary of Defense shall coordinate with the Secretary of State in the implementation of any program directed by the President under subsection (a).

(e) CONGRESSIONAL NOTIFICATION.—

(1) PRESIDENTIAL DIRECTION.—At the time the President directs the Secretary of Defense to conduct or support a program authorized in subsection (a), the President shall provide a written copy of that direction to the Congress.

(2) ACTIVITIES IN A COUNTRY.—Not less than 15 days before initiating activities in any country as directed by the President under subsection (a), the Secretary of Defense, in coordination with the Secretary of State, shall submit to the congressional committees specified in paragraph (3) a notice of the following:

(A) The country whose capacity to engage in activities in subsection (a) will be built.

(B) The budget, implementation timeline with milestones, and completion date for completing the program directed by the President.

(C) The source and planned expenditure of funds to complete the program directed by the President.

(3) SPECIFIED CONGRESSIONAL COMMITTEES.—The congressional committees specified in this paragraph are the following:

(A) The Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate.

(B) The Committee on Armed Services, the Committee on International Relations, and the Committee on Appropriations of the House of Representatives.

(f) REPORT.—Not later than one year after the date of the enactment of this Act, the President shall transmit to the congressional committees specified in subsection (e)(3) a report examining the following issues:

(1) The strengths and weaknesses of the Foreign Assistance Act of 1961, the Arms Export Control Act, and any other provision of law related to the building of the capacity of foreign governments or the training and equipping of foreign military forces, including strengths and weaknesses for the purposes described in subsection (a).

(2) The changes, if any, that should be made to the Foreign Assistance Act of 1961, the Arms Export Control Act, and any other relevant provision of law that would improve the ability

of the United States Government to build the capacity of foreign governments or train and equip foreign military forces, including for the purposes described in subsection (a).

(3) The organizational and procedural changes, if any, that should be made in the Department of State and the Department of Defense to improve their ability to conduct programs to build the capacity of foreign governments or train and equip foreign military forces, including for the purposes described in subsection (a).

(4) The resources and funding mechanisms required to assure adequate funding for such programs.

(g) TERMINATION OF PROGRAM.—The authority of the President under subsection (a) to direct the Secretary of Defense to conduct a program terminates at the close of September 30, 2007. Any program directed before that date may be completed, but only using funds available for fiscal year 2006 or fiscal year 2007.

SEC. 1207. SECURITY AND STABILIZATION ASSISTANCE.

(a) AUTHORITY.—The Secretary of Defense may provide services to, and transfer defense articles and funds to, the Secretary of State for the purposes of facilitating the provision by the Secretary of State of reconstruction, security, or stabilization assistance to a foreign country.

(b) LIMITATION.—The aggregate value of all services, defense articles, and funds provided or transferred to the Secretary of State under this section in any fiscal year may not exceed $100,000,000.

(c) AVAILABILITY OF FUNDS.—Any funds transferred to the Secretary of State under this section may remain available until expended.

(d) CONGRESSIONAL NOTIFICATION.—

(1) REQUIREMENT FOR NOTICE.—Whenever the Secretary of Defense exercises the authority under subsection (a), the Secretary shall, at the time the authority is exercised, notify the congressional committees specified in paragraph (3) of the exercise of that authority. Any such notification shall be prepared in coordination with the Secretary of State.

(2) CONTENT OF NOTIFICATION.—Any notification under paragraph (1) shall include a description of—

(A) the services, defense articles, or funds provided or transferred to the Secretary of State; and

(B) the purpose for which such services, defense articles, and funds will be used.

(3) SPECIFIED CONGRESSIONAL COMMITTEES.—The congressional committees specified in this paragraph are the following:

(A) The Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate.

(B) The Committee on Armed Services, the Committee on International Relations, and the Committee on Appropriations of the House of Representatives.

(e) APPLICABLE LAW.—Any services, defense articles, or funds provided or transferred to the Secretary of State under the authority of this section that the Secretary of State uses to provide reconstruction, security, or stabilization assistance to a foreign country shall be subject to the authorities and limitations in the Foreign Assist-

ance Act of 1961, the Arms Export Control Act, or any law making appropriations to carry out such Acts.

(f) EXPIRATION.—The authority provided under subsection (a) may not be exercised after September 30, 2007.

SEC. 1208. REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) AUTHORITY.—From funds made available for the Department of Defense by title XV for Defense-Wide Operation and Maintenance, the Secretary of Defense may reimburse any key cooperating nation for logistical and military support provided by that nation to or in connection with United States military operations in Iraq, Afghanistan, and the global war on terrorism.

(b) DETERMINATIONS.—Payments authorized under subsection (a) may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of the Office of Management and Budget, may determine, in the Secretary's discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided. Any such determination by the Secretary of Defense shall be final and conclusive upon the accounting officers of the United States. To the maximum extent practicable, the Secretary shall develop standards for determining the kinds of logistical and military support to the United States that shall be considered reimbursable under this section.

(c) LIMITATIONS.—

(1) TOTAL AMOUNT.—The total amount of payments made under the authority of this section during fiscal year 2006 may not exceed $1,500,000,000.

(2) PROHIBITION ON CONTRACTUAL OBLIGATIONS TO MAKE PAYMENTS.—The Secretary may not enter into any contractual obligation to make a payment under the authority of this section.

(d) CONGRESSIONAL NOTIFICATIONS.—The Secretary of Defense—

(1) shall notify the congressional defense committees not less than 15 days before making any payment under the authority of this section; and

(2) shall submit to those committees quarterly reports on the use of the authority under this section.

SEC. 1209. AUTHORITY TO TRANSFER DEFENSE ARTICLES AND PROVIDE DEFENSE SERVICES TO THE MILITARY AND SECURITY FORCES OF IRAQ AND AFGHANISTAN.

(a) AUTHORITY.—The President is authorized to transfer defense articles from the stocks of the Department of Defense and to provide defense services in connection with the transfer of such defense articles to the military and security forces of Iraq and Afghanistan in order to support the efforts of those forces to restore and maintain peace and security in those countries.

(b) LIMITATION.—The aggregate value of all defense articles transferred and defense services provided to Iraq and Afghanistan under subsection (a) may not exceed $500,000,000.

(c) APPLICABLE LAW.—Any defense articles transferred or defense services provided to Iraq or Afghanistan under the authority of subsection (a) shall be subject to the authorities and limitations

applicable to the transfer of excess defense articles under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), other than the authorities and limitations contained in subsections (b)(1)(B), (e), (f), and (g) of such section.

(d) NOTIFICATION.—

(1) IN GENERAL.—The President may not transfer defense articles or provide defense services under subsection (a) until 15 days after the date on which the President has provided notice of the proposed transfer of defense articles or provision of defense services to the appropriate congressional committees.

(2) CONTENTS.—Such notification shall include—

(A) the information required by subparagraphs (A) through (D) of section 516(f)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(f)(2)(A) through (D));

(B) a description of the amount and type of each defense article to be transferred or defense service to be provided and the brigade-level unit from which the defense article is to be transferred or defense service is to be provided, if applicable; and

(C) an identification of the element of the military or security force that is the proposed recipient of each defense article to be transferred or defense service to be provided.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Appropriations, the Committee on Armed Services, and the Committee on International Relations of the House of Representatives; and

(B) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate.

(2) DEFENSE ARTICLES.—The term "defense articles" has the meaning given the term in section 644(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(d)).

(3) DEFENSE SERVICES.—The term "defense services" has the meaning given the term in section 644(f) of such Act (22 U.S.C. 2403(f)).

(4) MILITARY AND SECURITY FORCES.—The term "military and security forces" has the meaning given the term in section 1202(e) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375).

(f) EXPIRATION.—The authority provided under subsection (a) may not be exercised after September 30, 2006.

Subtitle B—Nonproliferation Matters and Countries of Concern

SEC. 1211. PROHIBITION ON PROCUREMENTS FROM COMMUNIST CHINESE MILITARY COMPANIES.

(a) PROHIBITION.—The Secretary of Defense may not procure goods or services described in subsection (b), through a contract or any subcontract (at any tier) under a contract, from any Communist Chinese military company.

(b) GOODS AND SERVICES COVERED.—For purposes of subsection (a), the goods and services described in this subsection are goods and services on the munitions list of the International Trafficking in Arms Regulations, other than goods or services procured—

(1) in connection with a visit by a vessel or an aircraft of the United States Armed Forces to the People's Republic of China;

(2) for testing purposes; or

(3) for purposes of gathering intelligence.

(c) WAIVER AUTHORIZED.—The Secretary of Defense may waive the prohibition in subsection (a) if the Secretary determines such a waiver is necessary for national security purposes. The Secretary shall notify the congressional defense committees of each waiver made under this subsection.

(d) DEFINITIONS.—In this section:

(1) The term "Communist Chinese military company" has the meaning provided that term by section 1237(b)(4) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (50 U.S.C. 1701 note).

(2) The term "munitions list of the International Trafficking in Arms Regulations" means the United States Munitions List contained in part 121 of subchapter M of title 22 of the Code of Federal Regulations.

SEC. 1212. REPORT ON NONSTRATEGIC NUCLEAR WEAPONS.

(a) REVIEW.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State and the Secretary of Energy, conduct a review of United States and Russian nonstrategic nuclear weapons and determine whether it is in the national security interest of the United States—

(1) to reduce the number of United States and Russian nonstrategic nuclear weapons;

(2) to improve the security of United States and Russian nonstrategic nuclear weapons in storage and during transport;

(3) to identify and develop mechanisms and procedures to implement transparent reductions in nonstrategic nuclear weapons; and

(4) to identify and develop mechanisms and procedures to implement the transparent dismantlement of excess nonstrategic nuclear weapons.

(b) REPORT.—

(1) IN GENERAL.—The Secretary of Defense shall submit to the congressional defense committees a joint report, prepared in consultation with the Secretary of State and the Secretary of Energy, on the results of the review required under subsection (a). The report shall include a plan to implement, not later than October 1, 2006, actions determined as a result of the review to be in the United States national security interest.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

Subtitle C—Reports and Sense of Congress Provisions

SEC. 1221. WAR-RELATED REPORTING REQUIREMENTS.

(a) REPORT REQUIRED FOR OPERATION IRAQI FREEDOM, OPERATION ENDURING FREEDOM, AND OPERATION NOBLE EAGLE.—The Secretary of Defense shall submit to the congressional defense committees, in accordance with this section, a report on procurement and equipment maintenance costs for each of Operation Iraqi Freedom, Operation Enduring Freedom, and Operation Noble Eagle and on facility infrastructure costs associated with each of Operation Iraqi Freedom and Operation Enduring Freedom. The report shall include the following:

(1) PROCUREMENT.—A specification of costs of procurement funding requested since fiscal year 2003, together with end-item quantities requested and the purpose of the request (such as replacement for battle losses, improved capability, increase in force size, restructuring of forces), shown by service.

(2) EQUIPMENT MAINTENANCE.—A cost comparison of the requirements for equipment maintenance expenditures during peacetime and for such requirements during wartime, as shown by the requirements in each of Operation Iraqi Freedom, Operation Enduring Freedom, and Operation Noble Eagle. The cost comparison shall include—

(A) a description of the effect of war operations on the backlog of maintenance requirements over the period of fiscal years 2003 to the time of the report; and

(B) an examination of the extent to which war operations have precluded maintenance from being performed because equipment was unavailable.

(3) OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM INFRASTRUCTURE.—A specification of the number of United States military personnel that can be supported by the facility infrastructure in Iraq and Afghanistan and in the neighboring countries from where Operation Iraq Freedom and Operation Enduring Freedom are supported.

(b) SUBMISSION REQUIREMENTS.—The report under subsection (a) shall be submitted not later than 180 days after the date of the enactment of this Act. The Secretary of Defense shall submit an updated report on procurement, equipment maintenance, and military construction costs, as specified in subsection (a), concurrently with any request made to Congress after the date of the enactment of this Act for war-related funding.

(c) SUBMISSION TO GAO OF CERTAIN REPORTS ON COSTS.—The Secretary of Defense shall submit to the Comptroller General, not later than 45 days after the end of each reporting month, the Department of Defense Supplemental and Cost of War Execution reports. Based on these reports, the Comptroller General shall provide to Congress quarterly updates on the costs of Operation Iraqi Freedom and Operation Enduring Freedom.

SEC. 1222. QUARTERLY REPORTS ON WAR STRATEGY IN IRAQ.

(a) QUARTERLY REPORTS.—At the same time the Secretary of Defense submits to Congress each report on stability and security in Iraq that is submitted to Congress after the date of the enactment

of this Act under the Joint Explanatory Statement of the Committee on Conference to accompany the conference report on the bill H.R. 1268 of the 109th Congress, the Secretary of Defense and appropriate personnel of the Central Intelligence Agency shall provide the appropriate committees of Congress a briefing on the strategy for the war in Iraq, including the intelligence and other measures of evaluation used in determining the progress made in the execution of that strategy.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Armed Services, the Select Committee on Intelligence, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.

(c) TERMINATION OF REQUIREMENT.—This section shall cease to be in effect after 12 of the quarterly briefings specified in subsection (a) have been provided or December 31, 2008, whichever is later.

SEC. 1223. REPORT ON RECORDS OF CIVILIAN CASUALTIES IN AFGHANISTAN AND IRAQ.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on records of civilian casualties in Afghanistan and Iraq.

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

(1) Whether records of civilian casualties in Afghanistan and Iraq are kept by the United States Armed Forces and if such records are kept—

(A) how and from what sources the information for those records is collected;

(B) where those records are kept; and

(C) what officials or organizations are responsible for maintaining those records.

(2) Whether such records (if kept) contain—

(A) any information relating to the circumstances under which the casualties occurred and whether those casualties were fatalities or injuries;

(B) information as to whether any condolence payment, compensation, or assistance was provided to the victim or to the victim's family; and

(C) any other information relating to those casualties.

SEC. 1224. ANNUAL REPORT ON DEPARTMENT OF DEFENSE COSTS TO CARRY OUT UNITED NATIONS RESOLUTIONS.

(a) REQUIREMENT FOR ANNUAL REPORT.—

(1) DEPARTMENT OF DEFENSE COSTS.—Not later than April 30 of each year, the Secretary of Defense shall submit to the congressional committees specified in paragraph (2) a report on Department of Defense costs during the preceding fiscal year to carry out United Nations resolutions.

(2) SPECIFIED COMMITTEES.—The committees specified in this paragraph are—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on International Relations, and the Committee on Appropriations of the House of Representatives.

(b) MATTERS TO BE INCLUDED.— Each report under subsection (a) shall set forth the following:

(1) All direct and indirect costs (including incremental costs) incurred by the Department of Defense during the preceding fiscal year in implementing or supporting any resolution adopted by the United Nations Security Council, including any such resolution calling for—

(A) international sanctions;

(B) international peacekeeping operations;

(C) international peace enforcement operations;

(D) monitoring missions;

(E) observer missions; or

(F) humanitarian missions.

(2) An aggregate of all such Department of Defense costs by operation or mission and the total cost to United Nations members of each operation or mission.

(3) All direct and indirect costs (including incremental costs) incurred by the Department of Defense during the preceding fiscal year in training, equipping, and otherwise assisting, preparing, providing resources for, and transporting foreign defense or security forces for implementing or supporting any resolution adopted by the United Nations Security Council, including any such resolution specified in paragraph (1).

(4) All efforts made to seek credit against past United Nations expenditures.

(5) All efforts made to seek compensation from the United Nations for costs incurred by the Department of Defense in implementing and supporting United Nations activities.

(c) COORDINATION.—The report under subsection (a) each year shall be prepared in coordination with the Secretary of State.

(d) FORM OF REPORT.—Each report required by this section shall be submitted in unclassified form, but may include a classified annex.

SEC. 1225. REPORT ON CLAIMS RELATED TO THE BOMBING OF THE LABELLE DISCOTHEQUE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Government of Libya should be commended for the steps the Government has taken to renounce terrorism and to eliminate Libya's weapons of mass destruction and related programs; and

(2) an important priority for improving relations between the United States and Libya should be a good faith effort on the part of the Government of Libya to resolve the claims of members of the Armed Forces of the United States and other United States citizens who were injured in the bombing of the LaBelle Discotheque in Berlin, Germany that occurred in April 1986, and of family members of members of the Armed Forces of the United States who were killed in that bombing.

(b) REPORTS.—

(1) INITIAL REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on the status of negotiations between the Government of Libya and United States claimants in connection with the bombing of the LaBelle Discotheque in Berlin, Germany that occurred in April 1986, regarding resolution of their claims. The report shall also include information on efforts by the Government of the United States to urge the Government of Libya to make a good faith effort to resolve such claims.

(2) UPDATE.—Not later than one year after enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees an update of the report required by paragraph (1).

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on International Relations of the House of Representatives.

SEC. 1226. SENSE OF CONGRESS CONCERNING COOPERATION WITH RUSSIA ON ISSUES PERTAINING TO MISSILE DEFENSE.

It is the sense of Congress that—

(1) cooperation between the United States and Russia with regard to missile defense is in the interest of the United States;

(2) there does not exist strong enough engagement between the United States and Russia with respect to missile defense cooperation;

(3) the United States should explore innovative and nontraditional means of cooperation with Russia on issues pertaining to missile defense; and

(4) as part of such an effort, the Secretary of Defense should consider the possibilities for United States-Russian cooperation with respect to missile defense through—

(A) the testing of specific elements of the detection and tracking equipment of the Missile Defense Agency of the United States Department of Defense through the use of Russian target missiles;

(B) the provision of early warning radar to the Missile Defense Agency by the use of Russian radar data; and

(C) the implementation of the Joint Data Exchange Center in Moscow to improve early warning capabilities.

SEC. 1227. UNITED STATES POLICY ON IRAQ.

(a) SHORT TITLE.—This section may be cited as the "United States Policy in Iraq Act".

(b) SENSE OF CONGRESS.—It is the sense of the Congress that, in order to succeed in Iraq—

(1) members of the United States Armed Forces who are serving or have served in Iraq and their families deserve the utmost respect and the heartfelt gratitude of the American people for their unwavering devotion to duty, service to the Nation, and selfless sacrifice under the most difficult circumstances; the United States Congress supports our troops and supports a successful conclusion to their mission.

(2) it is important to recognize that the Iraqi people have made enormous sacrifices and that the overwhelming majority of Iraqis want to live in peace and security; and that the Iraqi security forces in a growing number of incidences are fighting side-by-side with coalition forces, are increasing in numbers and improving in military capability.

(3) the terrorists seeking to prevent the emergence of a secure, stable, peaceful, and democratic Iraq are led by individuals seeking to restore dictatorship in Iraq or who want to advance al Qaeda's broad vision of violently extreme Islam in the Middle East.

(4) calendar year 2006 should be a period of significant transition to full Iraqi sovereignty, with Iraqi security forces taking the lead for the security of a free and sovereign Iraq, thereby creating the conditions for the phased redeployment of United States forces from Iraq;

(5) United States military forces should not stay in Iraq any longer than required and the professional military judgment of our senior military should be a key factor in future decisions;.

(6) the Administration should tell the leaders of all groups and political parties in Iraq that they need to make the compromises necessary to achieve the broad-based and sustainable political settlement that is essential for defeating the insurgency in Iraq, within the schedule they set for themselves; and

(7) the President has committed to continue to explain to Congress and the American people progress toward a successful completion of the mission in Iraq.

(c) REPORTS TO CONGRESS ON UNITED STATES POLICY AND MILITARY OPERATIONS IN IRAQ.—Not later than 90 days after the date of the enactment of this Act, and every three months thereafter until all United States combat brigades have redeployed from Iraq, the President shall submit to Congress a report on United States policy and military operations in Iraq. To the maximum extent practicable, the report required in (c) shall be unclassified, with a classified annex if necessary. Each report shall include to the extent practical, the following information:

(1) The current military mission and the diplomatic, political, economic, and military measures that are being or have been undertaken to successfully complete or support that mission, including:

(A) Efforts to convince Iraq's main communities to make the compromises necessary for a broad-based and sustainable political settlement.

(B) Engaging the international community and the region in efforts to stabilize Iraq and to forge a broad-based and sustainable political settlement.

(C) Strengthening the capacity of Iraq's government ministries.

(D) Accelerating the delivery of basic services.

(E) Securing the delivery of pledged economic assistance from the international community and additional pledges of assistance.

(F) Training Iraqi security forces and transferring additional security responsibilities to those forces and the government of Iraq.

(2) Whether the Iraqis have made the compromises necessary to achieve the broad-based and sustainable political settlement that is essential for defeating the insurgency in Iraq.

(3) Any specific conditions included in the April 2005 Multi-National Forces-Iraq campaign action plan (referred to in United States Government Accountability Office October 2005 report on Rebuilding Iraq: DOD Reports Should Link Economic, Governance, and Security Indicators to Conditions for Stabilizing Iraq), and any subsequent updates to that campaign plan, that must be met in order to provide for the transition of additional security responsibility to Iraqi security forces.

(4) To the extent that these conditions are not covered under paragraph (3), the following should also be addressed:

(A) The number of battalions of the Iraqi Armed Forces that must be able to operate independently or to take the lead in counterinsurgency operations and the defense of Iraq's territory.

(B) The number of Iraqi special police units that must be able to operate independently or to take the lead in maintaining law and order and fighting the insurgency.

(C) The number of regular police that must be trained and equipped to maintain law and order.

(D) The ability of Iraq's Federal ministries and provincial and local governments to independently sustain, direct, and coordinate Iraq's security forces.

(5) The criteria to be used to evaluate progress toward meeting such conditions.

(6) A plan for meeting such conditions, an assessment of the extent to which such conditions have been met, information regarding variables that could alter that plan, and the reasons for any subsequent changes to that plan.

Subtitle D—Other Matters

SEC. 1231. PURCHASE OF WEAPONS OVERSEAS FOR FORCE PROTECTION PURPOSES IN COUNTRIES IN WHICH COMBAT OPERATIONS ARE ONGOING.

(a) FORCE PROTECTION PURCHASES.—Chapter 3 of title 10, United States Code, is amended by inserting after section 127b the following new section:

"§ 127c. Purchase of weapons overseas: force protection

"(a) AUTHORITY.—When elements of the armed forces are engaged in ongoing military operations in a country, the Secretary of Defense may, for the purpose of protecting United States forces in that country, purchase weapons from any foreign person, foreign government, international organization, or other entity located in that country.

"(b) LIMITATION.—The total amount expended during any fiscal year for purchases under this section may not exceed $15,000,000.

"(c) SEMIANNUAL CONGRESSIONAL REPORT.—In any case in which the authority provided in subsection (a) is used during the

period of the first six months of a fiscal year, or during the period of the second six months of a fiscal year, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and Committee on Armed Services of the House of Representatives a report on the use of that authority during that six-month period. Each such report shall be submitted not later than 30 days after the end of the six-month period during which the authority is used. Each such report shall include the following:

"(1) The number and type of weapons purchased under subsection (a) during that six- month period covered by the report, together with the amount spent for those weapons and the Secretary's estimate of the fair market value of those weapons.

"(2) A description of the dispositions (if any) during that six-month period of weapons purchased under subsection (a).".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 127b the following new item:

"127c. Purchase of weapons overseas: force protection.".

SEC. 1232. RIOT CONTROL AGENTS.

(a) RESTATEMENT OF POLICY.—It is the policy of the United States that riot control agents are not chemical weapons and that the President may authorize their use as legitimate, legal, and nonlethal alternatives to the use of force that, as provided in Executive Order 11850 (40 Fed. Reg. 16187) and consistent with the resolution of ratification of the Chemical Weapons Convention, may be employed by members of the Armed Forces in war in defensive military modes to save lives, including the illustrative purposes cited in Executive Order 11850.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to Congress a report on the use of riot control agents by members of the Armed Forces.

(2) CONTENT.—The report required by paragraph (1) shall include—

(A) a description of all regulations, doctrines, training materials, and any other information related to the use of riot control agents by members of the Armed Forces;

(B) a description of how the material described in subparagraph (A) is consistent with United States policy on the use of riot control agents;

(C) a description of the availability of riot control agents, and the means to use them, to members of the Armed Forces, including members of the Armed Forces deployed in Iraq and Afghanistan;

(D) a description of the frequency and circumstances of the use of riot control agents by members of the Armed Forces since January 1, 1992, and a summary of views held by commanders of United States combatant commands as to the utility of the use of riot control agents by members of the Armed Forces when compared with alternatives;

(E) a general description of steps taken or planned to be taken by the Department of Defense to clarify the cir-

cumstances under which riot control agents may be used by members of the Armed Forces; and

(F) a brief explanation of the continuing validity of Executive Order 11850 under United States law.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(c) DEFINITIONS.—In this section:

(1) CHEMICAL WEAPONS CONVENTION.—The term "Chemical Weapons Convention" means the Convention on the Prohibitions of Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, with annexes, done at Paris, January 13, 1993, and entered into force April 29, 1997 (T. Doc. 103–21).

(2) RESOLUTION OF RATIFICATION OF THE CHEMICAL WEAPONS CONVENTION.—The term "resolution of ratification of the Chemical Weapons Convention" means S. Res. 75, 105th Congress, agreed to April 24, 1997, advising and consenting to the ratification of the Chemical Weapons Convention.

SEC. 1233. REQUIREMENT FOR ESTABLISHMENT OF CERTAIN CRITERIA APPLICABLE TO GLOBAL POSTURE REVIEW.

(a) CRITERIA.—As part of the Integrated Global Presence and Basing Strategy (IGPBS) developed by the Department of Defense that is referred to as the "Global Posture Review", the Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, shall develop criteria for assessing, with respect to each type of facility specified in subsection (c) that is to be located in a foreign country, the following factors:

(1) The effect of any new basing arrangements on the strategic mobility requirements of the Department of Defense.

(2) The ability of units deployed to overseas locations in areas in which United States Armed Forces have not traditionally been deployed to meet mobility response times required by operational planners.

(3) The cost of deploying units to areas referred to in paragraph (2) on a rotational basis (rather than on a permanent basing basis).

(4) The strategic benefit of rotational deployments through countries with which the United States is developing a close or new security relationship.

(5) Whether the relative speed and complexity of conducting negotiations with a particular country is a discriminator in the decision to deploy forces within the country.

(6) The appropriate and available funding mechanisms for the establishment, operation, and sustainment of specific Main Operating Bases, Forward Operating Bases, or Cooperative Security Locations.

(7) The effect on military quality of life of the unaccompanied deployment of units to new facilities in overseas locations.

(8) Other criteria as Secretary of Defense determines appropriate.

(b) ANALYSIS OF ALTERNATIVES TO BASING OR OPERATING LOCATIONS.—The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, shall develop a mechanism for

analyzing alternatives to any particular overseas basing or operating location. Such a mechanism shall incorporate the factors specified in each of paragraphs (1) through (5) of subsection (a).

(c) MINIMAL INFRASTRUCTURE REQUIREMENTS FOR OVERSEAS INSTALLATIONS.— The Secretary of Defense shall develop a description of minimal infrastructure requirements for each of the following types of facilities:

(1) Facilities categorized as Main Operating Bases.

(2) Facilities categorized as Forward Operating Bases.

(3) Facilities categorized as Cooperative Security Locations.

(d) NOTIFICATION REQUIRED.—Not later than 30 days after an agreement is entered into between the United States and a foreign country to support the deployment of elements of the United States Armed Forces in that country, the Secretary of Defense shall submit to the congressional defense committees a written notification of such agreement. The notification under this subsection shall include the terms of the agreement, any costs to the United States resulting from the agreement, and a timeline to carry out the terms of the agreement.

(e) ANNUAL BUDGET ELEMENT.—The Secretary of Defense shall submit to Congress, as an element of the annual budget request of the Secretary, information regarding the funding sources for the establishment, operation, and sustainment of individual Main Operating Bases, Forward Operating Bases, or Cooperative Security Locations.

(f) REPORT.—Not later than March 30, 2006, the Secretary of Defense shall submit to Congress a report on the matters specified in subsections (a) through (c).

SEC. 1234. THE UNITED STATES-CHINA ECONOMIC SECURITY REVIEW COMMISSION.

(a) FINDINGS.—Congress finds the following:

(1) The 2004 Report to Congress of the United States-China Economic and Security Review Commission states that—

(A) China's State-Owned Enterprises (SOEs) lack adequate disclosure standards, which creates the potential for United States investors to unwittingly contribute to enterprises that are involved in activities harmful to United States security interests;

(B) United States influence and vital long-term interests in Asia are being challenged by China's robust regional economic engagement and diplomacy;

(C) the assistance of China and North Korea to global ballistic missile proliferation is extensive and ongoing;

(D) China's transfers of technology and components for weapons of mass destruction (WMD) and their delivery systems to countries of concern, including countries that support acts of international terrorism, have helped create a new tier of countries with the capability to produce WMD and ballistic missiles;

(E) the removal of the European Union arms embargo against China that is currently under consideration in the European Union would accelerate weapons modernization and dramatically enhance Chinese military capabilities;

(F) China is developing a leading-edge military with the objective of intimidating Taiwan and deterring United

States involvement in the Taiwan Strait, and China's qualitative and quantitative military advancements have already resulted in a dramatic shift in the cross-Strait military balance toward China; and

(G) China's growing energy needs are driving China into bilateral arrangements that undermine multilateral efforts to stabilize oil supplies and prices, and in some cases may involve dangerous weapons transfers.

(2) On March 14, 2005, the National People's Congress approved a law that would authorize the use of force if Taiwan formally declares independence.

(b) SENSE OF CONGRESS FOR COMPREHENSIVE STRATEGY.—It is the sense of Congress that the President should present to Congress quickly a comprehensive strategy to—

(1) address the emergence of China economically, diplomatically, and militarily;

(2) promote mutually beneficial trade relations with China; and

(3) encourage China's adherence to international norms in the areas of trade, international security, and human rights.

(c) CONTENTS OF STRATEGY.—The strategy referred to in subsection (b) should address the following:

(1) Actions to address China's policy of undervaluing its currency, including—

(A) encouraging China to continue to upwardly revalue the Chinese yuan against the United States dollar;

(B) allowing the yuan to float against a trade-weighted basket of currencies; and

(C) concurrently encouraging United States trading partners with similar interests to join in these efforts.

(2) Actions to make better use of the World Trade Organization (WTO) dispute settlement mechanism and applicable United States trade laws to redress China's trade practices, including—

(A) exchange rate manipulation;

(B) denial of trading and distribution rights;

(C) insufficient intellectual property rights protection;

(D) objectionable labor standards;

(E) subsidization of exports; and

(F) forced technology transfers as a condition of doing business.

(3) The United States Trade Representative should consult with United States trading partners regarding any trade dispute with China.

(4) Actions to encourage United States diplomatic efforts to identify and pursue initiatives to revitalize United States engagement in East Asia. The initiatives should have a regional focus and complement bilateral efforts. The Asia-Pacific Economic Cooperation forum (APEC) offers a ready mechanism for pursuit of such initiatives.

(5) Actions by the administration to work with China to prevent proliferation of prohibited technologies and to secure China's agreement to renew efforts to curtail commercial export by North Korea of ballistic missiles.

(6) Actions by the Secretary of State and the Secretary of Energy to consult with the International Atomic Energy Agency with the objective of upgrading the current loose experience-sharing arrangement whereby China engages in some limited exchanges with the organization to a more structured arrangement.

(7) Actions by the administration to develop a coordinated, comprehensive national policy and strategy designed to maintain United States scientific and technological leadership and competitiveness, in light of the rise of China and the challenges of globalization.

(8) Actions to review laws and regulations governing the Committee on Foreign Investment in the United States (CFIUS), including exploring whether the definition of national security should include the potential impact on national economic security as a criterion to be reviewed, and whether the chairmanship of CFIUS should be transferred from the Secretary of the Treasury to a more appropriate executive branch agency.

(9) Actions by the President and the Secretary of State and Secretary of Defense to press strongly their counterparts in the European Union and its member states to maintain and strengthen the embargo on selling arms to China.

(10) Actions by the administration to discourage foreign defense contractors from selling sensitive military-use technology or weapons systems to China.

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

Sec. 1301. Specification of Cooperative Threat Reduction programs and funds.
Sec. 1302. Funding allocations.
Sec. 1303. Permanent waiver of restrictions on use of funds for threat reduction in states of the former Soviet Union.
Sec. 1304. Report on elimination of impediments to threat-reduction and nonproliferation programs in the former Soviet Union.
Sec. 1305. Repeal of requirement for annual Comptroller General assessment of annual Department of Defense report on activities and assistance under Cooperative Threat Reduction programs.

SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS AND FUNDS.

(a) SPECIFICATION OF CTR PROGRAMS.—For purposes of section 301 and other provisions of this Act, Cooperative Threat Reduction programs are the programs specified in section 1501(b) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2731; 50 U.S.C. 2362 note).

(b) FISCAL YEAR 2006 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—As used in this title, the term "fiscal year 2006 Cooperative Threat Reduction funds" means the funds appropriated pursuant to the authorization of appropriations in section 301 for Cooperative Threat Reduction programs.

(c) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 for Cooperative

Threat Reduction programs shall be available for obligation for three fiscal years.

SEC. 1302. FUNDING ALLOCATIONS.

(a) FUNDING FOR SPECIFIC PURPOSES.—Of the $415,549,000 authorized to be appropriated to the Department of Defense for fiscal year 2006 in section 301(19) for Cooperative Threat Reduction programs, the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination in Russia, $78,900,000.

(2) For nuclear weapons storage security in Russia, $74,100,000.

(3) For nuclear weapons transportation security in Russia, $30,000,000.

(4) For weapons of mass destruction proliferation prevention in the states of the former Soviet Union, $40,600,000.

(5) For biological weapons proliferation prevention in the former Soviet Union, $60,849,000.

(6) For chemical weapons destruction in Russia, $108,500,000.

(7) For defense and military contracts, $8,000,000.

(8) For activities designated as Other Assessments/Administrative Support, $14,600,000.

(b) REPORT ON OBLIGATION OR EXPENDITURE OF FUNDS FOR OTHER PURPOSES.—No fiscal year 2006 Cooperative Threat Reduction funds may be obligated or expended for a purpose other than a purpose listed in paragraphs (1) through (8) of subsection (a) until 30 days after the date that the Secretary of Defense submits to Congress a report on the purpose for which the funds will be obligated or expended and the amount of funds to be obligated or expended. Nothing in the preceding sentence shall be construed as authorizing the obligation or expenditure of fiscal year 2006 Cooperative Threat Reduction funds for a purpose for which the obligation or expenditure of such funds is specifically prohibited under this title or any other provision of law.

(c) LIMITED AUTHORITY TO VARY INDIVIDUAL AMOUNTS.—(1) Subject to paragraphs (2) and (3), in any case in which the Secretary of Defense determines that it is necessary to do so in the national interest, the Secretary may obligate amounts appropriated for fiscal year 2006 for a purpose listed in any of the paragraphs in subsection (a) in excess of the specific amount authorized for that purpose.

(2) An obligation of funds for a purpose stated in any of the paragraphs in subsection (a) in excess of the specific amount authorized for such purpose may be made using the authority provided in paragraph (1) only after—

(A) the Secretary submits to Congress notification of the intent to do so together with a complete discussion of the justification for doing so; and

(B) 15 days have elapsed following the date of the notification.

(3) The Secretary may not, under the authority provided in paragraph (1), obligate amounts for a purpose stated in any of paragraphs (6) through (8) of subsection (a) in excess of 125 percent of the specific amount authorized for such purpose.

SEC. 1303. PERMANENT WAIVER OF RESTRICTIONS ON USE OF FUNDS FOR THREAT REDUCTION IN STATES OF THE FORMER SOVIET UNION.

Section 1306 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 22 U.S.C. 5952 note) is amended—

(1) by striking subsections (c) and (d); and

(2) by redesignating subsection (e) as subsection (c).

SEC. 1304. REPORT ON ELIMINATION OF IMPEDIMENTS TO THREAT-REDUCTION AND NONPROLIFERATION PROGRAMS IN THE FORMER SOVIET UNION.

Not later than November 1, 2006, the President shall submit to Congress a report on impediments to the effective conduct of Cooperative Threat Reduction programs and related threat reduction and nonproliferation programs and activities in the states of the former Soviet Union. The report shall—

(1) identify the impediments to the rapid, efficient, and effective conduct of programs and activities of the Department of Defense, the Department of State, and the Department of Energy, including issues relating to access to sites, liability, and taxation; and

(2) describe the plans of the United States to overcome or ameliorate such impediments, including an identification and discussion of new models and approaches that might be used to develop new relationships with entities in the states of the former Soviet Union capable of assisting in removing or ameliorating those impediments, and any congressional action that may be necessary for that purpose.

SEC. 1305. REPEAL OF REQUIREMENT FOR ANNUAL COMPTROLLER GENERAL ASSESSMENT OF ANNUAL DEPARTMENT OF DEFENSE REPORT ON ACTIVITIES AND ASSISTANCE UNDER COOPERATIVE THREAT REDUCTION PROGRAMS.

Section 1308 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A-341) is amended by striking subsection (e).

TITLE XIV—MATTERS RELATING TO DETAINEES

Sec. 1401. Short title
Sec. 1402. Uniform standards for the interrogation of persons under the detention of the Department of Defense
Sec. 1403. Prohibition on cruel, inhuman, or degrading treatment or punishment of persons under custody or control of the United States Government
Sec. 1404. Protection of United States Government personnel engaged in authorized interrogations
Sec. 1405. Procedures for status review of detainees outside the United States
Sec. 1406. Training of Iraqi security forces regarding treatment of detainees

SEC. 1401. SHORT TITLE.

This title may be cited as the "Detainee Treatment Act of 2005".

SEC. 1402. UNIFORM STANDARDS FOR THE INTERROGATION OF PERSONS UNDER THE DETENTION OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—No person in the custody or under the effective control of the Department of Defense or under detention in a

Department of Defense facility shall be subject to any treatment or technique of interrogation not authorized by and listed in the United States Army Field Manual on Intelligence Interrogation.

(b) APPLICABILITY.—Subsection (a) shall not apply with respect to any person in the custody or under the effective control of the Department of Defense pursuant to a criminal law or immigration law of the United States.

(c) CONSTRUCTION.—Nothing in this section shall be construed to affect the rights under the United States Constitution of any person in the custody or under the physical jurisdiction of the United States.

SEC. 1403. PROHIBITION ON CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT OF PERSONS UNDER CUSTODY OR CONTROL OF THE UNITED STATES GOVERNMENT.

(a) IN GENERAL.—No individual in the custody or under the physical control of the United States Government, regardless of nationality or physical location, shall be subject to cruel, inhuman, or degrading treatment or punishment.

(b) CONSTRUCTION.—Nothing in this section shall be construed to impose any geographical limitation on the applicability of the prohibition against cruel, inhuman, or degrading treatment or punishment under this section.

(c) LIMITATION ON SUPERSEDURE.—The provisions of this section shall not be superseded, except by a provision of law enacted after the date of the enactment of this Act which specifically repeals, modifies, or supersedes the provisions of this section.

(d) CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT DEFINED.—In this section, the term "cruel, inhuman, or degrading treatment or punishment" means the cruel, unusual, and inhumane treatment or punishment prohibited by the Fifth, Eighth, and Fourteenth Amendments to the Constitution of the United States, as defined in the United States Reservations, Declarations and Understandings to the United Nations Convention Against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment done at New York, December 10, 1984.

SEC. 1404. PROTECTION OF UNITED STATES GOVERNMENT PERSONNEL ENGAGED IN AUTHORIZED INTERROGATIONS.

(a) PROTECTION OF UNITED STATES GOVERNMENT PERSONNEL.—In any civil action or criminal prosecution against an officer, employee, member of the Armed Forces, or other agent of the United States Government who is a United States person, arising out of the officer, employee, member of the Armed Forces, or other agent's engaging in specific operational practices, that involve detention and interrogation of aliens who the President or his designees have determined are believed to be engaged in or associated with international terrorist activity that poses a serious, continuing threat to the United States, its interests, or its allies, and that were officially authorized and determined to be lawful at the time that they were conducted, it shall be a defense that such officer, employee, member of the Armed Forces, or other agent did not know that the practices were unlawful and a person of ordinary sense and understanding would not know the practices were unlawful. Good faith reliance on advice of counsel should be an important factor, among others, to consider in assessing whether a person of ordinary sense and understanding would have known the practices to be un-

lawful. Nothing in this section shall be construed to limit or extinguish any defense or protection otherwise available to any person or entity from suit, civil or criminal liability, or damages, or to provide immunity from prosecution for any criminal offense by the proper authorities.

(b) COUNSEL.—The United States Government may provide or employ counsel, and pay counsel fees, court costs, bail, and other expenses incident to the representation of an officer, employee, member of the Armed Forces, or other agent described in subsection (a), with respect to any civil action or criminal prosecution arising out of practices described in that subsection, under the same conditions, and to the same extent, to which such services and payments are authorized under section 1037 of title 10, United States Code.

SEC. 1405. PROCEDURES FOR STATUS REVIEW OF DETAINEES OUTSIDE THE UNITED STATES.

(a) SUBMITTAL OF PROCEDURES FOR STATUS REVIEW OF DETAINEES AT GUANTANAMO BAY, CUBA, AND IN AFGHANISTAN AND IRAQ.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Armed Services and the Committee on the Judiciary of the Senate and the Committee on Armed Services and the Committee on the Judiciary of the House of Representatives a report setting forth—

(A) the procedures of the Combatant Status Review Tribunals and the Administrative Review Boards established by direction of the Secretary of Defense that are in operation at Guantanamo Bay, Cuba, for determining the status of the detainees held at Guantanamo Bay or to provide an annual review to determine the need to continue to detain an alien who is a detainee; and

(B) the procedures in operation in Afghanistan and Iraq for a determination of the status of aliens detained in the custody or under the physical control of the Department of Defense in those countries.

(2) DESIGNATED CIVILIAN OFFICIAL.—The procedures submitted to Congress pursuant to paragraph (1)(A) shall ensure that the official of the Department of Defense who is designated by the President or Secretary of Defense to be the final review authority within the Department of Defense with respect to decisions of any such tribunal or board (referred to as the "Designated Civilian Official") shall be a civilian officer of the Department of Defense holding an office to which appointments are required by law to be made by the President, by and with the advice and consent of the Senate.

(3) CONSIDERATION OF NEW EVIDENCE.—The procedures submitted under paragraph (1)(A) shall provide for periodic review of any new evidence that may become available relating to the enemy combatant status of a detainee.

(b) CONSIDERATION OF STATEMENTS DERIVED WITH COERCION.—

(1) ASSESSMENT.—The procedures submitted to Congress pursuant to subsection (a)(1)(A) shall ensure that a Combatant Status Review Tribunal or Administrative Review Board, or any similar or successor administrative tribunal or board, in

making a determination of status or disposition of any detainee under such procedures, shall, to the extent practicable, assess—

(A) whether any statement derived from or relating to such detainee was obtained as a result of coercion; and

(B) the probative value, if any, of any such statement.

(2) APPLICABILITY.—Paragraph (1) applies with respect to any proceeding beginning on or after the date of the enactment of this Act.

(c) REPORT ON MODIFICATION OF PROCEDURES.—The Secretary of Defense shall submit to the committees specified in subsection (a)(1) a report on any modification of the procedures submitted under subsection (a). Any such report shall be submitted not later than 60 days before the date on which such modification goes into effect.

(d) ANNUAL REPORT.—

(1) REPORT REQUIRED.—The Secretary of Defense shall submit to Congress an annual report on the annual review process for aliens in the custody of the Department of Defense outside the United States. Each such report shall be submitted in unclassified form, with a classified annex, if necessary. The report shall be submitted not later than December 31 each year.

(2) ELEMENTS OF REPORT.—Each such report shall include the following with respect to the year covered by the report:

(A) The number of detainees whose status was reviewed.

(B) The procedures used at each location.

(e) JUDICIAL REVIEW OF DETENTION OF ENEMY COMBATANTS.—

(1) IN GENERAL.—Section 2241 of title 28, United States Code, is amended by adding at the end the following:

"(e) Except as provided in section 1405 of the Detainee Treatment Act of 2005, no court, justice, or judge shall have jurisdiction to hear or consider—

"(1) an application for a writ of habeas corpus filed by or on behalf of an alien detained by the Department of Defense at Guantanamo Bay, Cuba; or

"(2) any other action against the United States or its agents relating to any aspect of the detention by the Department of Defense of an alien at Guantanamo Bay, Cuba, who—

"(A) is currently in military custody; or

"(B) has been determined by the United States Court of Appeals for the District of Columbia Circuit in accordance with the procedures set forth in section 1405(e) of the Detainee Treatment Act of 2005 to have been properly detained as an enemy combatant.".

(2) REVIEW OF DECISIONS OF COMBATANT STATUS REVIEW TRIBUNALS OF PROPRIETY OF DETENTION.—

(A) IN GENERAL.—Subject to subparagraphs (B), (C), and (D), the United States Court of Appeals for the District of Columbia Circuit shall have exclusive jurisdiction to determine the validity of any final decision of a Combatant Status Review Tribunal that an alien is properly detained as an enemy combatant.

(B) LIMITATION ON CLAIMS.—The jurisdiction of the United States Court of Appeals for the District of Columbia

Circuit under this paragraph shall be limited to claims brought by or on behalf of an alien—

(i) who is, at the time a request for review by such court is filed, detained by the Department of Defense at Guantanamo Bay, Cuba; and

(ii) for whom a Combatant Status Review Tribunal has been conducted, pursuant to applicable procedures specified by the Secretary of Defense.

(C) SCOPE OF REVIEW.—The jurisdiction of the United States Court of Appeals for the District of Columbia Circuit on any claims with respect to an alien under this paragraph shall be limited to the consideration of—

(i) whether the status determination of the Combatant Status Review Tribunal with regard to such alien was consistent with the standards and procedures specified by the Secretary of Defense for Combatant Status Review Tribunals (including the requirement that the conclusion of the Tribunal be supported by a preponderance of the evidence and allowing a rebuttable presumption in favor the Government's evidence); and

(ii) to the extent the Constitution and laws of the United States are applicable, whether the use of such standards and procedures to make the determination is consistent with the Constitution and laws of the United States.

(D) TERMINATION ON RELEASE FROM CUSTODY.—The jurisdiction of the United States Court of Appeals for the District of Columbia Circuit with respect to the claims of an alien under this paragraph shall cease upon the release of such alien from the custody of the Department of Defense.

(3) REVIEW OF FINAL DECISIONS OF MILITARY COMMISSIONS.—

(A) IN GENERAL.—Subject to subparagraphs (B), (C), and (D), the United States Court of Appeals for the District of Columbia Circuit shall have exclusive jurisdiction to determine the validity of any final decision rendered pursuant to Military Commission Order No. 1, dated August 31, 2005 (or any successor military order).

(B) GRANT OF REVIEW.—Review under this paragraph—

(i) with respect to a capital case or a case in which the alien was sentenced to a term of imprisonment of 10 years or more, shall be as of right; or

(ii) with respect to any other case, shall be at the discretion of the United States Court of Appeals for the District of Columbia Circuit.

(C) LIMITATION ON APPEALS.—The jurisdiction of the United States Court of Appeals for the District of Columbia Circuit under this paragraph shall be limited to an appeal brought by or on behalf of an alien—

(i) who was, at the time of the proceedings pursuant to the military order referred to in subparagraph

(A), detained by the Department of Defense at Guantanamo Bay, Cuba; and

(ii) for whom a final decision has been rendered pursuant to such military order.

(D) SCOPE OF REVIEW.—The jurisdiction of the United States Court of Appeals for the District of Columbia Circuit on an appeal of a final decision with respect to an alien under this paragraph shall be limited to the consideration of—

(i) whether the final decision was consistent with the standards and procedures specified in the military order referred to in subparagraph (A); and

(ii) to the extent the Constitution and laws of the United States are applicable, whether the use of such standards and procedures to reach the final decision is consistent with the Constitution and laws of the United States.

(4) RESPONDENT.—The Secretary of Defense shall be the named respondent in any appeal to the United States Court of Appeals for the District of Columbia Circuit under this subsection.

(f) CONSTRUCTION.—Nothing in this section shall be construed to confer any constitutional right on an alien detained as an enemy combatant outside the United States.

(g) UNITED STATES DEFINED.—For purposes of this section, the term "United States", when used in a geographic sense, is as defined in section 101(a)(38) of the Immigration and Nationality Act and, in particular, does not include the United States Naval Station, Guantanamo Bay, Cuba.

(h) EFFECTIVE DATE.—

(1) IN GENERAL.—This section shall take effect on the date of the enactment of this Act.

(2) REVIEW OF COMBATANT STATUS TRIBUNAL AND MILITARY COMMISSION DECISIONS.—Paragraphs (2) and (3) of subsection (e) shall apply with respect to any claim whose review is governed by one of such paragraphs and that is pending on or after the date of the enactment of this Act.

SEC. 1406. TRAINING OF IRAQI SECURITY FORCES REGARDING TREATMENT OF DETAINEES.

(a) REQUIRED POLICIES.—

(1) IN GENERAL.—The Secretary of Defense shall prescribe policies designed to ensure that all military and civilian Department of Defense personnel or contractor personnel of the Department of Defense responsible for the training of any unit of the Iraqi Security Forces provide training to such units regarding the international obligations and laws applicable to the humane treatment of detainees, including protections afforded under the Geneva Conventions and the Convention Against Torture.

(2) ACKNOWLEDGMENT OF TRAINING.—The Secretary shall ensure that, for all personnel of the Iraqi Security Forces who are provided training referred to in paragraph (1), there is documented acknowledgment that such training has been provided.

(3) DEADLINE FOR POLICIES TO BE PRESCRIBED.—The policies required by paragraph (1) shall be prescribed not later than 180 days after the date of the enactment of this Act.

(b) ARMY FIELD MANUAL.—

(1) TRANSLATION.—The Secretary of Defense shall provide for the unclassified portions of the United States Army Field Manual on Intelligence Interrogation to be translated into Arabic and any other language the Secretary determines appropriate for use by members of the Iraqi security forces.

(2) DISTRIBUTION.—The Secretary of Defense shall provide for such manual, as translated, to be distributed to all appropriate officials of the Iraqi Government, including, but not limited to, the Iraqi Minister of Defense, the Iraqi Minister of Interior, senior Iraqi military personnel, and appropriate members of the Iraqi Security Forces with a recommendation that the principles that underlay the manual be adopted by the Iraqis as the basis for their policies on interrogation of detainees.

(c) TRANSMITTAL TO CONGRESSIONAL COMMITTEES.—Not less than 30 days after the date on which policies are first prescribed under subsection (a), the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives copies of such regulations, policies, or orders, together with a report on steps taken to the date of the report to implement this section.

(d) ANNUAL REPORT.—Not less than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the implementation of this section.

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

Sec. 1501. Purpose.
Sec. 1502. Army procurement.
Sec. 1503. Navy and Marine Corps procurement.
Sec. 1504. Air Force procurement.
Sec. 1505. Defense-wide activities procurement.
Sec. 1506. Research, development, test and evaluation.
Sec. 1507. Operation and maintenance.
Sec. 1508. Defense Working Capital Fund.
Sec. 1509. Defense Health Program.
Sec. 1510. Military personnel.
Sec. 1511. Iraq Freedom Fund.
Sec. 1512. Treatment as additional authorizations.
Sec. 1513. Transfer authority.
Sec. 1514. Availability of funds.

SEC. 1501. PURPOSE.

The purpose of this title is to authorize emergency supplemental appropriations for the Department of Defense for fiscal year 2006 to provide funds for additional costs due to Operation Iraqi Freedom and Operation Enduring Freedom pursuant to section 402 of

H.Con.Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 1502. ARMY PROCUREMENT.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal year 2006 for procurement accounts of the Army in amounts as follows:

(1) For aircraft, $40,600,000.

(2) For ammunition, $109,500,000.

(3) For weapons and tracked combat vehicles, $485,499,000.

(4) For other procurement, $1,659,800,000.

(b) AVAILABILITY OF CERTAIN AMOUNTS FOR UP-ARMORED WHEELED VEHICLES.—

(1) AVAILABILITY.—Of the amount authorized to be appropriated by subsection (a)(4), $240,000,000 shall be available for the procurement of up-armored high mobility multipurpose wheeled vehicles (UAHs), including vehicles in the M1114, M1151, and M1152 configurations.

(2) ALLOCATION OF FUNDS.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary of the Army shall allocate the manner in which amounts available under paragraph (1) shall be available for purposes specified in that paragraph.

(B) LIMITATION.—Amounts available under paragraph (1) may not be allocated under subparagraph (A) until the Secretary certifies to the congressional defense committees that the Army has a validated requirement for procurement for a purpose specified in paragraph (1) based on a statement of urgent needs from a commander of a combatant command.

(C) REPORTS.—Not later than 15 days after an allocation of funds is made under subparagraph (A), the Secretary shall submit to the congressional defense committees a report describing such allocation of funds.

(c) AVAILABILITY OF CERTAIN AMOUNTS FOR TACTICAL WHEELED VEHICLE ARMORING PROGRAMS.—

(1) AVAILABILITY.—Of the amount authorized to be appropriated by subsection (a)(4), $150,000,000 shall be available for units deployed in Iraq and Afghanistan, as follows:

(A) Procurement of up-armored Light Tactical Wheeled Vehicles (LTVs) or add-on armor kits for Light Tactical Wheeled Vehicles.

(B) Procurement of add-on armor kits for Medium Tactical Wheeled Vehicles (MTVs), including Low Signature Armored Cabs for the family of Medium Tactical Wheeled Vehicles.

(C) Procurement of add-on armor kits for Heavy Tactical Wheeled Vehicles (HTVs).

(2) ALLOCATION OF FUNDS.—To the extent the Secretary of the Army determines that such amount is not needed for the procurement of such armored Tactical Wheeled Vehicles for units deployed in Iraq and Afghanistan under paragraph (1), the Secretary shall use the amounts remaining for the procurement of such armored vehicles in accordance with other priorities of the Army.

SEC. 1503. NAVY AND MARINE CORPS PROCUREMENT.

(a) NAVY.—Funds are hereby authorized to be appropriated for fiscal year 2006 for procurement accounts for the Navy in amounts as follows:

(1) For aircraft procurement, $15,000,000.

(2) For weapons procurement, $56,700,000.

(b) MARINE CORPS.—Funds are hereby authorized to be appropriated for fiscal year 2006 for the procurement account for the Marine Corps in the amount of $644,400,000.

(c) NAVY AND MARINE CORPS AMMUNITION.—Funds are hereby authorized to be appropriated for fiscal year 2006 for the procurement account for ammunition for the Navy and the Marine Corps in the amount of $147,921,000.

(d) AVAILABILITY OF CERTAIN AMOUNTS.—

(1) AVAILABILITY.—Of the amount authorized to be appropriated by subsection (b), $200,000,000 shall be available for the procurement of up-armored high mobility multipurpose wheeled vehicles (UAHs), including vehicles in the M1114, M1151, and M1152 configurations.

(2) ALLOCATION OF FUNDS.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary of the Navy shall allocate the manner in which amounts available under paragraph (1) shall be available for the purposes specified in that paragraph.

(B) LIMITATION.—Amounts available under paragraph (1) may not be allocated under subparagraph (A) until the Secretary certifies to the congressional defense committees that the Marine Corps has a validated requirement for procurement for a purpose specified in paragraph (1) based on a statement of urgent needs from a commander of a combatant command.

(C) REPORTS.—Not later than 15 days after an allocation of funds is made under subparagraph (A), the Secretary shall submit to the congressional defense committees a report describing such allocation of funds.

SEC. 1504. AIR FORCE PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2006 for the aircraft procurement accounts for the Air Force in the amount of $214,000,000.

SEC. 1505. DEFENSE-WIDE ACTIVITIES PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2006 for the procurement account for Defense-wide in the amount of $103,900,000.

SEC. 1506. RESEARCH, DEVELOPMENT, TEST AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2006 for the use of the Department of Defense for research, development, test and evaluation as follows:

(1) For the Army, $8,700,000.

(2) For Defense-wide activities, $75,000,000.

SEC. 1507. OPERATION AND MAINTENANCE.

Funds are hereby authorized to be appropriated for fiscal year 2006 for the use of the Armed Forces for expenses, not otherwise provided for, for operation and maintenance, in amounts as follows:

(1) For the Army, $19,828,180,000.

(2) For the Navy, $1,658,000,000.
(3) For the Marine Corps, $1,588,250,000.
(4) For the Air Force, $2,404,190,000.
(5) For Defense-wide activities, $1,778,397,000.
(6) For the Army Reserve, $44,400,000.
(7) For the Naval Reserve, $9,400,000.
(8) For the Marine Corps Reserve, $4,000,000.
(9) For the Air Force Reserve, $7,000,000.
(10) For the Army National Guard, $196,300,000.
(11) For the Air National Guard, $13,400,000.

SEC. 1508. DEFENSE WORKING CAPITAL FUND.

Funds are hereby authorized to be appropriated for fiscal year 2006 for the Defense Working Capital Fund in the amount of $1,700,000,000.

SEC. 1509. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2006 for expenses, not otherwise provided for, the Defense Health Program, in the amount of $178,415,000 for operation and maintenance.

SEC. 1510. MILITARY PERSONNEL.

There is hereby authorized to be appropriated to the Department of Defense for military personnel accounts for fiscal year 2006 a total of $11,788,323,000.

SEC. 1511. IRAQ FREEDOM FUND.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal year 2006 for the Iraq Freedom Fund in the amount of $5,240,725,000.

(b) LIMITATION ON AVAILABILITY OF CERTAIN AMOUNT.—Of the amount authorized to be appropriated by subsection (a), $1,000,000,000 shall be available only for support of activities of the Joint Improvised Explosive Device Task Force.

(c) CLASSIFIED PROGRAMS.—Of the amount authorized to be appropriated by subsection (a), $2,500,000,000 shall be available only for classified programs.

(d) TRANSFER.—

(1) TRANSFER AUTHORIZED.—Subject to paragraph (2), amounts authorized to be appropriated by subsection (a) may be transferred from the Iraq Freedom Fund to any accounts as follows:

(A) Operation and maintenance accounts of the Armed Forces.

(B) Military personnel accounts.

(C) Research, development, test, and evaluation accounts of the Department of Defense.

(D) Procurement accounts of the Department of Defense.

(E) Accounts providing funding for classified programs.

(F) The operating expenses account of the Coast Guard.

(2) NOTICE TO CONGRESS.—A transfer may not be made under the authority in paragraph (1) until five days after the date on which the Secretary of Defense notifies the congressional defense committees in writing of the transfer.

(3) TREATMENT OF TRANSFERRED FUNDS.—Amounts transferred to an account under the authority in paragraph (1) shall be merged with amounts in such account and shall be made available for the same purposes, and subject to the same conditions and limitations, as amounts in such account.

(4) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer of an amount to an account under the authority in paragraph (1) shall be deemed to increase the amount authorized for such account by an amount equal to the amount transferred.

SEC. 1512. TREATMENT AS ADDITIONAL AUTHORIZATIONS.

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

SEC. 1513. TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2006 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—The total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $2,500,000,000. The transfer authority provided in this section is in addition to any other transfer authority available to the Secretary of Defense.

(b) LIMITATIONS.—The authority provided by this section to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred;

(2) may not be used to provide authority for an item that has been denied authorization by Congress; and

(3) may not be combined with the authority under section 1001.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—A transfer may be made under the authority of this section only after the Secretary of Defense—

(1) consults with the chairmen and ranking members of the congressional defense committees with respect to the proposed transfer; and

(2) after such consultation, notifies those committees in writing of the proposed transfer not less than five days before the transfer is made.

SEC. 1514. AVAILABILITY OF FUNDS.

Funds in this title shall be made available for obligation to the Army, Navy, Marine Corps, Air Force, and Defense-wide components by the end of the second quarter of fiscal year 2006.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the "Military Construction Authorization Act for Fiscal Year 2006".

TITLE XXI—ARMY

Sec. 2101. Authorized Army construction and land acquisition projects.
Sec. 2102. Family housing.
Sec. 2103. Improvements to military family housing units.
Sec. 2104. Authorization of appropriations, Army.
Sec. 2105. Modification of authority to carry out certain fiscal year 2004 project.

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(1), the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or Location	Amount
Alabama	Anniston Army Depot	$3,150,000
	Fort Rucker	$9,700,000
	Redstone Arsenal	$25,100,000
Alaska	Fort Richardson	$4,700,000
	Fort Wainwright	$44,660,000
Arizona	Fort Huachuca	$5,100,000
	Yuma Proving Ground	$8,100,000
California	Concord Naval Weapons Station	$11,850,000
	Fort Irwin	$21,250,000
Colorado	Fort Carson	$72,822,000
Georgia	Fort Benning	$30,261,000
	Fort Gillem	$3,900,000
	Fort Gordon	$4,550,000
	Fort Stewart/Hunter Army Air Field	$57,980,000
Hawaii	Pohakuloa Training Area	$60,300,000
	Schofield Barracks	$53,900,000
Illinois	Rock Island Arsenal	$7,400,000
Indiana	Crane Army Ammunition Activity	$5,700,000
Kansas	Fort Riley	$33,900,000
Kentucky	Fort Campbell	$116,475,000
	Fort Knox	$4,600,000
Louisiana	Fort Polk	$28,887,000
Missouri	Fort Leonard Wood	$23,500,000
New Jersey	Picatinny Arsenal	$4,450,000
New York	Fort Drum	$73,350,000
	United States Military Academy, West Point	$7,500,000
North Carolina	Fort Bragg	$301,250,000
Ohio	Joint Systems Manufacturing Center, Lima	$11,600,000
Oklahoma	Fort Sill	$5,850,000
	McAlester Army Ammunition Plant	$5,400,000
Pennsylvania	Letterkenny Depot	$6,300,000
South Carolina	Fort Jackson	$1,600,000
Texas	Fort Bliss	$5,000,000
	Fort Hood	$64,488,000
	Fort Sam Houston	$7,000,000
Utah	Dugway Proving Ground	$25,000,000

***Army: Inside the United States**—Continued*

State	*Installation or Location*	*Amount*
Virginia	*Fort A.P. Hill*	*$2,700,000*
	Fort Belvoir	*$18,000,000*
	Fort Eustis	*$3,100,000*
	Fort Lee	*$3,900,000*
	Fort Myer	*$15,200,000*
Washington	*Fort Lewis*	*$99,949,000*

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(2), the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

Country	*Installation or Location*	*Amount*
Germany	*Grafenwoehr*	*$84,081,000*
Italy	*Pisa*	*$5,254,000*
Korea	*Camp Humphreys*	*$105,162,000*
	Yongpyong	*$1,450,000*

(c) UNSPECIFIED WORLDWIDE.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(3), the Secretary of the Army may acquire real property and carry out military construction projects for unspecified installations or locations in the amount set forth in the following table:

Army: Unspecified Worldwide

Location	*Installation or Location*	*Amount*
	Unspecified Worldwide	*$50,000,000*

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(6)(A), the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Army: Family Housing

State	*Installation or Location*	*Units*	*Amount*
Alaska	*Fort Richardson*	*117*	*$49,000,000*
	Fort Wainwright	*180*	*$91,000,000*
Arizona	*Fort Huachuca*	*131*	*$31,000,000*
	Yuma Proving Ground	*35*	*$11,200,000*
Oklahoma	*Fort Sill*	*129*	*$24,000,000*
Virginia	*Fort Lee*	*96*	*$19,500,000*
	Fort Monroe	*21*	*$6,000,000*

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(6)(A), the Secretary of the Army may carry out architectural and engineering services and construction design activities with re-

spect to the construction or improvement of family housing units in an amount not to exceed $17,536,000.

SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(6)(A), the Secretary of the Army may improve existing military family housing units in an amount not to exceed $300,400,000.

SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2005, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of $3,128,889,000 as follows:

(1) For military construction projects inside the United States authorized by section 2101(a), $1,111,522,000.

(2) For military construction projects outside the United States authorized by section 2101(b), $195,947,000.

(3) For military construction projects at unspecified worldwide locations authorized by section 2101(c), $50,000,000.

(4) For unspecified minor military construction projects authorized by section 2805 of title 10, United States Code, $24,141,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $170,021,000.

(6) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $549,636,000.

(B) For support of military family housing (including the functions described in section 2833 of title 10, United States Code), $803,993,000.

(7) For the construction of increment 3 of the Lewis and Clark Instructional Facility at Fort Leavenworth, Kansas, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1697), $42,642,000.

(8) For the construction of increment 2 of a barracks complex at Vilseck, Germany, authorized by section 2101(b) of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1698), as amended by section 2105 of this Act, $13,600,000.

(9) For the construction of increment 2 of the Drum Road upgrade at Helemano Military Reservation, Hawaii, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2101), $41,000,000.

(10) For the construction of increment 2 of a vehicle maintenance facility at Schofield Barracks, Hawaii, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2101), $24,656,000.

(11) For the construction of increment 2 of a barracks complex, at Fort Campbell, Kentucky, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2101), $24,650,000.

(12) For the construction of increment 2 of trainee barracks, Basic Training Complex 1 at Fort Knox, Kentucky, authorized by section 2101(a) of the Military Construction Authorization Act of Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2101), $21,000,000.

(13) For the construction of increment 2 of a library and learning center at the United States Military Academy, West Point, New York, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2101), $25,470,000.

(14) For the construction of increment 2 of a barracks complex renewal project at Fort Bragg, North Carolina, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2101), $30,611,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under paragraphs (1), (2), and (3) of subsection (a).

(2) $16,500,000 (the balance of the amount authorized under section 2101(a) for construction of a barracks complex for Fort Drum, New York).

(3) $31,000,000 (the balance of the amount authorized under section 2101(a) for construction of a barracks complex for the 2nd Brigade at Fort Bragg, North Carolina).

(4) $50,000,000 (the balance of the amount authorized under section 2101(a) for construction of a barracks complex for the 3rd Brigade at Fort Bragg, North Carolina).

(5) $77,400,000 (the balance of the amount authorized under section 2101(a) for construction of a barracks complex for divisional artillery at Fort Bragg, North Carolina).

(6) $13,000,000 (the balance of the amount authorized under section 2101(a) for construction of a defense access road for Fort Belvoir, Virginia).

(c) CONFORMING TECHNICAL AMENDMENT.—Section 2104(a)(8) of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2103) is amended by striking "Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2681)" and inserting "Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1697)".

SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2004 PROJECT.

(a) MODIFICATION OF OUTSIDE THE UNITED STATES PROJECT.—The table in section 2101(b) of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1698) is amended—

(1) in the item relating to Vilseck, Germany, by striking "$31,000,000" in the amount column and inserting "$26,000,000"; and

(2) by striking the amount identified as the total in the amount column and inserting "$226,900,000".

(b) CONFORMING AMENDMENT.—Section 2104(b)(6) of that Act (117 Stat. 1700) is amended by striking "$18,900,000" and inserting "$13,900,000".

TITLE XXII—NAVY

Sec. 2201. Authorized Navy construction and land acquisition projects.
Sec. 2202. Family housing.
Sec. 2203. Improvements to military family housing units.
Sec. 2204. Authorization of appropriations, Navy.
Sec. 2205. Modification of authority to carry out certain fiscal year 2004 project.
Sec. 2206. Modifications of authority to carry out certain fiscal year 2005 projects.

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(1), the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
Arizona	*Marine Corps Air Station, Yuma*	*$3,637,000*
California	*Air-Ground Combat Center, Twentynine Palms*	*$24,000,000*
	Marine Corps Air Station, Camp Pendleton	*$1,400,000*
	Marine Corps Air Station, Miramar	*$5,070,000*
	Marine Corps Base, Camp Pendleton	*$90,437,000*
	Naval Air Station, Lemoore	*$8,480,000*
	Naval Air Warfare Center, China Lake	*$19,158,000*
	Naval Postgraduate School	*$6,500,000*
Connecticut	*Naval Submarine Base, New London*	*$4,610,000*
Florida	*Diving&Salvage Training Center, Panama City*	*$9,678,000*
	Naval Air Station, Jacksonville	*$88,603,000*
	Naval Air Station, Pensacola	*$8,710,000*
	Naval Station, Mayport	*$15,220,000*
	Whiting Field	*$4,670,000*
Georgia	*Naval Submarine Base, Kings Bay*	*$6,890,000*
	Marine Corps Logistics Base, Albany	*$5,840,000*
Hawaii	*Marine Corps Air Station, Kaneohe Bay*	*$5,700,000*
	Naval Base, Pearl Harbor	*$29,700,000*
Illinois	*Recruit Training Command, Great Lakes*	*$167,750,000*
Indiana	*Naval Warfare Center, Crane*	*$8,220,000*
Maine	*Portsmouth Naval Shipyard*	*$8,100,000*
Maryland	*Naval Air Warfare Center, Patuxent River*	*$5,800,000*
	Naval Surface Warfare Center, Indian Head	*$8,250,000*
	United States Naval Academy, Annapolis	*$51,720,000*
Mississippi	*Naval Air Station, Meridian*	*$10,450,000*
North Carolina	*Marine Corps Air Station, Cherry Point*	*$29,147,000*
	Marine Corps Air Station, New River	*$6,840,000*
	Marine Corps Base, Camp Lejeune	*$44,590,000*
Pennsylvania	*Naval Station Weapons Center, Philadelphia*	*$4,780,000*
Rhode Island	*Naval Station, Newport*	*$15,490,000*
South Carolina	*Marine Corps Air Station, Beaufort*	*$1,480,000*
Texas	*Naval Air Station, Kingsville*	*$16,040,000*
Virginia	*Marine Corps Air Field, Quantico*	*$19,698,000*

***Navy: Inside the United States**—Continued*

State	*Installation or Location*	*Amount*
Washington	*Marine Corps Base, Quantico*	*$18,429,000*
	Naval Air Station, Oceana	*$11,680,000*
	Naval Amphibious Base, Little Creek	*$36,034,000*
	Naval Station, Norfolk	*$32,245,000*
	Naval Support Activity, Norfolk Naval Shipyard	*$78,788,000*
	Naval Station Weapons Center, Dahlgren	*$9,960,000*
	Naval Station, Everett	*$70,950,000*
	Naval Submarine Base, Bangor	*$60,160,000*
	Naval Air Station, Whidbey Island	*$4,010,000*

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(2), the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	*Installation or Location*	*Amount*
Guam	*Naval Base, Guam*	*$55,473,000*
Japan	*Naval Station, Yokosuka*	*$83,010,000*

SEC. 2202. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(4)(A), the Secretary of the Navy may construct or acquire family housing units (including land acquisition and supporting facilities) at the installation, in the number of units, and in the amount set forth in the following table:

Navy: Family Housing

Location	*Installation*	*Units*	*Amount*
Guam	*Naval Base, Guam*	*126*	*$43,495,000*

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(4)(A), the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $178,644,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2005, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of $1,964,743,000, as follows:

(1) For military construction projects inside the United States authorized by section 2201(a), $837,411,000.

(2) For military construction projects outside the United States authorized by section 2201(b), $39,584,000.

(3) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $34,893,000.

(4) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $218,942,000.

(B) For support of military family housing (including functions described in section 2833 of title 10, United States Code), $588,660,000.

(5) For the construction of increment 3 of the general purpose berthing pier at Naval Weapons Station, Earle, New Jersey, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1704), as amended by section 2205 of this Act, $54,432,000.

(6) For the construction of increment 3 of pier 11 replacement at Naval Station, Norfolk, Virginia, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1704), $40,200,000.

(7) For the construction of increment 2 of the apron and hangar recapitalization at Naval Air Facility, El Centro, California, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2105), $18,666,000.

(8) For the construction of increment 2 of the White Side complex, Marine Corps Air Facility, Quantico, Virginia, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2105), $34,730,000.

(9) For the construction of increment 2 of the limited area production and storage complex at Strategic Weapons Facility Pacific, Bangor, Washington, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2105), as amended by section 2206 of this Act, $47,095,000.

(10) For the construction of increment 2 of the lab consolidation at Strategic Weapons Facility Pacific, Bangor, Washington authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2105), as amended by section 2206 of this Act, $9,430,000.

(11) For the construction of increment 2 of the presidential helicopter programs support facility at Naval Air Warfare Center, Patuxent River, Maryland, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2105), as amended by section 2206 of this Act, $40,700,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a).

(2) $37,721,000 (the balance of the amount authorized under section 2201(a) for a reclamation and conveyance project for Marine Corps Base, Camp Pendleton, California).

(3) $43,424,000 (the balance of the amount authorized under section 2201(a) for a helicopter hangar replacement at Naval Air Station, Jacksonville, Florida).

(4) $45,850,000 (the balance of the amount authorized under section 2201(a) for infrastructure upgrades to Recruit Training Command, Great Lakes, Illinois).

(5) $26,790,000 (the balance of the amount authorized under section 2201(a) for construction of a field house at United States Naval Academy, Annapolis, Maryland).

(6) $31,059,000 (the balance of the amount authorized under section 2201(a) for replacement of Ship Repair Pier 3 at Naval Support Activity, Norfolk Naval Shipyard, Virginia).

(7) $10,159,000 (the balance of the amount authorized under section 2201(a) for an addition to Hockmuth Hall, Marine Corps Base, Quantico, Virginia).

(8) $21,000,000 (the balance of the amount authorized under section 2201(a) for construction of bachelor quarters for Naval Station, Everett, Washington).

(9) $29,889,000 (the balance of the amount authorized under section 2201(b) for wharf upgrades at Naval Base, Guam).

(10) $69,100,000 (the balance of the amount authorized under section 2201(b) for wharf upgrades at Naval Station, Yokosuka, Japan).

SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2004 PROJECT.

(a) MODIFICATION OF INSIDE THE UNITED STATES PROJECT.—The table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1703) is amended—

(1) in the item relating to Naval Weapons Station, Earle, New Jersey, by striking "$123,720,000" in the amount column and inserting "$140,372,000"; and

(2) by striking the amount identified as the total in the amount column and inserting "$1,352,524,000".

(b) CONFORMING AMENDMENT.—Section 2204(b)(4) of that Act (117 Stat. 1706) is amended by striking "$96,980,000" and inserting "$113,632,000".

SEC. 2206. MODIFICATIONS OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2005 PROJECTS.

(a) MODIFICATION OF INSIDE THE UNITED STATES PROJECTS.—Section 2201 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2105) is amended—

(1) in the table in subsection (a)—

(A) below the item relating to Naval Surface Warfare Center, Indian Head, Maryland, by inserting "Naval Air Warfare Center, Patuxent River" in the installation column and "$95,200,000" in the amount column;

(B) in the item relating to Marine Corps Air Facility, Quantico, Virginia, by striking "$73,838,000" in the amount column and inserting "$74,470,000";

(C) in the item relating to Strategic Weapons Facility Pacific, Bangor, Washington, by striking "$138,060,000" in the amount column and inserting "$147,760,000"; and

(D) by striking the amount identified as the total in the amount column and inserting "$1,057,587,000"; and

(2) by striking subsection (c).

(b) CONFORMING AMENDMENTS.—Section 2204 of that Act (118 Stat. 2107) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking "$712,927,000" and inserting "$752,927,000"; and

(B) by striking paragraph (3); and

(2) in subsection (b)—

(A) in paragraph (4), by striking "$34,098,000" and inserting "$34,730,000"; and

(B) by striking paragraph (7) and inserting the following new paragraphs:

"(7) $9,700,000 (the balance of the amount authorized under section 2201(a) for naval laboratory consolidation, Strategic Weapons Facility Pacific, Bangor, Washington).

"(8) $55,200,000 (the balance of the amount authorized under section 2201(a) for construction of a presidential helicopter programs support facility at Naval Air Warfare Center, Patuxent River, Maryland).".

TITLE XXIII—AIR FORCE

Sec. 2301. Authorized Air Force construction and land acquisition projects.
Sec. 2302. Family housing.
Sec. 2303. Improvements to military family housing units.
Sec. 2304. Authorization of appropriations, Air Force.

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(1), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Alabama	*Maxwell Air Force Base*	*$14,900,000*
Alaska	*Clear Air Force Base*	*$20,000,000*
	Elmendorf Air Force Base	*$84,820,000*
Arizona	*Davis-Monthan Air Force Base*	*$8,600,000*
	Luke Air Force Base	*$13,000,000*
Arkansas	*Little Rock Air Force Base*	*$8,900,000*
California	*Beale Air Force Base*	*$14,200,000*
	Edwards Air Force Base	*$103,000,000*
	Travis Air Force Base	*$46,400,000*
	Vandenberg Air Force Base	*$16,845,000*
Colorado	*Buckley Air Force Base*	*$20,100,000*
	Peterson Air Force Base	*$25,500,000*
	United States Air Force Academy	*$13,000,000*
Delaware	*Dover Air Force Base*	*$19,000,000*
District of Columbia	*Bolling Air Force Base*	*$14,900,000*
Florida	*Cape Canaveral*	*$6,200,000*
	Hurlburt Field	*$2,540,000*
	MacDill Air Force Base	*$107,200,000*
	Tyndall Air Force Base	*$21,500,000*

***Air Force: Inside the United States**—Continued*

State	*Installation or Location*	*Amount*
Georgia	*Robins Air Force Base*	*$7,600,000*
Hawaii	*Hickham Air Force Base*	*$13,378,000*
Idaho	*Mountain Home Air Force Base*	*$9,835,000*
Louisiana	*Barksdale Air Force Base*	*$10,800,000*
Massachusetts	*Hanscom Air Force Base*	*$3,900,000*
Mississippi	*Columbus Air Force Base*	*$10,000,000*
	Keesler Air Force Base	*$47,500,000*
Missouri	*Whiteman Air Force Base*	*$5,721,000*
Montana	*Malmstrom Air Force Base*	*$13,500,000*
Nebraska	*Offutt Air Force Base*	*$63,080,000*
Nevada	*Indian Springs Auxiliary Field*	*$60,724,000*
	Nellis Air Force Base	*$24,370,000*
New Jersey	*McGuire Air Force Base*	*$13,185,000*
New Mexico	*Kirtland Air Force Base*	*$6,600,000*
	Holloman Air Force Base	*$15,000,000*
North Dakota	*Minot Air Force Base*	*$8,700,000*
Ohio	*Wright Patterson Air Force Base*	*$32,620,000*
Oklahoma	*Tinker Air Force Base*	*$31,960,000*
	Vance Air Force Base	*$14,000,000*
South Carolina	*Charleston Air Force Base*	*$2,583,000*
	Shaw Air Force Base	*$16,030,000*
South Dakota	*Ellsworth Air Force Base*	*$8,400,000*
Texas	*Goodfellow Air Force Base*	*$4,300,000*
	Laughlin Air Force Base	*$7,900,000*
	Sheppard Air Force Base	*$36,000,000*
Utah	*Hill Air Force Base*	*$33,900,000*
Virginia	*Langley Air Force Base*	*$44,365,000*
Washington	*Fairchild Air Force Base*	*$8,200,000*

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(2), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

Country	*Installation or Location*	*Amount*
Germany	*Ramstein Air Base*	*$11,650,000*
	Spangdahlem Air Base	*$12,474,000*
Guam	*Andersen Air Base*	*$18,500,000*
Italy	*Aviano Air Base*	*$22,660,000*
Korea	*Kunsan Air Base*	*$47,900,000*
	Osan Air Base	*$37,719,000*
Portugal	*Lajes Field, Azores*	*$12,000,000*
Turkey	*Incirlik Air Base*	*$5,780,000*
United Kingdom	*Royal Air Force Lakenheath*	*$5,125,000*
	Royal Air Force Mildenhall	*$13,500,000*

SEC. 2302. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(A), the Secretary of the Air Force may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Air Force: Family Housing

State or Country	Installation or Location	Units	Amount
Alaska	Eielson Air Force Base	392	$55,794,000
California	Edwards Air Force Base	226	$59,699,000
Florida	MacDill Air Force Base	109	$40,982,000
Idaho	Mountain Home Air Force Base	194	$56,467,000
Missouri	Whiteman Air Force Base	111	$26,917,000
Montana	Malmstrom Air Force Base	296	$68,971,000
North Carolina	Seymour Johnson Air Force Base	255	$48,868,000
North Dakota	Grand Forks Air Force Base	150	$43,353,000
	Minot Air Force Base	223	$44,548,000
South Carolina	Charleston Air Force Base	10	$15,935,000
South Dakota	Ellsworth Air Force Base	60	$14,383,000
Texas	Dyess Air Force Base	190	$43,016,000
Germany	Ramstein Air Base	101	$62,952,000
	Spangdahlem Air Base	79	$45,385,000
Turkey	Incirlik Air Base	100	$22,730,000
United Kingdom	Royal Air Force Lakenheath	107	$48,437,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(A), the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $37,104,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(A), the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $366,346,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2005, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of $3,157,356,000, as follows:

(1) For military construction projects inside the United States authorized by section 2301(a), $989,756,000.

(2) For military construction projects outside the United States authorized by section 2301(b), $187,308,000.

(3) For unspecified minor military construction projects authorized by section 2805 of title 10, United States Code, $15,929,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $95,537,000.

(5) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $1,101,887,000.

(B) For support of military family housing (including functions described in section 2833 of title 10, United States Code), $766,939,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation author-

ized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a).

(2) $30,000,000 (the balance of the amount authorized under section 2301(a) for construction of a C–17 maintenance complex at Elmendorf Air Force Base, Alaska).

(3) $66,000,000 (the balance of the amount authorized under section 2301(a) for construction of a main base runway at Edwards Air Force Base, California).

(4) $29,000,000 (the balance of the amount authorized under section 2301(a) for construction of a joint intelligence center at MacDill Air Force Base, Florida).

TITLE XXIV—DEFENSE AGENCIES

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
Sec. 2402. Energy conservation projects.
Sec. 2403. Authorization of appropriations, Defense Agencies.

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(1), the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following tables:

Defense Education Activity

State	Installation or Location	Amount
Georgia	*Fort Stewart/Hunter Army Air Field*	*$16,629,000*
North Carolina	*Fort Bragg*	*$18,075,000*

Defense Intelligence Agency

State	Installation or Location	Amount
District of Columbia	*Bolling Air Force Base*	*$7,900,000*

Defense Logistics Agency

State	Installation or Location	Amount
Arizona	*Yuma Proving Ground*	*$7,300,000*
California	*Defense Distribution Depot, Tracy*	*$33,635,000*
	Miramar	*$23,000,000*
Kansas	*McConnell Air Force Base*	*$15,800,000*
New Mexico	*Cannon Air Force Base*	*$13,200,000*
North Carolina	*Seymour Johnson Air Force Base*	*$18,500,000*
Pennsylvania	*Defense Distribution Depot, New Cumberland*	*$6,500,000*
Virginia	*Fort Belvoir*	*$4,500,000*
	Naval Station, Norfolk	*$6,700,000*

National Security Agency

State	Installation or Location	Amount
Georgia	*Augusta*	*$61,466,000*
Hawaii	*Kunia*	*$305,000,000*

***National Security Agency**—Continued*

State	Installation or Location	Amount
Maryland	*Fort Meade*	*$41,200,000*

Special Operations Command

State	Installation or Location	Amount
California	*Naval Surface Warfare Center, Coronado*	*$28,350,000*
Florida	*Hurlburt Field*	*$6,500,000*
	Eglin Air Force Base	*$12,800,000*
Georgia	*Fort Stewart/Hunter Army Air Field*	*$10,000,000*
Kentucky	*Fort Campbell*	*$37,800,000*
North Carolina	*Fort Bragg*	*$18,069,000*
Washington	*Fort Lewis*	*$53,300,000*

TRICARE Management Activity

State	Installation or Location	Amount
California	*Beale Air Force Base*	*$18,000,000*
	Naval Hospital, San Diego	*$15,000,000*
Colorado	*Peterson Air Force Base*	*$1,820,000*
Maryland	*Fort Detrick*	*$55,200,000*
	Uniformed Services University, Bethesda	*$10,350,000*
Mississippi	*Keesler Air Force Base*	*$14,000,000*
Nevada	*Nellis Air Force Base*	*$1,700,000*
South Carolina	*Charleston*	*$35,000,000*
Texas	*Lackland Air Force Base*	*$11,000,000*

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(2), the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following tables:

Defense Education Activity

Country	Installation or Location	Amount
Germany	*Landstuhl*	*$6,543,000*
	Vilseck	*$2,323,000*
Guam	*Agana*	*$40,578,000*
Korea	*Taegu*	*$8,231,000*
Spain	*Naval Station, Rota*	*$7,963,000*

Defense Logistics Agency

Country	Installation or Location	Amount
Greece	*Souda Bay*	*$7,089,000*

Missile Defense Agency

Country	Installation or Location	Amount
Kwajalein	*Kwajalein Atoll*	*$4,901,000*

National Security Agency

Country	*Installation or Location*	*Amount*
United Kingdom	*Menwith Hill*	*$86,354,000*

TRICARE Management Activity

Country	*Installation or Location*	*Amount*
Bahrain		*$4,750,000*

SEC. 2402. ENERGY CONSERVATION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(5), the Secretary of Defense may carry out energy conservation projects under section 2865 of title 10, United States Code, in the amount of $50,000,000.

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2005, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments) in the total amount of $2,817,039,000, as follows:

(1) For military construction projects inside the United States authorized by section 2401(a), $626,609,000.

(2) For military construction projects outside the United States authorized by section 2401(b), $123,104,000.

(3) For unspecified minor military construction projects under section 2805 of title 10, United States Code, $15,736,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $136,406,000.

(5) For energy conservation projects authorized by section 2402 of this Act, $50,000,000.

(6) For base closure and realignment activities as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 1990 established by section 2906 of such Act, $254,827,000.

(7) For base closure and realignment activities as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 2005 established by section 2906A of such Act, $1,504,466,000.

(8) For military family housing functions:

(A) For support of military family housing (including functions described in section 2833 of title 10, United States Code), $46,391,000.

(B) For credit to the Department of Defense Family Housing Improvement Fund established by section 2883(a)(1) of title 10, United States Code, $2,500,000.

(9) For the construction of increment 2 of the hospital replacement at Fort Belvoir, Virginia, authorized by section 2401(a) of the Military Construction Authorization Act for Fis-

cal Year 2005 (division B of Public Law 108–375; 118 Stat. 2112), $57,000,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a).

(2) $12,500,000 (the balance of the amount authorized under section 2401(a) for construction of a regional security operations center, Augusta, Georgia).

(3) $256,034,000 (the balance of the amount authorized under section 2401(a) for replacement of a regional security operations center, Kunia, Hawaii).

(4) $13,151,000 (the balance of the amount authorized under section 2401(a) for construction of a classified material conversion facility, Fort Meade, Maryland).

(5) $44,657,000 (the balance of the amount authorized under section 2401(b) for construction of an operations building, Royal Air Force Menwith Hill Station, United Kingdom).

(c) NOTICE AND WAIT REQUIREMENT APPLICABLE TO OBLIGATION OF FUNDS FOR BASE CLOSURE AND REALIGNMENT ACTIVITIES.—Funds appropriated pursuant to the authorization of appropriations in subsection (a)(7) may not be obligated until—

(1) a period of 21 days has expired following the date on which the Secretary of Defense submits to the congressional defense committees a report describing the specific programs, projects, and activities for which the funds are to be obligated; or

(2) if over sooner, a period of 14 days has expired following the date on which a copy of the report is provided in an electronic medium pursuant to section 480 of title 10, United States Code.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

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

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2005, for contributions by the Sec-

retary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment program authorized by section 2501, in the amount of $206,858,000.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

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

SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2005, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), in the following amounts:

(1) For the Department of the Army—

(A) for the Army National Guard of the United States, $523,151,000; and

(B) for the Army Reserve, $152,569,000.

(2) For the Department of the Navy, for the Navy Reserve and Marine Corps Reserve, $46,864,000.

(3) For the Department of the Air Force—

(A) for the Air National Guard of the United States, $316,117,000; and

(B) for the Air Force Reserve, $105,883,000.

TITLE XXVII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS

Sec. 2701. Expiration of authorizations and amounts required to be specified by law.
Sec. 2702. Extension of authorizations of certain fiscal year 2003 projects.
Sec. 2703. Extension of authorizations of certain fiscal year 2002 projects.

SEC. 2701. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVI for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2008; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2009.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment program (and au-

thorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2008; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2009 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment program.

SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2003 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2700), authorizations set forth in the tables in subsection (b), as provided in section 2301, 2302, or 2401 of that Act, shall remain in effect until October 1, 2006, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2007, whichever is later.

(b) TABLES.—The tables referred to in subsection (a) are as follows:

Air Force: Extension of 2003 Project Authorizations

Installation or Location	*Project*	*Amount*
Aviano Air Base, Italy	*Area consolidation*	*$5,000,000*
Eglin Air Force Base, Florida	*Family housing (134 units)*	*$15,906,000*
	Family housing office	*$597,000*
Keesler Air Force Base, Mississippi	*Family housing (117 units)*	*$16,505,000*
Randolph Air Force Base, Texas	*Family housing (112 units)*	*$14,311,000*
	Housing maintenance facility	*$447,000*

Defense Wide: Extension of 2003 Project Authorization

Installation or Location	*Project*	*Amount*
Stennis Space Center, Mississippi	*SOF Training Range*	*$5,000,000*

SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2002 PROJECTS.

(a) EXTENSION AND RENEWAL.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107–107; 115 Stat. 1301), authorizations set forth in the tables in subsection (b), as provided in section 2101 or 2302 of that Act and extended by section 2702 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2116), shall remain in effect until October 1, 2006, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2007, whichever is later.

(b) TABLES.—The tables referred to in subsection (a) are as follows:

Army: Extension of 2002 Project Authorization

Installation or Location	*Project*	*Amount*
Pohakuloa Training Area, Hawaii	*Land acquisition*	*$1,500,000*

Air Force: Extension of 2002 Project Authorization

Installation or Location	*Project*	*Amount*
Barksdale Air Force Base, Louisiana	*Family housing (56 units) .....*	*$7,300,000*

TITLE XXVIII—GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

Sec. 2801. Modification of congressional notification requirements for certain military construction activities.
Sec. 2802. Increase in number of family housing units in Korea authorized for lease by the Army at maximum amount.
Sec. 2803. Improvement in availability and timeliness of Department of Defense information regarding military construction and family housing accounts and activities.
Sec. 2804. Modification of cost variation authority.
Sec. 2805. Inapplicability to child development centers of restriction on authority to acquire or construct ancillary supporting facilities.
Sec. 2806. Department of Defense Housing Funds.
Sec. 2807. Use of design-build selection procedures to accelerate design effort in connection with military construction projects.
Sec. 2808. Acquisition of associated utilities, equipment, and furnishings in reserve component facility exchange.
Sec. 2809. One-year extension of temporary, limited authority to use operation and maintenance funds for construction projects outside the United States.
Sec. 2810. Temporary program to use minor military construction authority for construction of child development centers.
Sec. 2811. General and flag officers quarters in the National Capital Region.

Subtitle B—Real Property and Facilities Administration

Sec. 2821. Consolidation of Department of Defense land acquisition authorities and limitations on use of such authorities.
Sec. 2822. Modification of authorities on agreements to limit encroachments and other constraints on military training, testing, and operations.
Sec. 2823. Modification of utility system conveyance authority and related reporting requirements.
Sec. 2824. Report on application of force protection and anti-terrorism standards to leased facilities.
Sec. 2825. Report on use of ground source heat pumps at Department of Defense facilities.

Subtitle C—Base Closure and Realignment

Sec. 2831. Additional reporting requirements regarding base closure process and use of Department of Defense base closure accounts.
Sec. 2832. Expanded availability of adjustment and diversification assistance for communities adversely affected by mission realignments in base closure process.
Sec. 2833. Treatment of Indian Tribal Governments as public entities for purposes of disposal of real property recommended for closure in July 1993 BRAC Commission report.
Sec. 2834. Termination of project authorizations for military installations approved for closure in 2005 round of base realignments and closures.
Sec. 2835. Required consultation with State and local entities on issues related to increase in number of military personnel at military installations.
Sec. 2836. Sense of Congress regarding infrastructure and installation requirements for transfer of units and personnel from closed and realigned military installations to receiving locations.
Sec. 2837. Defense access road program and military installations affected by defense base closure process or Integrated Global Presence and Basing Strategy.
Sec. 2838. Sense of Congress on reversionary interests involving real property at Navy homeports.

Subtitle D—Land Conveyances

PART 1—ARMY CONVEYANCES

Sec. 2841. Land conveyance, Camp Navajo, Arizona.
Sec. 2842. Land conveyance, Iowa Army Ammunition Plant, Middletown, Iowa.
Sec. 2843. Land conveyance, Helena, Montana.
Sec. 2844. Lease authority, Army Heritage and Education Center, Carlisle, Pennsylvania.
Sec. 2845. Land exchange, Fort Hood, Texas.
Sec. 2846. Modification of land conveyance, Engineer Proving Ground, Fort Belvoir, Virginia.
Sec. 2847. Land conveyance, Fort Belvoir, Virginia.
Sec. 2848. Land conveyance, Army Reserve Center, Bothell, Washington.

PART 2—NAVY CONVEYANCES

Sec. 2851. Land conveyance, Marine Corps Air Station, Miramar, San Diego, California.
Sec. 2852. Lease or license of United States Navy Museum facilities at Washington Navy Yard, District of Columbia.

PART 3—AIR FORCE CONVEYANCES

Sec. 2861. Purchase of build-to-lease family housing, Eielson Air Force Base, Alaska.
Sec. 2862. Land conveyance, Air Force property, Jacksonville, Arkansas.
Sec. 2863. Land conveyance, Air Force property, La Junta, Colorado.
Sec. 2864. Lease, National Imagery and Mapping Agency site, St. Louis, Missouri.

Subtitle E—Other Matters

Sec. 2871. Clarification of moratorium on certain improvements at Fort Buchanan, Puerto Rico.
Sec. 2872. Transfer of excess Department of Defense property on Santa Rosa and Okaloosa Island, Florida, to Gulf Islands National Seashore.
Sec. 2873. Authorized military uses of Papago Park Military Reservation, Phoenix, Arizona.
Sec. 2874. Assessment of water needs for Presidio of Monterey and Ord Military Community.
Sec. 2875. Redesignation of McEntire Air National Guard Station, South Carolina, as McEntire Joint National Guard Base.
Sec. 2876. Sense of Congress regarding community impact assistance related to construction of Navy landing field, North Carolina.
Sec. 2877. Sense of Congress on establishment of Bakers Creek Memorial.

Subtitle A—Military Construction Program and Military Family Housing Changes

SEC. 2801. MODIFICATION OF CONGRESSIONAL NOTIFICATION REQUIREMENTS FOR CERTAIN MILITARY CONSTRUCTION ACTIVITIES.

(a) CONTINGENCY CONSTRUCTION.—Section 2804(b) of title 10, United States Code, is amended—

(1) by striking "21-day period" and inserting "14-day period"; and

(2) by striking "14-day period" and inserting "seven-day period".

(b) ACQUISITION IN LIEU OF CONSTRUCTION.—Section 2813(c) of such title is amended—

(1) by striking "30-day period" and inserting "21-day period"; and

(2) by striking "21-day period" and inserting "14-day period".

SEC. 2802. INCREASE IN NUMBER OF FAMILY HOUSING UNITS IN KOREA AUTHORIZED FOR LEASE BY THE ARMY AT MAXIMUM AMOUNT.

Section 2828(e)(4) of title 10, United States Code, is amended by striking "2,400" and inserting "2,800".

SEC. 2803. IMPROVEMENT IN AVAILABILITY AND TIMELINESS OF DEPARTMENT OF DEFENSE INFORMATION REGARDING MILITARY CONSTRUCTION AND FAMILY HOUSING ACCOUNTS AND ACTIVITIES.

(a) MAINTENANCE OF INFORMATION ON INTERNET.—Section 2851 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(c) MAINTENANCE OF MILITARY CONSTRUCTION INFORMATION ON INTERNET; ACCESS.—(1) The Secretary of Defense shall maintain an Internet site that, when activated by a person authorized under paragraph (3), will permit the person to access and view on a separate page of the Internet site a document or other file containing the information required by paragraph (2) for the following:

"(A) Each military construction project or military family housing project that has been specifically authorized by Act of Congress.

"(B) Each project carried out with funds authorized for the operation and maintenance of military family housing.

"(C) Each project carried out with funds authorized for the improvement of military family housing units.

"(D) Each unspecified minor construction project carried out under the authority of section 2805(a) of this title.

"(E) Each military construction project or military family housing project regarding which a statutory requirement exists to notify Congress.

"(2) The information to be provided via the Internet site required by paragraph (1) for each project described in such paragraph shall include the following:

"(A) The solicitation date and award date (or anticipated dates) for each contract entered into (or to be entered into) by the United States in connection with the project.

"(B) The contract recipient, contract award amount, construction milestone schedule proposed by the contractor, and construction completion date stipulated in the awarded contract.

"(C) The most current Department of Defense Form 1391, Military Construction Project Data, for the project.

"(D) The progress of the project, including the percentage of construction currently completed and the current estimated construction completion date.

"(E) The current contract obligation of funds for the project, including any changes to the original contract award amount.

"(F) The estimated final cost of the project and, if the estimated final cost of the project exceeds the amount appropriated for the project and funds have been provided from another source to meet the increased cost, the source of the funds and the amount provided.

"(G) If funds appropriated for the project have been diverted for use in another project, the project to which the funds were diverted and the amount so diverted.

"(H) For accounts such as planning and design, unspecified minor construction, and family housing operation and maintenance, detailed information regarding expenditures and anticipated expenditures under these accounts and the purposes for which the expenditures are made.

"(3) Access to the Internet site required by paragraph (1) shall be restricted to the following persons:

"(A) Members of the congressional defense committees and their staff.

"(B) Staff of the congressional defense committees.

"(4) The information required to be provided for each project described in paragraph (1) shall be made available to the persons referred to in paragraph (3) not later than 90 days after the award of a contract or delivery order for the project. The Secretary of Defense shall update the required information as promptly as practicable, but not less frequently than once a month, to ensure that the information is available to such persons in a timely manner.".

(b) IMPLEMENTATION.—The Internet site required by subsection (c) of section 2851 of title 10, United States Code, as added by subsection (a), shall be available to the persons referred to in paragraph (3) of such subsection not later than July 15, 2006.

(c) STYLISTIC AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by inserting "SUPERVISION OF MILITARY DEPARTMENT PROJECTS.—" after "(a)"; and

(2) in subsection (b), by inserting "SUPERVISION OF DEFENSE AGENCY PROJECTS.—" after "(b)"

SEC. 2804. MODIFICATION OF COST VARIATION AUTHORITY.

(a) LIMITATION ON COST DECREASES RELATED TO MILITARY CONSTRUCTION AND MILITARY FAMILY HOUSING PROJECTS.—Section 2853 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking "may be increased by not more than 25 percent" and inserting "may be increased or decreased by not more than 25 percent"; and

(B) by striking "if the Secretary concerned determines that such an increase in cost is required" and inserting "if the Secretary concerned determines that such revised cost is required";

(2) in subsection (c)—

(A) by striking "limitation on cost increase" and inserting "limitation on cost variations"; and

(B) by striking "the increase" both places it appears and inserting "the variation"; and

(3) in subsection (d), by striking "limitation on cost increases" and inserting "limitation on cost variations".

(b) ADDITIONAL INFORMATION REQUIRED FOR NOTIFICATION IN CONNECTION WITH WAIVER OF LIMITATIONS ON COST INCREASES.—Subsection (c)(2) of such section is further amended by inserting after "the reasons therefor" the following: ", including a description of the funds proposed to be used to finance any increased costs".

(c) TECHNICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

"§ 2853. Authorized cost and scope of work variations".

(2) TABLE OF SECTIONS.—The item relating to such section in the table of sections at the beginning of subchapter III of chapter 169 of such title is amended to read as follows:

"2853. Authorized cost and scope of work variations.".

SEC. 2805. INAPPLICABILITY TO CHILD DEVELOPMENT CENTERS OF RESTRICTION ON AUTHORITY TO ACQUIRE OR CONSTRUCT ANCILLARY SUPPORTING FACILITIES.

(a) EXCEPTION FOR CHILD DEVELOPMENT CENTERS.—Section 2881(b) of title 10, United States Code, is amended by inserting "(other than a child development center)" after "ancillary supporting facility".

(b) CHILD DEVELOPMENT CENTER DEFINED.—Section 2871 of such title is amended—

(1) in paragraph (1), by inserting "child development centers," after "day care centers,"; and

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

"(2) The term 'child development center' includes a facility, and the utilities to support such facility, the function of which is to support the daily care of children aged six weeks old through five years old for full-day, part-day, and hourly service.".

(c) RULE OF CONSTRUCTION.—Nothing in the amendment made by subsection (a) may be construed to alter any law and regulation applicable to the operation of a child development center, as defined in section 2871(2) of title 10, United States Code.

SEC. 2806. DEPARTMENT OF DEFENSE HOUSING FUNDS.

(a) REQUIREMENT TO FUND CERTAIN ACQUISITION AND IMPROVEMENT OF MILITARY HOUSING SOLELY THROUGH DEFENSE HOUSING FUNDS.—Subsection (e) of section 2883 of title 10, United States Code, is amended—

(1) by striking "The Secretary" and inserting "(1) The Secretary"; and

(2) by adding at the end the following new paragraph:

"(2) The Funds established under subsection (a) shall be the sole source of funds for activities carried out under this subchapter.".

(b) AUTHORITY TO TRANSFER FUNDS APPROPRIATED FOR THE IMPROVEMENT OF MILITARY FAMILY HOUSING TO DEFENSE HOUSING FUNDS.—Subsection (c)(1)(B) of such section is amended by striking "acquisition or construction" and inserting "acquisition, improvement, or construction".

(c) REPORTING REQUIREMENTS RELATED TO DEPARTMENT OF DEFENSE HOUSING FUNDS.—Section 2884 of such title is amended—

(1) in subsection (a)(2)(D), by inserting after "description of the source of such funds" the following: ", including a description of the specific construction, acquisition, or improvement projects from which funds were transferred to the Funds established under section 2883 of this title in order to finance the contract, conveyance, or lease"; and

(2) in subsection (b)(1)—

(A) by striking "a report" and inserting "a separate report";

(B) by striking "covering the Funds" and inserting "covering each of the Funds"; and

(C) by striking the period at the end and inserting the following: ", including a description of the specific construction, acquisition, or improvement projects from which funds were transferred and the privatization projects or contracts to which those funds were transferred. Each report shall also include, for each military department or defense agency, a description of all funds to be transferred to such Funds for the current fiscal year and the next fiscal year.".

SEC. 2807. USE OF DESIGN-BUILD SELECTION PROCEDURES TO ACCELERATE DESIGN EFFORT IN CONNECTION WITH MILITARY CONSTRUCTION PROJECTS.

(a) CLARIFICATION OF CONDITION ON CONTRACTS.—Paragraph (2) of subsection (f) of section 2305a of title 10, United States Code, is amended to read as follows:

"(2) Any military construction contract that provides for an accelerated design effort, as authorized by paragraph (1), shall include as a condition of the contract that the liability of the United States in a termination for convenience before funds are first made available for construction may not exceed an amount attributable to the final design of the project.".

(b) DURATION OF AUTHORITY; REPORT.—Paragraph (4) of such subsection is amended by striking "2007" each place it appears and inserting "2008".

SEC. 2808. ACQUISITION OF ASSOCIATED UTILITIES, EQUIPMENT, AND FURNISHINGS IN RESERVE COMPONENT FACILITY EXCHANGE.

(a) ACQUISITION AUTHORITY.—Section 18240 of title 10, United States Code, is amended—

(1) in subsection (a), by adding at the end the following new sentence: "The acquisition of a facility or an addition to an existing facility under this section may include the acquisition of utilities, equipment, and furnishings for the facility."; and

(2) in subsection (c), by inserting "including any utilities, equipment, and furnishings, to be" after "existing facility,".

(b) CONFORMING AMENDMENT.—Section 2809(c)(1) of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2127) is amended by inserting "including any utilities, equipment, and furnishings," after "existing facility,".

SEC. 2809. ONE-YEAR EXTENSION OF TEMPORARY, LIMITED AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS OUTSIDE THE UNITED STATES.

(a) CONDITIONAL EXTENSION.—Section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as amended by section 2810 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2128), is further amended—

(1) in subsection (a), by striking "fiscal year 2005" and inserting "fiscal years 2005 and 2006"; and

(2) in subsection (d)(2)—

(A) by striking "during fiscal year 2005" and inserting "during a fiscal year";

(B) by inserting "for that fiscal year" after "commence"; and

(C) by striking "for fiscal year 2004" and inserting "for the preceding fiscal year".

(b) LIMITATION ON USE OF AUTHORITY.—Subsection (c)(1) of such section 2808 is amended by striking "$200,000,000" and inserting "$100,000,000".

(c) QUARTERLY REPORTS.—Subsection (d) of such section 2808 is amended by striking paragraph (1) and inserting the following new paragraph:

"(1) Not later than 30 days after the end of each fiscal-year quarter during which appropriated funds available for operation and maintenance are obligated or expended to carry out construction projects outside the United States, the Secretary of Defense shall submit to the congressional committees specified in subsection (f) a report on the worldwide obligation and expenditure during that quarter of such appropriated funds for such construction projects.".

(d) EFFECT OF FAILURE TO SUBMIT QUARTERLY REPORTS OR PROJECT NOTIFICATIONS.—Such section 2808 is further amended by adding at the end the following new subsection:

"(g) EFFECT OF FAILURE TO SUBMIT QUARTERLY REPORTS OR PROJECT NOTIFICATIONS.—If the report for a fiscal-year quarter under subsection (d) or the notice of the obligation of the funds for a construction project required by subsection (b) is not submitted to the congressional committees specified in subsection (f) by the required date, appropriated funds available for operation and maintenance may not be obligated or expended after that date under the authority of this section to carry out construction projects outside the United States until the date on which the report or notice is finally submitted.".

SEC. 2810. TEMPORARY PROGRAM TO USE MINOR MILITARY CONSTRUCTION AUTHORITY FOR CONSTRUCTION OF CHILD DEVELOPMENT CENTERS.

(a) THRESHOLDS ON CONSTRUCTION AUTHORIZED.—The Secretary of Defense shall establish a program to carry out minor military construction projects under section 2805 of title 10, United States Code, to construct child development centers.

(b) INCREASED MAXIMUM AMOUNTS APPLICABLE TO MINOR CONSTRUCTION PROJECTS.—For the purpose of any military construction project carried out under the program authorized by this section, the amounts specified in section 2805 of title 10, United States Code, are modified as follows:

(1) The amount specified in the third sentence of subsection (a)(1) of such section is deemed to be $8,000,000.

(2) The amount specified in the second sentence of subsection (a)(1) and in subsection (c)(1)(A) of such section is deemed to be $7,000,000.

(3) The amount specified in subsections (b)(1) and (c)(1)(B) of such section is deemed to be $5,000,000.

(c) NOTIFICATION, REVIEW AND APPROVAL REQUIREMENTS.—The notification requirements under section 2805 of title 10, United

States Code, shall remain in effect for construction projects carried out under the program authorized by this section. The Secretary shall establish procedures for the review and approval of requests from the Secretaries of military departments to carry out construction projects under the program.

(d) REPORT REQUIRED.—Not later than March 1, 2007, the Secretary of Defense shall submit to the congressional defense committees a report on the program authorized by this section. The report shall include a list and description of the construction projects carried out under the program, including the location and cost of each project.

(e) EXPIRATION OF AUTHORITY.—The authority to obligate funds to carry out a minor military construction project under the program authorized by this section expires on September 30, 2007.

(f) CONSTRUCTION OF AUTHORITY.—Nothing in this section may be construed to limit any other authority provided by law for a military construction project at a child development center.

(g) CHILD DEVELOPMENT CENTER DEFINED.—In this section, the term "child development center" includes a facility, and the utilities to support such facility, the function of which is to support the daily care of children aged six weeks old through five years old for full-day, part-day, and hourly service.

SEC. 2811. GENERAL AND FLAG OFFICERS QUARTERS IN THE NATIONAL CAPITAL REGION.

(a) SERVICE-BY-SERVICE REPORT ON NEED FOR QUARTERS IN NATIONAL CAPITAL REGION.—Not later than March 15, 2006, the Secretary of each of the military departments shall submit to the congressional defense committees a report containing an analysis of the anticipated needs of the Armed Forces under the jurisdiction of that Secretary for family housing units for general officers and flag officers in the National Capital Region. In conducting the analysis, the Secretary shall consider the necessity of providing housing for general officers and flag officers in secure locations in the National Capital Region, but shall not consider the number of existing Government-owned units in the National Capital Region.

(b) USE OF ALTERNATIVE AUTHORITY FOR ACQUISITION AND IMPROVEMENT OF MILITARY HOUSING.—The Secretary of a military department shall include in the report prepared by the Secretary under subsection (a) an assessment of the viability and economic impact of incorporating the inventory of general officer and flag officer quarters of that military department in the National Capitol Region into transactions carried out using the alternative authority for the acquisition and improvement of military housing provided by subchapter IV of chapter 169 of title 10, United States Code. The assessment shall include an economic analysis of the potential costs to include general officer and flag officer quarters into existing and planned housing privatization transactions.

(c) DEFINITIONS.—In this section:

(1) The terms "general officer" and "flag officer" have the meanings given such terms in section 101(b) of title 10, United States Code.

(2) The term "National Capital Region" has the meaning given such term in section 2674(f) of such title.

Subtitle B—Real Property and Facilities Administration

SEC. 2821. CONSOLIDATION OF DEPARTMENT OF DEFENSE LAND ACQUISITION AUTHORITIES AND LIMITATIONS ON USE OF SUCH AUTHORITIES.

(a) LAND ACQUISITION AUTHORITY.—Chapter 159 of title 10, United States Code, is amended—

(1) in section 2663—

(A) by striking the section heading and inserting the following new section heading:

"§ 2663. Land acquisition authorities";

(B) in subsection (a)—

(i) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively;

(ii) in subparagraph (C), as so redesignated, by striking "clause (2)" and inserting "subparagraph (B)"; and

(iii) by inserting "ACQUISITION OF LAND BY CONDEMNATION FOR CERTAIN MILITARY PURPOSES.—(1)" before "The Secretary";

(C) by redesignating subsection (b) as paragraph (2) and, in such paragraph, by striking "subsection (a)" and inserting "paragraph (1)";

(D) by redesignating subsection (c) as subsection (b) and, in such subsection, by inserting "ACQUISITION BY PURCHASE IN LIEU OF CONDEMNATION.—" before "The Secretary"; and

(E) by striking subsection (d);

(2) by transferring subsections (a), (b), and (d) of section 2672 to section 2663 and inserting such subsections in that order after subsection (b), as redesignated by paragraph (1)(D);

(3) in subsection (a), as transferred by paragraph (2), by striking "(a) ACQUISITION AUTHORITY" and inserting "(c) ACQUISITION OF LOW-COST INTERESTS IN LAND";

(4) in subsection (b), as transferred by paragraph (2)—

(A) by striking "(b) ACQUISITION OF MULTIPLE PARCELS.—This section" and inserting "(3) This subsection";

(B) by striking "subsection (a)(1)" and inserting "paragraph (1)"; and

(C) by striking "subsection (a)(2)" and inserting "paragraph (2)";

(5) in subsection (d), as transferred by paragraph (2)—

(A) by striking "(d) AVAILABILITY OF FUNDS.—Appropriations" and inserting "(4) Appropriations"; and

(B) by striking "this section" and inserting "this subsection";

(6) by transferring subsections (a), (c), and (b) of section 2672a to section 2663 and inserting such subsections in that order after subsection (c), as redesignated and amended by paragraphs (3), (4), and (5);

(7) in subsection (a), as transferred by paragraph (6)—

(A) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively; and

(B) by striking "(a) The Secretary" and inserting "(d) ACQUISITION OF INTERESTS IN LAND WHEN NEED IS URGENT.—(1) The Secretary";

(8) in subsection (c), as transferred by paragraph (6)—

(A) by striking "(c)" and inserting "(2)"; and

(B) by striking "this section" and inserting "this subsection";

(9) in subsection (b), as transferred by paragraph (6)—

(A) by striking "(b)" and inserting "(3)";

(B) by striking "this section" in the first sentence and inserting "this subsection"; and

(C) by striking the second sentence;

(10) by transferring subsection (b) of section 2676 to section 2663 and inserting such subsection after subsection (d), as redesignated and amended by paragraphs (7), (8), and (9); and

(11) in subsection (b), as transferred by paragraph (10), by striking "(b) Authority" and inserting "(e) SURVEY AUTHORITY; ACQUISITION METHODS.—Authority".

(b) LIMITATIONS ON ACQUISITION AUTHORITY.—Section 2676 of such title, as amended by subsection (a)(10), is further amended—

(1) in subsection (a)—

(A) by inserting "AUTHORIZATION FOR ACQUISITION REQUIRED.—" before "No military department"; and

(B) by striking ", as amended";

(2) in subsection (c)—

(A) in paragraph (1), by inserting "COST LIMITATIONS.—" before "(1)"; and

(B) in paragraph (2)—

(i) by striking "A land" and inserting "Until subsection (d) is complied with, a land"; and

(ii) by striking "lesser," and all that follows through the period at the end and inserting "lesser.";

(3) in subsection (d), by inserting "CONGRESSIONAL NOTIFICATION.—" before "The limitations"; and

(4) in subsection (e), by inserting "PAYMENT OF JUDGEMENTS AND SETTLEMENTS.—" before "The Secretary".

(c) TRANSFER AND REDESIGNATION OF REVISED LIMITATION SECTION.—Section 2676 of such title, as amended by subsections (a)(10) and (b)—

(1) is inserted after section 2663 of such title, as amended by subsection (a); and

(2) is amended by striking the section heading and inserting the following new section heading:

"§ 2664. Limitations on real property acquisition".

(d) INCLUSION OF LIMITATION ON LAND ACQUISITION COMMISSIONS.—Subsection (c) of section 2661 of such title is transferred to section 2664 of such title, as redesignated by subsection (c)(2), is inserted after subsection (a) of such redesignated section, and is redesignated as subsection (b).

(e) APPLICATION OF REAL PROPERTY MANAGEMENT AUTHORITIES TO PENTAGON RESERVATION.—Section 2661 of such title is amended by adding at the end the following new subsection:

"(d) TREATMENT OF PENTAGON RESERVATION.—In this chapter, the terms 'Secretary concerned' and 'Secretary of a military department' include the Secretary of Defense with respect to the Pentagon Reservation.".

(f) CONFORMING REPEALS.—Sections 2672 and 2672a of such title are repealed.

(g) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 159 of such title is amended—

(1) by striking the items relating to sections 2663, 2672, 2672a, and 2676; and

(2) by inserting after the item relating to section 2662 the following new items:

"2663. Land acquisition authorities.
"2664. Limitations on real property acquisition.".

SEC. 2822. MODIFICATION OF AUTHORITIES ON AGREEMENTS TO LIMIT ENCROACHMENTS AND OTHER CONSTRAINTS ON MILITARY TRAINING, TESTING, AND OPERATIONS.

(a) EXPANSION OF AGREEMENTS AUTHORIZED.—

(1) IN GENERAL.—Subsection (a) of section 2684a of title 10, United States Code, is amended—

(A) by inserting "or entities" after "entity"; and

(B) by striking "in the vicinity of a military installation" and inserting "in the vicinity of, or ecologically related to, a military installation or military airspace".

(2) CONFORMING AMENDMENTS.—Subsection (d) of such section is amended—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting "or entities" after "eligible entity"; and

(ii) in subparagraph (A), by inserting "or entities" after "the entity"; and

(B) in paragraph (3), by inserting "or entities" after "the entity".

(b) COST-SHARING OF ACQUISITION COSTS OF PROPERTY AND INTERESTS.—Subsection (d) of such section is further amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking "may provide" and inserting "shall provide"; and

(B) by striking subparagraph (B) and inserting the following new subparagraph (B):

"(B) the sharing by the United States and the entity or entities of the acquisition costs in accordance with paragraph (3).";

(2) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively; and

(3) by inserting after paragraph (2) the following new paragraph (3):

"(3)(A) The Secretary concerned shall determine the appropriate portion of the acquisition costs to be borne by the United States in the sharing of acquisition costs of real property, or an interest in real property, under paragraph (1)(B).

"(B) The portion of acquisition costs borne by the United States in the sharing of acquisition costs of real property, or an interest in real property, under paragraph (1)(B) may not exceed an amount equal to the fair market value of any property or interest to be

transferred to the United States upon the request of the Secretary concerned under paragraph (4).

"(C) The contribution of an entity or entities to the acquisition costs of real property, or an interest in real property, under paragraph (1)(B) may include, with the approval of the Secretary concerned, the following or any combination of the following:

"(i) The provision of funds, including funds received by such entity or entities from a Federal agency outside the Department of Defense or a State or local government in connection with a Federal, State, or local program.

"(ii) The provision of in-kind services, including services related to the acquisition or maintenance of such real property or interest in real property.

"(iii) The exchange or donation of real property or any interest in real property.".

(c) REPORTING REQUIREMENT.—Such section is further amended—

(1) by redesignating subsections (g) and (h) as subsections (h) and (i), respectively; and

(2) by inserting after subsection (f) the following new subsection (g):

"(g) ANNUAL REPORTS.—(1) Not later than March 1, 2007, and annually thereafter, the Secretary of Defense shall, in coordination with the Secretaries of the military departments and the Director of the Department of Defense Test Resource Management Center, submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the projects undertaken under agreements under this section.

"(2) Each report under paragraph (1) shall include the following the following:

"(A) A description of the status of the projects undertaken under agreements under this section.

"(B) An assessment of the effectiveness of such projects, and other actions taken pursuant to this section, as part of a long-term strategy to ensure the sustainability of military test and training ranges, military installations, and associated airspace.

"(C) An evaluation of the methodology and criteria used to select, and to establish priorities, for projects undertaken under agreements under this section.

"(D) A description of any sharing of costs by the United States and eligible entities under subsection (d) during the preceding year, including a description of each agreement under this section providing for the sharing of such costs and a statement of the eligible entity or entities with which the United States is sharing such costs.

"(E) Such recommendations as the Secretary of Defense considers appropriate for legislative or administrative action in order to improve the efficiency and effectiveness of actions taken pursuant to agreements under this section.".

SEC. 2823. MODIFICATION OF UTILITY SYSTEM CONVEYANCE AUTHORITY AND RELATED REPORTING REQUIREMENTS.

(a) NOTICE AND WAIT REQUIREMENT.—Subsection (a) of section 2688 of title 10, United States Code, is amended—

(1) by inserting "(1)" after "CONVEYANCE AUTHORITY.—"; and

(2) by adding at the end the following new paragraph:

"(2) The Secretary concerned may not enter into a contract to convey a utility system, or part of a utility system, under this subsection until—

"(A) the Secretary submits to the congressional defense committees an economic analysis, based upon accepted life-cycle costing procedures approved by the Secretary of Defense, that demonstrates that—

"(i) the long-term economic benefit to the United States of the conveyance of the utility system, or part thereof, exceeds the long-term economic cost to the United States of the conveyance;

"(ii) the conveyance of the utility system, or part thereof, will reduce the long-term cost to the United States of utility services provided by the utility system; and

"(iii) the economic benefit analysis under clause (i) and the cost reduction analysis under clause (ii) incorporate margins of error in the estimates, based upon guidance approved by the Secretary of Defense that minimize any underestimation of the costs resulting from privatization of the utility system, or part thereof, or any overestimation of the costs resulting from continued Government ownership and management of the utility system, or part thereof; and

"(B) the end of the 21-day period beginning on the date on which the economic analysis prepared under subparagraph (A) with respect to the conveyance of the utility system, or part thereof, is received by the congressional defense committees or, if over earlier, the end of the 14-day period beginning on the date on which a copy of the economic analysis is provided in an electronic medium pursuant to section 480 of this title.".

(b) CONSIDERATION.—Subsection (c)(1) of such section is amended by striking "shall" and inserting "may".

(c) DURATION OF UTILITY SERVICES CONTRACTS IN CONNECTION WITH CONVEYANCES.—Such section is further amended—

(1) by redesignating subsections (d) through (i) as subsections (e) through (j), respectively; and

(2) by redesignating paragraph (3) of subsection (c) as subsection (d) and, in such subsection (as so redesignated)—

(A) by striking "A contract" and inserting "CONTRACTS FOR UTILITY SERVICES.—(1) Except as provided in paragraph (2), a contract";

(B) by striking "paragraph (1)" and inserting "subsection (c)";

(C) by striking "50 years." and inserting "10 years."; and

(D) by adding at the end the following new paragraph:

"(2) The Secretary of Defense, or the designee of the Secretary, may authorize a contract for utility services described in paragraph (1) to have a term in excess of 10 years, but not to exceed 50 years, if the Secretary determines that a contract for a longer term will be cost effective. The economic analysis submitted to the congressional defense committees under subsection (a)(2) for the conveyance of the utility system, or part thereof, with regard to which the utility services contract will be entered into by the Secretary concerned shall include the determination required by this paragraph, an expla-

nation of the need for the longer term contract, and a comparison of costs between a 10-year contract and the longer-term contract.".

(d) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (f), as redesignated by subsection (c)(1), by striking the second sentence; and

(2) in subsection (h), as redesignated by subsection (c)(1), by striking "subsection (e)" and inserting "subsection (a)(2)".

(e) TEMPORARY LIMITATION ON USE OF CONVEYANCE AUTHORITY.—During each of fiscal years 2006 and 2007, the number of utility systems, or parts of utility systems, for which conveyance contracts may be entered into under section 2688 of title 10, United States Code, shall not exceed 25 percent of the total number of utility systems that, as of the date of the enactment of this Act, have been determined to be eligible for conveyance under such section, but have not yet been conveyed.

(f) REPORT ON USE OF CONVEYANCE AUTHORITY.—Not later than April 1, 2006, the Secretary of Defense shall submit to the congressional defense committees a report describing the use of section 2688 of title 10, United States Code, to convey utility systems, or parts of utility systems. The report shall contain the following:

(1) A discussion of the methodology by which a military department conducts the economic analyses of proposed utility system conveyances under section 2688 of title 10, United States Code, including the economic analyses referred to in subsection (a)(2) of such section, and any guidance issued by the Department of Defense related to conducting such economic analyses.

(2) A list of the steps taken to ensure the reliability of completed economic analyses, including post-conveyance reviews of actual costs and savings to the United States versus the costs and savings anticipated in the economic analyses.

(3) A review of the costs and savings to the United States resulting from each utility system conveyance carried out under such section.

(4) A discussion of the feasibility of obtaining consideration equal to the fair market value of a conveyed utility system, as authorized by subsection (c) of such section, and any guidance issued by the Department of Defense related to implementing that requirement, and the effect of that requirement and guidance on the costs and savings to the United States resulting from procuring by contract the utility services provided by the utility system.

(5) A discussion of the effects that permanent conveyance of ownership in a utility system may have on the ability of the Secretary of a military department to renegotiate contracts for utility services provided by the utility system or to procure such services from another source.

(6) A comparison of the value of contracts to permanently convey ownership in a utility system versus contracts that include reversion of the utility system to Government ownership at the end of a specified contractual period, with regards to contract terms, short- and long-term costs to the Government, system condition at the end of a contract, liability and costs associated with termination before the end of a contract, and avail-

able courses of action to address problems and other issues raised during and after the contractual period.

(7) A discussion of the efforts and direction within the Department of Defense to oversee the implementation and use of the utility system conveyance authority under this section and to ensure the adequacy of utilities services for a military installation after conveyance of a utility system.

(8) A discussion of the effect of utility system conveyances on the operating budgets of military installations at which the conveyances were made.

(g) TEMPORARY SUSPENSION OF CONVEYANCE AUTHORITY.—If the report required by subsection (f) is not submitted to the congressional defense committees by the date specified in such subsection, the Secretary of a military department may not convey a utility system, including any part of a utility system, under subsection (a) of section 2688 of title 10, United States Code, or make a contribution under subsection (h) of such section toward the cost of construction, repair, or replacement of a utility system by another entity until the end of the 30-day period beginning on the date on which the report is finally submitted.

(h) COMPTROLLER GENERAL REVIEW.—Not later than August 1, 2006, the Comptroller General shall submit to the congressional defense committees a report evaluating the changes made by the Department of Defense since May 2005 to the utility systems conveyance program authorized by section 2688 of title 10, United States Code, and the effects of those changes and containing such recommendations for additional changes as the Comptroller General considers necessary.

SEC. 2824. REPORT ON APPLICATION OF FORCE PROTECTION AND ANTI-TERRORISM STANDARDS TO LEASED FACILITIES.

(a) REPORT REQUIRED.—Not later than September 30, 2006, the Secretary of Defense shall submit to the congressional defense committees a report on the application of Department of Defense Anti-Terrorism/Force Protection standards to all facilities leased by the Department of Defense or leased by the General Services Administration as an agent for the Department of Defense as of September 30, 2005.

(b) INFORMATION ON LEASED FACILITIES.—For the facilities identified in the report submitted under subsection (a), the Secretary of Defense shall include the following:

(1) A description of the function of each leased facility, including the location, size, terms of lease, and number of personnel housed within the facility.

(2) A description of the threat assessment and the joint security integrated vulnerability assessment for each leased facility.

(3) A description and cost estimate of any actions necessary to mitigate risk to an acceptable level in each leased facility.

(4) A description and cost estimate of the actions to be taken by the Secretary for each leased facility to ensure compliance with Department of Defense Anti-Terrorism/Force Protection standards.

(5) The total estimated cost of, and a proposed funding plan for, implementation of the force protection and anti-terrorism measures required to ensure the compliance of all leased

facilities with Defense Anti-Terrorism/Force Protection standards.

(c) INFORMATION ON SUPPORT PRIORITIES.—The report submitted under subsection (a) shall also include a separate description of the procedures used by the Secretary of Defense to prioritize funding for the application of force protection and antiterrorism standards to leased facilities, including a description of any such procedures applicable to the entire Department of Defense.

(d) APPLICABILITY.—The reporting requirements under this section apply to any space or facility that houses 11 or more personnel in service to, or employed by, the Department of Defense.

SEC. 2825. REPORT ON USE OF GROUND SOURCE HEAT PUMPS AT DEPARTMENT OF DEFENSE FACILITIES.

(a) REPORT REQUIRED.—Not later than July 1, 2006, the Secretary of Defense shall submit to the congressional defense committees a report on the use of ground source heat pumps at Department of Defense facilities.

(b) CONTENT.—The report required under subsection (a) shall include—

(1) a description of the types of Department of Defense facilities that use ground source heat pumps;

(2) an assessment of the applicability and cost-effectiveness of the use of ground source heat pumps at Department of Defense facilities in different geographic regions of the United States;

(3) a description of the relative applicability of ground source heat pumps for purposes of new construction at, and retrofitting of, Department of Defense facilities; and

(4) recommendations for facilitating and encouraging the increased use of ground source heat pumps at Department of Defense facilities.

Subtitle C—Base Closure and Realignment

SEC. 2831. ADDITIONAL REPORTING REQUIREMENTS REGARDING BASE CLOSURE PROCESS AND USE OF DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNTS.

(a) INFORMATION ON FUTURE RECEIPTS AND EXPENDITURES.—

(1) 1990 ACCOUNT.—Section 2906(c)(1) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended—

(A) in subparagraph (A)—

(i) by striking "committees of the amount" and inserting "committees of—

"(i) the amount";

(ii) by striking "such fiscal year and of the amount" and inserting "such fiscal year;

"(ii) the amount"; and

(iii) by striking "such fiscal year." and inserting "such fiscal year;

"(iii) the amount and nature of anticipated deposits to be made into, and the anticipated expenditures to be made from, the Account during the first fiscal year commencing after the submission of the report; and

"(iv) the amount and nature of anticipated expenditures to be made pursuant to section 2905(a) during the first fiscal year commencing after the submission of the report."; and

(B) in subparagraph (B)—

(i) in clause (i), by inserting "and installation" after "subaccount"; and

(ii) by adding at the end the following new clause:

"(v) An estimate of the net revenues to be received from property disposals to be completed during the first fiscal year commencing after the submission of the report at military installations the date of approval of closure or realignment of which is before January 1, 2005.".

(2) 2005 ACCOUNT.—Section 2906A(c)(1) of such Act is amended—

(A) in subparagraph (A)—

(i) by striking "committees of the amount" and inserting "committees of—

"(i) the amount";

(ii) by striking "such fiscal year and of the amount" and inserting "such fiscal year;

"(ii) the amount"; and

(iii) by striking "such fiscal year." and inserting "such fiscal year;

"(iii) the amount and nature of anticipated deposits to be made into, and the anticipated expenditures to be made from, the Account during the first fiscal year commencing after the submission of the report; and

"(iv) the amount and nature of anticipated expenditures to be made pursuant to section 2905(a) during the first fiscal year commencing after the submission of the report."; and

(B) in subparagraph (B)—

(i) in clause (i), by inserting "and installation" after "subaccount"; and

(ii) by adding at the end the following new clause:

"(v) An estimate of the net revenues to be received from property disposals to be completed during the first fiscal year commencing after the submission of the report at military installations the date of approval of closure or realignment of which is after January 1, 2005.".

(b) INFORMATION ON BRAC PROCESS.—Section 2907 of such Act is amended—

(1) by striking "fiscal year 1993" and inserting "fiscal year 2007";

(2) by striking "and" at the end of paragraph (1);

(3) by striking the period at the end of paragraph (2) and inserting a semicolon; and

(4) by adding at the end the following new paragraphs:

"(3) a description of the closure or realignment actions already carried out at each military installation since the date of the installation's approval for closure or realignment under this part and the current status of the closure or realignment of the installation, including whether—

"(A) a redevelopment authority has been recognized by the Secretary for the installation;

"(B) the screening of property at the installation for other Federal use has been completed; and

"(C) a redevelopment plan has been agreed to by the redevelopment authority for the installation;

"(4) a description of redevelopment plans for military installations approved for closure or realignment under this part, the quantity of property remaining to be disposed of at each installation as part of its closure or realignment, and the quantity of property already disposed of at each installation;

"(5) a list of the Federal agencies that have requested property during the screening process for each military installation approved for closure or realignment under this part, including the date of transfer or anticipated transfer of the property to such agencies, the acreage involved in such transfers, and an explanation for any delays in such transfers;

"(6) a list of known environmental remediation issues at each military installation approved for closure or realignment under this part, including the acreage affected by these issues, an estimate of the cost to complete such environmental remediation, and the plans (and timelines) to address such environmental remediation; and

"(7) an estimate of the date for the completion of all closure or realignment actions at each military installation approved for closure or realignment under this part.".

SEC. 2832. EXPANDED AVAILABILITY OF ADJUSTMENT AND DIVERSIFICATION ASSISTANCE FOR COMMUNITIES ADVERSELY AFFECTED BY MISSION REALIGNMENTS IN BASE CLOSURE PROCESS.

(a) ELIGIBILITY REQUIREMENTS.—Subsection (b)(3) of section 2391 of title 10, United States Code, is amended—

(1) by striking "significantly reduced operations of a defense facility" and inserting "realignment of a military installation";

(2) by striking "cancellation," and inserting "closure or realignment, cancellation or"; and

(3) by striking "community" and all that follows through the period at the end and inserting "community or its residents.".

(b) MILITARY INSTALLATION AND REALIGNMENT DEFINED.—Paragraph (1) of subsection (d) of such section is amended to read as follows:

"(1) The terms 'military installation' and 'realignment' have the meanings given those terms in section 2687(e) of this title.".

SEC. 2833. TREATMENT OF INDIAN TRIBAL GOVERNMENTS AS PUBLIC ENTITIES FOR PURPOSES OF DISPOSAL OF REAL PROPERTY RECOMMENDED FOR CLOSURE IN JULY 1993 BRAC COMMISSION REPORT.

Section 8013 of the Department of Defense Appropriations Act, 1994 (Public Law 103–139; 107 Stat. 1440), is amended by striking "the report to the President from the Defense Base Closure and Realignment Commission, July 1991" and inserting "the reports to the President from the Defense Base Closure and Realignment Commission, July 1991 and July 1993".

SEC. 2834. TERMINATION OF PROJECT AUTHORIZATIONS FOR MILITARY INSTALLATIONS APPROVED FOR CLOSURE IN 2005 ROUND OF BASE REALIGNMENTS AND CLOSURES.

(a) PROJECT TERMINATION.—An authorization for a military construction project, land acquisition, or family housing project contained in title XXI, XXII, XXIII, or XXIV of this Act or in an Act authorizing funds for a prior fiscal year for military construction projects, land acquisition, and family housing projects (and authorizations of appropriations therefor) shall terminate and no longer constitute authority under section 2676, 2802, 2821, or 2822 of title 10, United States Code, to carry out the military construction project, land acquisition, or family housing project if the project is located at a military installation that is approved for closure or adverse realignment or established as an enclave in 2005 under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

(b) EXCEPTIONS.—Subsection (a) shall not apply to an authorization for a military construction project, land acquisition, or family housing project (and authorizations of appropriations therefor) if the Secretary of Defense determines that—

(1) the cost to the United States to carry out the project would be less than the cost to the United States of canceling the project;

(2) the project remains necessary to support functions at a military installation either before, during, or after the closure or realignment of the installation or the establishment of the installation as an enclave;

(3) in the case of an installation established as an enclave to which future missions may be designated, the project is necessary to support enclave functions or future missions after their designation; or

(4) the project is vital to the national security or to the protection of health, safety, or the quality of the environment.

(c) NOTICE AND WAIT REQUIREMENT.—When a decision is made to carry out a military construction project, land acquisition, or family housing project under subsection (b), the Secretary of Defense shall submit to the congressional defense committees a report explaining the decision, including the justification for the project and the current estimate of the cost of the project. The project may then be carried out only after the end of the 21-day period beginning on the date the report is received by such committees or, if earlier, the end of the 14-day period beginning on the date on which a copy of the report is provided in an electronic medium pursuant to section 480 of title 10, United States Code. In the case of a project described in subsection (b)(4), advance notification is not required, but the Secretary shall notify such committees within seven days after first obligating funds for the project.

SEC. 2835. REQUIRED CONSULTATION WITH STATE AND LOCAL ENTITIES ON ISSUES RELATED TO INCREASE IN NUMBER OF MILITARY PERSONNEL AT MILITARY INSTALLATIONS.

If the base closure and realignment decisions of the 2005 round of base closures and realignments under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) or the Integrated Global Presence and Basing Strategy would result in an increase in the number of members of the Armed Forces assigned to a military installation,

the Secretary of Defense, during the development of the plans to implement the decisions or strategy with respect to that installation, shall consult with appropriate State and local entities to ensure that matters affecting the local community, including requirements for transportation, utility infrastructure, housing, education, and family support activities, are considered.

SEC. 2836. SENSE OF CONGRESS REGARDING INFRASTRUCTURE AND INSTALLATION REQUIREMENTS FOR TRANSFER OF UNITS AND PERSONNEL FROM CLOSED AND REALIGNED MILITARY INSTALLATIONS TO RECEIVING LOCATIONS.

(a) FINDINGS.—Congress finds the following:

(1) The decisions of the 2005 round of base closures and realignments and the Integrated Global Presence and Basing Strategy will result in the permanent change of station and relocation of hundreds of thousands of members of the Armed Forces and their families over the next six years.

(2) Critical quality-of-life concerns for military families related to the infrastructure and installation requirements to support the restructuring of the Armed Forces include adequate housing and continued access to quality education facilities and child care, health care, and other services.

(3) By ensuring that facilities and infrastructure are maintained at closing installations pending the actual change of station and relocation of members of the Armed Forces and their families and that adequate permanent facilities and infrastructure await them at the receiving installations, disruptions to unit operational effectiveness will be minimized and the quality of life of military families will be protected.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should seek to ensure that the permanent facilities and infrastructure necessary to support the mission of the Armed Forces and the quality-of-life needs of members of the Armed Forces and their families are ready for use at receiving locations before units are transferred to such locations as a result of the 2005 round of base closures and realignments and the Integrated Global Presence and Basing Strategy.

SEC. 2837. DEFENSE ACCESS ROAD PROGRAM AND MILITARY INSTALLATIONS AFFECTED BY DEFENSE BASE CLOSURE PROCESS OR INTEGRATED GLOBAL PRESENCE AND BASING STRATEGY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that roads leading onto a military installation that is significantly impacted by an increase in the number of members of the Armed Forces assigned to the installation as a result of the 2005 round of defense base closure and realignment under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) or the Integrated Global Presence and Basing Strategy should be considered for designation as defense access roads for purposes of section 210 of title 23, United States Code.

(b) STUDY OF SURFACE TRANSPORTATION INFRASTRUCTURE OF AFFECTED INSTALLATIONS.—The Secretary of Defense shall conduct a study—

(1) to identify each military installation, if any, that will be significantly impacted by an increase in the number of members of the Armed Forces assigned to the installation as a result of

the 2005 round of defense base closure and realignment under the Defense Base Closure and Realignment Act of 1990 or the Integrated Global Presence and Basing Strategy; and

(2) to determine whether the existing surface transportation infrastructure at each installation identified under paragraph (1) is adequate to support the increased vehicular traffic associated with the increase in the number of defense personnel described in that paragraph.

(c) REPORT.—Not later than April 15, 2007, the Secretary shall submit to the congressional defense committees a report containing the results of the study conducted under subsection (b).

SEC. 2838. SENSE OF CONGRESS ON REVERSIONARY INTERESTS INVOLVING REAL PROPERTY AT NAVY HOMEPORTS.

It is the sense of Congress that, in implementing the decisions made with respect to Navy homeports as part of the 2005 round of defense base closures and realignments, the Secretary of the Navy should, when consistent with Federal policy supporting cost-free conveyances of Federal surplus property suitable for use to provide a public benefit, release or otherwise relinquish any entitlement to receive, pursuant to any agreement providing for such payment, compensation from any holder of a reversionary interest in real property used by the United States for improvements made to the property.

Subtitle D—Land Conveyances

PART 1—ARMY CONVEYANCES

SEC. 2841. LAND CONVEYANCE, CAMP NAVAJO, ARIZONA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the Department of Veterans' Services of the State of Arizona (in this section referred to as the "Department") all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 80 acres at Camp Navajo, Arizona, for the purpose of permitting the Department to establish a State-run cemetery for veterans.

(b) REVERSIONARY INTEREST.—If the Secretary determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in such subsection, all right, title, and interest in and to the property shall revert, at the option of the Secretary, to the United States, and the United States shall have the right of immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary shall require the Department to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts are collected from the Department in advance of the Secretary in-

curring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Department.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF REAL PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2842. LAND CONVEYANCE, IOWA ARMY AMMUNITION PLANT, MIDDLETOWN, IOWA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey to the City of Middletown, Iowa (in this section referred to as the "City"), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 1.0 acres located at the Iowa Army Ammunition Plant, Middletown, Iowa, for the purpose of economic development.

(b) CONSIDERATION.—As consideration for the conveyance of property under subsection (a), the City shall provide the United States, whether by cash payment, in-kind consideration, or a combination thereof, an amount that is not less than the fair market value of the conveyed property, as determined by the Secretary.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) AUTHORITY TO REQUIRE PAYMENT.—The Secretary may require the City to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts are collected from the City in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the City.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2843. LAND CONVEYANCE, HELENA, MONTANA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey to the Helena Indian Alliance all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 3.0 acres located at Sheridan Hall United States Army Reserve Center, 501 Euclid Avenue, Helena, Montana, for the purposes of supporting Native American health care, mental health counseling, and the operation of an education training center.

(b) REVERSIONARY INTEREST.—If the Secretary determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purposes of the conveyance specified in such subsection, all right, title, and interest in and to the property shall revert, at the option of the Secretary, to the United States, and the United States shall have the right of immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary shall require the Helena Indian Alliance to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts are collected from the Helena Indian Alliance in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Alliance.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF REAL PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2844. LEASE AUTHORITY, ARMY HERITAGE AND EDUCATION CENTER, CARLISLE, PENNSYLVANIA.

Section 2866 of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107–107; 115 Stat. 1333) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection (e):

"(e) LEASE OF FACILITY.—(1) Under such terms and conditions as the Secretary considers appropriate, the Secretary may lease portions of the facility to the Military Heritage Foundation to be used by the Foundation, consistent with the agreement referred to in subsection (a), for—

"(A) generating revenue for activities of the facility through rental use by the public, commercial and nonprofit entities, State and local governments, and other Federal agencies; and

"(B) such administrative purposes as may be necessary for the support of the facility.

"(2) The annual amount of consideration paid to the Secretary by the Military Heritage Foundation for a lease under paragraph (1) may not exceed an amount equal to the actual cost, as determined by the Secretary, of the annual operations and maintenance of the facility.

"(3) Amounts paid under paragraph (2) may be used by the Secretary, in such amounts as provided in advance in appropriation Acts, to cover the costs of operation of the facility.".

SEC. 2845. LAND EXCHANGE, FORT HOOD, TEXAS.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey to Central Texas College (in this section referred to as the "College") all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 40 acres at Fort Hood, Texas.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the College shall convey to the Secretary all right, title, and interest of the College in and to one or more parcels of real property acceptable to the Secretary and consisting of a total of approximately 158 acres. The fair market value of the real property received by the Secretary under this subsection shall be at least equal to the fair market value of the real property conveyed under subsection (a), as determined by the Secretary.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary shall require the College to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the land exchange under this section, including survey costs, costs related to environmental documentation, and other administrative costs related to the exchange. If amounts are collected from the College in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the College.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the land exchange. Amounts so cred-

ited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be exchanged under this section shall be determined by surveys satisfactory to the Secretary.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the land exchange under this section as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2846. MODIFICATION OF LAND CONVEYANCE, ENGINEER PROVING GROUND, FORT BELVOIR, VIRGINIA.

(a) CONSIDERATION.—Subsection (b)(4) of section 2836 of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107–107; 115 Stat. 1314) is amended by striking ", jointly determined" and all that follows through "Ground" and inserting "equal to $3,880,000".

(b) REPLACEMENT OF FIRE STATION.—Subsection (d) of such section is amended—

(1) in paragraph (1)—

(A) by striking "Building 5089" and inserting "Building 191"; and

(B) by striking "paragraphs (2) and (3)" and inserting "paragraph (2)";

(2) in paragraph (2), by striking "Building 5089" and inserting "Building 191"; and

(3) by striking paragraph (3).

SEC. 2847. LAND CONVEYANCE, FORT BELVOIR, VIRGINIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey to the Commonwealth of Virginia (in this section referred to as the "Commonwealth") all right, title, and interest of the United States in and to up to three parcels of real property at Fort Belvoir, Virginia, consisting of approximately 2.5 acres and located on the alignment of State Route 618 (also known as the Woodlawn Road) and both the east and west sides of the intersection of State Route 618 and U.S. Highway No. 1 (in this section referred to as the "Woodlawn Road parcels"), for the purpose of allowing the Commonwealth, the National Trust for Historic Preservation (in this section referred to as the "Trust"), and Fairfax County, Virginia, to enter into an agreement regarding the conveyance from the Trust of a parcel of real property located on the west side of Old Mill Road, consisting of approximately two acres and extending between the intersection of Old Mill Road and Pole Road and the intersection of Mount Vernon Highway and U.S. Highway No. 1.

(b) CONSIDERATION.—

(1) IN GENERAL.—As consideration for the conveyance of the Woodlawn Road parcels under subsection (a), the Secretary shall receive, whether by cash payment, in-kind consideration, or a combination thereof, an amount that is not less than the fair market value of the conveyed property, as determined by an appraisal of the property acceptable to the Secretary.

(2) DISPOSITION OF FUNDS.—Cash consideration received by the Secretary under paragraph (1) shall be deposited in the spe-

cial account in the Treasury established under subsection (b) of section 572 of title 40, United States Code, and shall be available in accordance with paragraph (5)(B)(i) of such subsection.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) AUTHORITY TO REQUIRE PAYMENT.—The Secretary may require the Commonwealth to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance of the Woodlawn Road parcels under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts are collected from the Commonwealth in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Commonwealth.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the Woodlawn Road parcels shall be determined by surveys satisfactory to the Secretary.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyances under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2848. LAND CONVEYANCE, ARMY RESERVE CENTER, BOTHELL, WASHINGTON.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey to the Snohomish County Fire Protection District #10 (in this section referred to as the "Fire District") all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately one acre at the Army Reserve Center in Bothell, Washington, and currently occupied, in part, by the Queensborough Firehouse, for the purpose of supporting the provision of fire and emergency medical aid services.

(b) IN-KIND CONSIDERATION.—As consideration for the conveyance under subsection (a), the Fire District shall provide in-kind consideration acceptable to the Secretary.

(c) REVERSIONARY INTEREST.—If the Secretary determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in such subsection, all right, title, and interest in and to all or any portion of the property shall revert, at the option of the Secretary, to the United States, and the United States shall have the right of immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(d) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary shall require the Fire District to cover costs to be incurred by the Secretary, or

to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts are collected from the Fire District in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Fire District.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

PART 2—NAVY CONVEYANCES

SEC. 2851. LAND CONVEYANCE, MARINE CORPS AIR STATION, MIRAMAR, SAN DIEGO, CALIFORNIA.

(a) CONVEYANCE AUTHORIZED.—Subject to subsection (c), the Secretary of the Navy may convey to the County of San Diego, California (in this section referred to as the "County"), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon and appurtenant easements thereto, consisting of approximately 230 acres along the eastern boundary of Marine Corps Air Station, Miramar, California, for the purpose of removing the property from the boundaries of the installation and permitting the County to preserve the entire property as a public passive park/recreational area known as the Stowe Trail.

(b) CONSIDERATION.—

(1) IN GENERAL.—As consideration for the conveyance under subsection (a), the County shall provide the United States consideration, whether by cash payment, in-kind consideration, or a combination thereof, in an amount that is not less than the fair market value of the conveyed real property, as determined by the Secretary.

(2) IN-KIND CONSIDERATION.—The in-kind consideration provided by the County under paragraph (1) shall include the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or combination thereof, of any facilities or infrastructure relating to the security of Marine Corps Air Station, Miramar, that the Secretary considers acceptable as consideration under that paragraph.

(3) RELATION TO OTHER LAWS.—Sections 2662 and 2802 of title 10, United States Code, shall not apply to any new facilities or infrastructure received by the United States as in-kind consideration under paragraph (2).

(4) NOTICE TO CONGRESS.—The Secretary shall provide written notification to the congressional defense committees of the types and value of consideration provided the United States under paragraph (1).

(5) TREATMENT OF CASH CONSIDERATION RECEIVED.—Any cash payment received by the United States under paragraph (1) shall be deposited in the special account in the Treasury established under subsection (b) of section 572 of title 40, United States Code, and shall be available in accordance with paragraph (5)(B)(ii) of such subsection.

(c) REVERSIONARY INTEREST.—If the Secretary determines at any time that the County is not using the property conveyed under subsection (a) in accordance with the purpose of the conveyance specified in such subsection, all right, title, and interest in and to the property, including any improvements thereon, shall revert, at the option of the Secretary, to the United States, and the United States shall have the right of immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(d) RELEASE OF REVERSIONARY INTEREST.—The Secretary shall release, without consideration, the reversionary interest retained by the United States under subsection (c) if—

(1) Marine Corps Air Station, Miramar, is no longer being used for Department of Defense activities; or

(2) the Secretary determines that the reversionary interest is otherwise unnecessary to protect the interests of the United States.

(e) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary shall require the County to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a) and implement the receipt of in-kind consideration under subsection (b), including appraisal costs, survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance and receipt of in-kind consideration.

(2) TREATMENT OF AMOUNTS RECEIVED.—Section 2695(c) of title 10, United States Code, shall apply to any amounts received by the Secretary under paragraph (1). If amounts are received from the County in advance of the Secretary incurring the actual costs, and the amount received exceeds the costs actually incurred by the Secretary under this section, the Secretary shall refund the excess amount to the County.

(f) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed by the Secretary under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under this section as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2852. LEASE OR LICENSE OF UNITED STATES NAVY MUSEUM FACILITIES AT WASHINGTON NAVY YARD, DISTRICT OF COLUMBIA.

(a) LEASES AND LICENSES AUTHORIZED.—The Secretary of the Navy may lease or license to the Naval Historical Foundation any portion of the facilities located at the Washington Naval Yard, District of Columbia, that house the United States Navy Museum for the purpose of permitting the Foundation to carry out the following activities:

(1) Generation of revenue for the United States Navy Museum through the rental of facilities to the public, commercial and non-profit entities, State and local governments, and other Federal agencies.

(2) Performance of administrative activities in support of the United States Navy Museum.

(b) LIMITATION.—Activities carried out at a facility subject to a lease or license under subsection (a) must be consistent with the operations of the United States Navy Museum.

(c) CONSIDERATION.—The amount of consideration paid in a year by the Naval Historical Foundation to the United States for the lease or license of facilities under subsection (a) may not exceed the actual cost, as determined by the Secretary, of the annual operation and maintenance of the facilities.

(d) DEPOSIT AND USE OF PROCEEDS.—Consideration paid under subsection (c) shall be deposited into the appropriations account available for the operation and maintenance of the United States Navy Museum. The Secretary may use the amounts so deposited to cover costs associated with the operation and maintenance of the Museum and its exhibits.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with a lease or license under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

PART 3—AIR FORCE CONVEYANCES

SEC. 2861. PURCHASE OF BUILD-TO-LEASE FAMILY HOUSING, EIELSON AIR FORCE BASE, ALASKA.

(a) CONDITIONAL AUTHORITY TO PURCHASE.—After the expiration of the contract for the lease of the military family housing project at Eielson Air Force Base, Alaska, that was constructed under the authority of former subsection (g) of section 2828 of title 10, United States Code (now section 2835 of such title), as added by section 801 of the Military Construction Authorization Act, 1984 (Public Law 98–115; 97 Stat. 782), the Secretary of the Air Force may purchase the entire interest of the lessor in the project if the Secretary determines that the purchase of the project is in the best economic interests of the Air Force.

(b) CONSIDERATION.—The consideration paid by the Secretary to purchase the interest of the lessor under subsection (a) may not exceed the fair market value of the military family housing project, as determined by the Secretary.

(c) CONGRESSIONAL NOTIFICATION.—If a decision is made to purchase the interest of the lessor in the military family housing

project under subsection (a), the Secretary shall submit a report to the congressional defense committees containing—

(1) notice of the decision;

(2) the economic analyses used by the Secretary to determine that purchase of the project is in the best economic interests of the Air Force, as required by subsection (a); and

(3) a schedule for, and an estimate of the costs and nature of, any renovations or repairs that will be necessary to ensure that all units in the project meet current adequate housing standards.

(d) PURCHASE DELAY.—A contract to effectuate the purchase of the military family housing project under subsection (a) may be entered into by the Secretary only after—

(1) the contract for the lease of the project expires; and

(2) the report required by subsection (c) is submitted and a 30-day period beginning on the date the report is received by the congressional defense committees expires or, if earlier, a 21-day period beginning on the date on which a copy of the report is provided in an electronic medium pursuant to section 480 of title 10, United States Code, expires.

SEC. 2862. LAND CONVEYANCE, AIR FORCE PROPERTY, JACKSONVILLE, ARKANSAS.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey to the City of Jacksonville, Arkansas (in this section referred to as the "City"), all right, title, and interest of the United States in and to real property consisting of approximately 45.024 acres around an existing short line railroad in Pulaski County, Arkansas, for the purpose of permitting the City to facilitate railroad access to an industrial park to further community economic development.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the City shall pay to the United States an amount equal to the fair market value of the conveyed real property, as established by the assessment of the property conducted under contract for the Corps of Engineers and dated September 15, 2003.

(c) CONDITIONS OF CONVEYANCE.—The conveyance under subsection (a) shall be subject to the lease agreement dated October 29, 1982, as amended, between the Secretary and the Missouri Pacific Railroad Company (and its successors and assigns) and any other easement, lease, condition, or restriction of record, including streets, roads, highways, railroads, pipelines, and public utilities, insofar as the easement, lease, condition, or restriction is in existence on the date of the enactment of this Act and lawfully affects the conveyed property.

(d) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary shall require the City to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts are collected from the City in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the City.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2863. LAND CONVEYANCE, AIR FORCE PROPERTY, LA JUNTA, COLORADO.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to the City of La Junta, Colorado (in this section referred to as the "City"), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 8 acres located at the USA Bomb Plot in the La Junta Industrial Park for the purpose of training local law enforcement officers.

(b) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary shall require the City to cover costs to be incurred by the Secretary after the date of enactment of the Act, or to reimburse the Secretary for costs incurred by the Secretary after that date, to carry out the conveyance under subsection (a), including any survey costs, costs related to environmental assessments, studies, analyses, or other documentation, and other administrative costs related to the conveyance. If amounts are collected from the City in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the City.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2864. LEASE, NATIONAL IMAGERY AND MAPPING AGENCY SITE, ST. LOUIS, MISSOURI.

(a) LEASE REQUIRED.—Not later than February 28, 2006, the Secretary of the Air Force shall lease to the St. Louis County Port Authority of St. Louis County, Missouri (in this section referred to as the "Port District"), a parcel of real property, including improvements thereon, consisting of approximately 39 acres and known as the National Imagery and Mapping Agency site at 8900 South Broadway, St. Louis, Missouri, for the purpose of permitting the Port District to use the parcel for economic development purposes. The Secretary shall carry out this section in consultation with the Administrator of the General Services Administration.

(b) RENTAL PRICE.—The real property to be leased under subsection (a) shall be leased at a rate equal to not less than the fair market value of the property.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be leased under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Air Force and the Port District.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the lease under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

Subtitle E—Other Matters

SEC. 2871. CLARIFICATION OF MORATORIUM ON CERTAIN IMPROVEMENTS AT FORT BUCHANAN, PUERTO RICO.

(a) CLARIFICATION OF AND EXCEPTIONS TO MORATORIUM.—Section 1507 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–355) is amended—

(1) in subsection (a), by striking "conversion, rehabilitation, extension, or improvement" and inserting "or extension"; and

(2) in subsection (b)—

(A) in paragraph (1), by inserting ", repair, replace, or convert" after "maintain";

(B) in paragraph (2), by striking "authorized before the date of the enactment of this Act"; and

(C) by adding at the end the following new paragraphs:

"(3) The construction of facilities supporting Department of Defense education activities.

"(4) Any construction or extension required to support the installation of communications equipment.".

(b) RULE OF CONSTRUCTION.—The amendments made by subsection (a) do not trigger the termination of the moratorium on certain improvements at Fort Buchanan, Puerto Rico, as provided by subsection (c) of such section.

SEC. 2872. TRANSFER OF EXCESS DEPARTMENT OF DEFENSE PROPERTY ON SANTA ROSA AND OKALOOSA ISLAND, FLORIDA, TO GULF ISLANDS NATIONAL SEASHORE.

(a) FINDINGS.—Congress finds the following:

(1) Public Law 91–660 of the 91st Congress established the Gulf Islands National Seashore in the States of Florida and Mississippi.

(2) The original boundaries of the Gulf Islands National Seashore encompassed certain Federal land used by the Air Force and the Navy, and the use of such land was still required by the Armed Forces when the seashore was established.

(3) Senate Report 91–1514 of the 91th Congress addressed the relationship between these military lands and the Gulf Islands National Seashore as follows: "While the military use of these lands is presently required, they remain virtually free of adverse development and they are included in the boundaries of the seashore so that they can be wholly or partially transferred to the Department of the Interior when they become excess to the needs of the Air Force.".

(4) Although section 2(a) of Public Law 91–660 (16 U.S.C. 459h–1(a)) authorized the eventual transfer of Federal land within the boundaries of the Gulf Islands National Seashore from the Department of Defense to the Secretary of the Interior, an amendment mandating the transfer of excess Department of Defense land on Santa Rosa and Okaloosa Island, Florida, to the Secretary of the Interior is required to ensure that the purposes of the Gulf Islands National Seashore are fulfilled.

(b) TRANSFER REQUIRED.—Section 7 of Public Law 91–660 (16 U.S.C. 459h–6) is amended—

(1) by inserting "(a)" before "There are"; and

(2) by adding at the end the following new subsection:

"(b) If any of the Federal land on Santa Rosa or Okaloosa Island, Florida, under the jurisdiction of the Department of Defense is ever excess to the needs of the Armed Forces, the Secretary of Defense shall transfer the excess land to the administrative jurisdiction of the Secretary of the Interior, subject to the terms and conditions acceptable to the Secretary of the Interior and the Secretary of Defense. The Secretary of the Interior shall administer the transferred land as part of the seashore in accordance with the provisions of this Act.".

SEC. 2873. AUTHORIZED MILITARY USES OF PAPAGO PARK MILITARY RESERVATION, PHOENIX, ARIZONA.

The Act of April 7, 1930 (Chapter 107; 46 Stat. 142), is amended in the first designated paragraph, relating to the Papago Park Military Reservation, by striking "as a rifle range".

SEC. 2874. ASSESSMENT OF WATER NEEDS FOR PRESIDIO OF MONTEREY AND ORD MILITARY COMMUNITY.

Not later than April 7, 2006, the Secretary of Defense shall submit to Congress an interim assessment of the current and reasonable future needs of the Department of the Defense for water for the Presidio of Monterey and the Ord Military Community.

SEC. 2875. REDESIGNATION OF MCENTIRE AIR NATIONAL GUARD STATION, SOUTH CAROLINA, AS MCENTIRE JOINT NATIONAL GUARD BASE.

McEntire Air National Guard Station in Eastover, South Carolina, shall be known and designated as "McEntire Joint National Guard Base" in recognition of the use of the installation to house both Air National Guard and Army National Guard assets. Any reference to McEntire Air National Guard Station in any law, regula-

tion, map, document, record, or other paper of the United States shall be considered to be a reference to McEntire Joint National Guard Base.

SEC. 2876. SENSE OF CONGRESS REGARDING COMMUNITY IMPACT ASSISTANCE RELATED TO CONSTRUCTION OF NAVY LANDING FIELD, NORTH CAROLINA.

It is the sense of Congress that—

(1) the planned construction of an outlying landing field in North Carolina is vital to the national security interests of the United States; and

(2) the Department of Defense should work with other Federal agencies to provide community impact assistance to those communities directly impacted by the location of the outlying landing field, including, to the extent appropriate—

(A) economic development assistance;

(B) impact aid program assistance;

(C) the provision by cooperative agreement with the Navy of fire, rescue, water, and sewer services;

(D) access by leasing arrangement to appropriate land for farming for farmers impacted by the location of the landing field;

(E) direct relocation assistance; and

(F) fair compensation to landowners for property purchased by the Navy.

SEC. 2877. SENSE OF CONGRESS ON ESTABLISHMENT OF BAKERS CREEK MEMORIAL.

(a) FINDINGS.—Congress makes the following findings:

(1) In 1943 and 1944, the United States Armed Forces operated a rest and relaxation facility in Mackay, Queensland, Australia, for troops serving in the Pacific Theater during World War II.

(2) On June 14, 1943, a Boeing B–17C was transporting 6 crew members and 35 servicemen from Mackay to Port Moresby, New Guinea, to return the servicemen to duty after 10 days of rest and relaxation leave at an Army/Red Cross facility.

(3) The aircraft crashed shortly after take-off at Bakers Creek, Australia, killing all 6 crew members and 34 of the 35 servicemen being transported in what was at that point the worst crash in American air transport history, and what remains the worst air disaster in Australian history.

(4) Due to wartime censorship rules related to the movement of troops, the tragic crash and loss of life were not reported to the Australian or United States public.

(5) Many family members of those killed did not learn the circumstances of the troops deaths until they were contacted by the Bakers Creek Memorial Foundation beginning in 1992.

(6) As of May 2005, the Bakers Creek Memorial Foundation had contacted 36 of the 40 families that lost loved ones in the tragic crash, and was continuing efforts to locate the remaining four families to inform them of the true events of the crash at Bakers Creek.

(7) The Australian people marked the tragic crash at Bakers Creek with a memorial established in 1992, but no similar memorial has been established in the United States.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of the Army may establish an appropriate marker, at a site to be chosen at the discretion of the Secretary, to commemorate the 40 members of the United States Armed Forces who lost their lives in the air crash at Bakers Creek, Australia, on June 14, 1943.

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

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

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

Subtitle B—Other Matters

Sec. 3111. Reliable Replacement Warhead program.
Sec. 3112. Rocky Flats Environmental Technology Site.
Sec. 3113. Report on compliance with Design Basis Threat issued by Department of Energy in 2005.
Sec. 3114. Reports associated with Waste Treatment and Immobilization Plant Project, Hanford Site, Richland, Washington.
Sec. 3115. Report on assistance for a comprehensive inventory of Russian nonstrategic nuclear weapons.
Sec. 3116. Report on international border security programs.
Sec. 3117. Savannah River National Laboratory.

Subtitle A—National Security Programs Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2006 for the activities of the National Nuclear Security Administration in carrying out programs necessary for national security in the amount of $9,196,456 to be allocated as follows:

(1) For weapons activities, $6,433,936,000.

(2) For defense nuclear nonproliferation activities, $1,631,151,000.

(3) For naval reactors, $789,500,000.

(4) For the Office of the Administrator for Nuclear Security, $341,869,000.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

(1) For readiness in technical base and facilities, the following new plant projects:

Project 06–D–140, Readiness in Technical Base and Facilities Program, project engineering and design, various locations, $14,113,000.

Project 06–D–402, replacement of Fire Stations Number 1 and Number 2, Nevada Test Site, Nevada, $8,284,000.

Project 06–D–403, tritium facility modernization, Lawrence Livermore National Laboratory, Livermore, California, $2,600,000.

Project 06–D–404, remediation, restoration, and upgrade of Building B–3, Nevada Test Site, Nevada, $16,000,000.

(2) For facilities and infrastructure recapitalization, the following new plant projects:

Project 06–D–160, Facilities and Infrastructure Recapitalization Program, project engineering and design, various locations, $5,811,000.

Project 06–D–601, electrical distribution system upgrade, Pantex Plant, Amarillo, Texas, $4,000,000.

Project 06–D–602, gas main and distribution system upgrade, Pantex Plant, Amarillo, Texas, $3,700,000.

Project 06–D–603, Steam Plant Life Extension Project, Y–12 National Security Complex, Oak Ridge, Tennessee, $729,000.

(3) For defense nuclear nonproliferation, the following new plant project:

Project 06–D–180, Defense Nuclear Nonproliferation, project engineering and design, National Security Laboratory, Pacific Northwest National Laboratory, Richland, Washington, $13,000,000.

(4) For naval reactors, the following plant projects:

Project 06–D–901, Central Office Building 2, Bettis Atomic Power Laboratory, West Mifflin, Pennsylvania, $7,000,000.

Project 05–D–900, Materials Development Facility Building, Schenectady, New York, $9,900,000, of which $1,000,000 shall be available for project engineering and design.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2006 for defense environmental cleanup activities in carrying out programs necessary for national security in the amount of $6,192,371,000.

(b) AUTHORIZATION OF NEW PLANT PROJECT.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out, for defense environmental cleanup activities, the following new plant project:

Project 06–D–401, sodium bearing waste treatment project, Idaho National Laboratory, Idaho Falls, Idaho, $54,270,000.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2006 for other defense activities in carrying out programs necessary for national security in the amount of $641,998,000.

SEC. 3104. DEFENSE NUCLEAR WASTE DISPOSAL.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2006 for defense nuclear waste disposal for payment to the Nuclear Waste Fund established in section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c)) in the amount of $350,000,000.

Subtitle B—Other Matters

SEC. 3111. RELIABLE REPLACEMENT WARHEAD PROGRAM.

(a) PROGRAM REQUIRED.—The Atomic Energy Defense Act (division D of Public Law 107–314) is amended by inserting after section 4204 (50 U.S.C. 2524) the following new section:

"SEC. 4204a. RELIABLE REPLACEMENT WARHEAD PROGRAM.

"(a) PROGRAM REQUIRED.—The Secretary of Energy shall carry out a program, to be known as the Reliable Replacement Warhead program, which will have the following objectives:

"(1) To increase the reliability, safety, and security of the United States nuclear weapons stockpile.

"(2) To further reduce the likelihood of the resumption of underground nuclear weapons testing.

"(3) To remain consistent with basic design parameters by including, to the maximum extent feasible and consistent with the objective specified in paragraph (2), components that are well understood or are certifiable without the need to resume underground nuclear weapons testing.

"(4) To ensure that the nuclear weapons infrastructure can respond to unforeseen problems, to include the ability to produce replacement warheads that are safer to manufacture, more cost-effective to produce, and less costly to maintain than existing warheads.

"(5) To achieve reductions in the future size of the nuclear weapons stockpile based on increased reliability of the reliable replacement warheads.

"(6) To use the design, certification, and production expertise resident in the nuclear complex to develop reliable replacement components to fulfill current mission requirements of the existing stockpile.

"(7) To serve as a complement to, and potentially a more cost-effective and reliable long-term replacement for, the current Stockpile Life Extension Programs.

"(b) CONSULTATION.—The Secretary of Energy shall carry out the Reliable Replacement Warhead program in consultation with the Secretary of Defense.".

(b) REPORT.—Not later than March 1, 2007, the Secretary of Energy and the Secretary of Defense shall submit to the congressional defense committees a report on the feasibility and implementation of the Reliable Replacement Warhead program required by

section 4204a of the Atomic Energy Defense Act, as added by subsection (a). The report shall—

(1) identify existing warheads recommended for replacement by 2035 with an assessment of the weapon performance and safety characteristics of the replacement warheads;

(2) discuss the relationship of the Reliable Replacement Warhead program within the Stockpile Stewardship Program and its impact on the current Stockpile Life Extension Programs;

(3) provide an assessment of the extent to which a successful Reliable Replacement Warhead program could lead to reductions in the nuclear weapons stockpile;

(4) discuss the criteria by which replacement warheads under the Reliable Replacement Warhead program will be designed to maximize the likelihood of not requiring nuclear testing, as well as the circumstances that could lead to a resumption of testing;

(5) provide a description of the infrastructure, including pit production capabilities, required to support the Reliable Replacement Warhead program;

(6) provide a detailed summary of how the funds made available pursuant to the authorizations of appropriations in this Act, and any funds made available in prior years, will be used; and

(7) provide an estimate of the comparative costs of a reliable replacement warhead and the stockpile life extension for the warheads identified in paragraph (1).

(c) INTERIM REPORT.—Not later than March 1, 2006, the Secretary of Energy and the Secretary of Defense shall submit to the congressional defense committees an interim report on the matters required to be covered by the report under subsection (b).

(d) CONSULTATION.—The Secretary of Energy and the Secretary of Defense shall prepare the reports required by subsections (b) and (c) in consultation with the Nuclear Weapons Council.

SEC. 3112. ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE.

(a) DEFINITIONS.—In this section:

(1) ESSENTIAL MINERAL RIGHT.—The term "essential mineral right" means a right to mine sand and gravel at Rocky Flats, as depicted on the map.

(2) FAIR MARKET VALUE.—The term "fair market value" means the value of an essential mineral right, as determined by an appraisal performed by an independent, certified mineral appraiser under the Uniform Standards of Professional Appraisal Practice.

(3) MAP.—The term "map" means the map entitled "Rocky Flats National Wildlife Refuge", dated July 25, 2005, and available for inspection in appropriate offices of the United States Fish and Wildlife Service and the Department of Energy.

(4) NATURAL RESOURCE DAMAGE LIABILITY CLAIM.—The term "natural resource damage liability claim" means a natural resource damage liability claim under subsections (a)(4)(C) and (f) of section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607) arising from hazardous substances releases at or from Rocky Flats that, as of the date of enactment of this Act, are

identified in the administrative record for Rocky Flats required by the National Oil and Hazardous Substances Pollution Contingency Plan prepared under section 105 of that Act (42 U.S.C. 9605).

(5) ROCKY FLATS.—The term "Rocky Flats" means the Department of Energy facility in the State of Colorado known as the "Rocky Flats Environmental Technology Site".

(6) SECRETARY.—The term "Secretary" means the Secretary of Energy.

(7) TRUSTEES.—The term "Trustees" means the Federal and State officials designated as trustees under section 107(f)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607(f)(2)).

(b) PURCHASE OF ESSENTIAL MINERAL RIGHTS.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, such amounts authorized to be appropriated under subsection (c) shall be available to the Secretary to purchase essential mineral rights at Rocky Flats.

(2) CONDITIONS.—The Secretary shall not purchase an essential mineral right under paragraph (1) unless—

(A) the owner of the essential mineral right is a willing seller; and

(B) the Secretary purchases the essential mineral right for an amount that does not exceed fair market value.

(3) LIMITATION.—Only those funds authorized to be appropriated under subsection (c) shall be available for the Secretary to purchase essential mineral rights under paragraph (1).

(4) RELEASE FROM LIABILITY.—A natural resource damage liability claim under section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607) shall be considered to be satisfied by—

(A) the purchase by the Secretary of essential mineral rights under paragraph (1) for consideration in an amount equal to $10,000,000;

(B) the payment by the Secretary to the Trustees of $10,000,000; or

(C) the purchase by the Secretary of any portion of the mineral rights under paragraph (1) for—

(i) consideration in an amount less than $10,000,000; and

(ii) a payment by the Secretary to the Trustees of an amount equal to the difference between—

(I) $10,000,000; and

(II) the amount paid under clause (i).

(5) USE OF FUNDS.—

(A) IN GENERAL.—Any amounts received under paragraph (4) shall be used by the Trustees for the purposes described in section 107(f)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607(f)(1)), including—

(i) the purchase of additional mineral rights at Rocky Flats; and

(ii) the development of habitat restoration projects at Rocky Flats.

(B) CONDITION.—Any expenditure of funds under this paragraph shall be made jointly by the Trustees.

(C) ADDITIONAL FUNDS.—The Trustees may use the funds received under paragraph (4) in conjunction with other private and public funds.

(6) EXEMPTION FROM NATIONAL ENVIRONMENTAL POLICY ACT.—Any purchases of mineral rights under this subsection shall be exempt from the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(7) ROCKY FLATS NATIONAL WILDLIFE REFUGE.—

(A) TRANSFER OF MANAGEMENT RESPONSIBILITIES.—The Rocky Flats National Wildlife Refuge Act of 2001 (16 U.S.C. 668dd note; Public Law 107–107) is amended—

(i) in section 3175—

(I) by striking subsections (b) and (f); and

(II) by redesignating subsections (c), (d), and (e) as subsections (b), (c), and (d), respectively; and

(ii) in section 3176(a)(1), by striking "section 3175(d)" and inserting "section 3175(c)".

(B) BOUNDARIES.—Section 3177 of such Act is amended by striking subsection (c) and inserting the following new subsection:

"(c) COMPOSITION.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the refuge shall consist of land within the boundaries of Rocky Flats, as depicted on the map—

"(A) entitled 'Rocky Flats National Wildlife Refuge';

"(B) dated July 25, 2005; and

"(C) available for inspection in the appropriate offices of the United States Fish and Wildlife Service and the Department of Energy.

"(2) EXCLUSIONS.—The refuge does not include—

"(A) any land retained by the Department of Energy for response actions under section 3175(c);

"(B) any land depicted on the map described in paragraph (1) that is subject to one or more essential mineral rights described in section 3112(a) of the National Defense Authorization Act for Fiscal Year 2006 over which the Secretary shall retain jurisdiction of the surface estate until the essential mineral rights—

"(i) are purchased under subsection (b) of such section; or

"(ii) are mined and reclaimed by the mineral rights holders in accordance with requirements established by the State of Colorado; and

"(C) the land depicted on the map described in paragraph (1) on which essential mineral rights are being actively mined as of the date of enactment of the National Defense Authorization Act for Fiscal Year 2006 until—

"(i) the essential mineral rights are purchased; or

"(ii) the surface estate is reclaimed by the mineral rights holder in accordance with requirements established by the State of Colorado.

"(3) ACQUISITION OF ADDITIONAL LAND.—Notwithstanding paragraph (2), upon the purchase of the mineral rights or rec-

lamation of the land depicted on the map described in paragraph (1), the Secretary shall—

"(A) transfer the land to the Secretary of the Interior for inclusion in the refuge; and

"(B) the Secretary of the Interior shall—

"(i) accept the transfer of the land; and

"(ii) manage the land as part of the refuge.".

(c) FUNDING.—Of the amounts authorized to be appropriated to the Secretary for the Rocky Flats Environmental Technology Site for fiscal year 2006, $10,000,000 may be made available to the Secretary for the purposes described in subsection (b).

SEC. 3113. REPORT ON COMPLIANCE WITH DESIGN BASIS THREAT ISSUED BY DEPARTMENT OF ENERGY IN 2005.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Energy shall submit to the congressional defense committees a report detailing plans for achieving compliance under the Design Basis Threat issued by the Department of Energy in November 2005 (in this section referred to as the "2005 Design Basis Threat").

(b) CONTENT.—The report required under subsection (a) shall include the following:

(1) A plan with associated annual funding requirements to achieve compliance under the 2005 Design Basis Threat by December 31, 2008, and sustain such compliance through the Future Years Nuclear Security Plan, of all Department of Energy and National Nuclear Security Administration sites that contain nuclear weapons or special nuclear material.

(2) A risk and cost analysis of the increase in security requirements from the Design Basis Threat issued by the Department of Energy in May 2003 to the 2005 Design Basis Threat.

(3) An evaluation of options for applying security technologies and innovative protective force deployment to increase the efficiency and effectiveness of efforts to protect against the threats postulated in the 2005 Design Basis Threat.

(c) FORM.—The report required under subsection (a) shall be submitted in classified form with an unclassified summary.

(d) COMPTROLLER GENERAL REVIEW.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the congressional defense committees a report containing a review of the plan required by subsection (b)(1). In conducting the review, the Comptroller General shall employ probalistic risk assessment methodology to access the merits of incremental risk mitigation steps proposed by the Department of Energy.

SEC. 3114. REPORTS ASSOCIATED WITH WASTE TREATMENT AND IMMOBILIZATION PLANT PROJECT, HANFORD SITE, RICHLAND, WASHINGTON.

(a) SUBMISSION OF ARMY CORPS OF ENGINEERS REPORTS.—Not later than 10 days after the date on which the Secretary of Energy receives any report from the Army Corps of Engineers documenting any evaluation or validation of costs, schedule, and technical issues associated with the Waste Treatment and Immobilization Plant Project at the Department of Energy Hanford Site, the Secretary shall submit a copy of the report to the congressional defense committees.

(b) INCLUSION OF SPECIFIC REPORTS.—The requirement to submit reports under this section includes the anticipated reports from the Army Corps of Engineers—

(1) documenting the cost validation of the estimated cost to complete the project based on both constrained and unconstrained funding scenarios; and

(2) evaluating the baseline ground motion criteria.

SEC. 3115. REPORT ON ASSISTANCE FOR A COMPREHENSIVE INVENTORY OF RUSSIAN NONSTRATEGIC NUCLEAR WEAPONS.

(a) FINDINGS.—Congress finds that—

(1) there is an insufficient accounting for, and insufficient security of, the nonstrategic nuclear weapons of the Russian Federation; and

(2) because of the dangers posed by that insufficient accounting and security, it is in the national security interest of the United States to assist the Russian Federation in the conduct of a comprehensive inventory of its nonstrategic nuclear weapons.

(b) REPORT.—

(1) REPORT REQUIRED.—Not later than April 15, 2006, the Secretary of Energy shall submit to Congress a report containing—

(A) the Secretary's evaluation of past and current efforts by the United States to encourage or facilitate a proper accounting for and securing of the nonstrategic nuclear weapons of the Russian Federation; and

(B) the Secretary's recommendations regarding the actions by the United States that are most likely to lead to progress in improving the accounting for, and securing of, those weapons.

(2) CONSULTATION WITH SECRETARY OF DEFENSE.—The report under paragraph (1) shall be prepared in consultation with the Secretary of Defense.

(3) CLASSIFICATION OF REPORT.—The report under paragraph (1) shall be in unclassified form, but may be accompanied by a classified annex.

SEC. 3116. REPORT ON INTERNATIONAL BORDER SECURITY PROGRAMS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Energy shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the management by the Secretaries referred to in subsection (c) of border security programs in the countries of the former Soviet Union and other countries.

(b) CONTENT.—The report required under subsection (a) shall include—

(1) a description of the roles and responsibilities of each department and agency of the United States Government in international border security programs;

(2) a description of the interactions and coordination among departments and agencies of the United States Government that are conducting international border security programs;

(3) a description of the mechanisms and processes that exist to ensure coordination, avoid duplication, and provide a means to resolve conflicts or problems that might arise in the implementation of international border security programs;

(4) a discussion of whether there is existing interagency guidance that addresses the roles, interactions, and dispute resolution mechanisms for departments and agencies of the United States Government that are conducting international border security programs, and the adequacy of such guidance if it exists; and

(5) recommendations to improve the coordination and effectiveness of international border security programs.

(c) CONSULTATION.—The Secretary of Energy shall prepare the report required by subsection (a) in consultation with the Secretary of Defense, the Secretary of State, and, as appropriate, the Secretary of Homeland Security.

SEC. 3117. SAVANNAH RIVER NATIONAL LABORATORY.

The Savannah River National Laboratory shall be a participating laboratory in the Department of Energy laboratory directed research and development program.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sec. 3201. Authorization.

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2006, $22,032,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

TITLE XXXIII—NATIONAL DEFENSE STOCKPILE

Sec. 3301. Authorized uses of National Defense Stockpile funds.
Sec. 3302. Revisions to required receipt objectives for previously authorized disposals from National Defense Stockpile.
Sec. 3303. Authorization for disposal of tungsten ores and concentrates.
Sec. 3304. Disposal of ferromanganese.

SEC. 3301. AUTHORIZED USES OF NATIONAL DEFENSE STOCKPILE FUNDS.

(a) OBLIGATION OF STOCKPILE FUNDS.—During fiscal year 2006, the National Defense Stockpile Manager may obligate up to $52,132,000 of the funds in the National Defense Stockpile Transaction Fund established under subsection (a) of section 9 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h) for the authorized uses of such funds under subsection (b)(2) of such section, including the disposal of hazardous materials that are environmentally sensitive.

(b) ADDITIONAL OBLIGATIONS.—The National Defense Stockpile Manager may obligate amounts in excess of the amount specified in subsection (a) if the National Defense Stockpile Manager notifies Congress that extraordinary or emergency conditions necessitate the

additional obligations. The National Defense Stockpile Manager may make the additional obligations described in the notification after the end of the 45-day period beginning on the date on which Congress receives the notification.

(c) LIMITATIONS.—The authorities provided by this section shall be subject to such limitations as may be provided in appropriations Acts.

SEC. 3302. REVISIONS TO REQUIRED RECEIPT OBJECTIVES FOR PREVIOUSLY AUTHORIZED DISPOSALS FROM NATIONAL DEFENSE STOCKPILE.

(a) DISPOSAL AUTHORITY.—Section 3303(a) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 50 U.S.C. 98d note), as amended by section 3302 of the Ronald W. Reagan National Defense Authorization Act for Year 2005 (Public Law 108–375; 118 Stat. 2193), is amended—

(1) by striking "and" at the end of paragraph (4); and

(2) by striking paragraph (5) and inserting the following new paragraphs:

"(5) $900,000,000 by the end of fiscal year 2010; and

"(6) $1,000,000,000 by the end of fiscal year 2013.".

(b) ADDITIONAL DISPOSAL AUTHORITY.—Section 3402(b) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 50 U.S.C. 98d note), as amended by section 3302 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 117 Stat. 1788), is amended—

(1) by striking "and" at the end of paragraph (3); and

(2) by striking paragraph (4) and inserting the following new paragraphs:

"(4) $500,000,000 before the end of fiscal year 2010; and

"(5) $600,000,000 before the end of fiscal year 2013.".

SEC. 3303. AUTHORIZATION FOR DISPOSAL OF TUNGSTEN ORES AND CONCENTRATES.

(a) DISPOSAL AUTHORIZED.—The President may dispose of up to 8,000,000 pounds of contained tungsten in the form of tungsten ores and concentrates from the National Defense Stockpile in fiscal year 2006.

(b) CERTAIN SALES AUTHORIZED.—The tungsten ores and concentrates disposed under subsection (a) may be sold to entities with ore conversion or tungsten carbide manufacturing or processing capabilities in the United States.

SEC. 3304. DISPOSAL OF FERROMANGANESE.

(a) DISPOSAL AUTHORIZED.—The Secretary of Defense may dispose of up to 75,000 tons of ferromanganese from the National Defense Stockpile during fiscal year 2006.

(b) CONTINGENT AUTHORITY FOR ADDITIONAL DISPOSAL.—If the Secretary of Defense completes the disposal of the total quantity of ferromanganese authorized for disposal by subsection (a) before September 30, 2006, the Secretary of Defense may dispose of up to an additional 25,000 tons of ferromanganese from the National Defense Stockpile before that date.

(c) CERTIFICATION.—The Secretary of Defense may dispose of ferromanganese under the authority of subsection (b) only if the Secretary submits written certification to the Committee on Armed Services of the Senate and the Committee on Armed Services of the

House of Representatives, not later than 30 days before the commencement of disposal, that—

(1) the disposal of the additional ferromanganese from the National Defense Stockpile is in the interest of national defense;

(2) the disposal of the additional ferromanganese will not cause undue disruption to the usual markets of producers and processors of ferromanganese in the United States; and

(3) the disposal of the additional ferromanganese is consistent with the requirements and purpose of the National Defense Stockpile.

(d) DELEGATION OF RESPONSIBILITY.—The Secretary of Defense may delegate the responsibility of the Secretary under subsection (c) to an appropriate official within the Department of Defense.

(e) NATIONAL DEFENSE STOCKPILE DEFINED.—In this section, the term "National Defense Stockpile" means the stockpile provided for in section 4 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98c).

TITLE XXXIV—NAVAL PETROLEUM RESERVES

Sec. 3401. Authorization of appropriations.

SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.

(a) AMOUNT.—There are hereby authorized to be appropriated to the Secretary of Energy $18,500,000 for fiscal year 2006 for the purpose of carrying out activities under chapter 641 of title 10, United States Code, relating to the naval petroleum reserves.

(b) PERIOD OF AVAILABILITY.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

TITLE XXXV—MARITIME ADMINISTRATION

Sec. 3501. Authorization of appropriations for fiscal year 2006.
Sec. 3502. Payments for State and regional maritime academies.
Sec. 3503. Maintenance and repair reimbursement pilot program.
Sec. 3504. Tank vessel construction assistance.
Sec. 3505. Improvements to the Maritime Administration vessel disposal program.
Sec. 3506. Assistance for small shipyards and maritime communities.
Sec. 3507. Transfer of authority for title XI non-fishing loan guarantee decisions to Maritime Administration.
Sec. 3508. Technical corrections.
Sec. 3509. United States Maritime Service.
Sec. 3510. Awards and medals.

SEC. 3501. AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 2006.

Funds are hereby authorized to be appropriated for fiscal year 2006, to be available without fiscal year limitation if so provided in appropriations Acts, for the use of the Department of Transportation for the Maritime Administration as follows:

(1) For expenses necessary for operations and training activities, $122,249,000.

(2) For administrative expenses related to loan guarantee commitments under the program authorized by title XI of the Merchant Marine Act, 1936 (46 App. U.S.C. 1271 et seq.), $4,126,000.

(3) For expenses to dispose of obsolete vessels in the National Defense Reserve Fleet, including provision of assistance under section 7 of Public Law 92–402, $21,000,000.

SEC. 3502. PAYMENTS FOR STATE AND REGIONAL MARITIME ACADEMIES.

(a) ANNUAL PAYMENT.—Section 1304(d)(1)(C)(ii) of the Merchant Marine Act, 1936 (46 App. U.S.C. 1295c(d)(1)(C)(ii)) is amended by striking "$200,000" and inserting "$300,000 for fiscal year 2006, $400,000 for fiscal year 2007, and $500,000 for fiscal year 2008 and each fiscal year thereafter".

(b) SCHOOL SHIP FUEL PAYMENT.—Section 1304(c)(2) of the Merchant Marine Act, 1936 (46 App. U.S.C. 1295c(c)(2)) is amended—

(1) by striking "The Secretary may pay to any State maritime academy" and inserting "(A) The Secretary shall, subject to the availability of appropriations, pay to each State maritime academy"; and

(2) by adding at the end the following:

"(B) The amount of the payment to a State maritime academy under this paragraph shall not exceed—

"(i) $100,000 for fiscal year 2006;

"(ii) $200,000 for fiscal year 2007; and

"(iii) $300,000 for fiscal year 2008 and each fiscal year thereafter.".

SEC. 3503. MAINTENANCE AND REPAIR REIMBURSEMENT PILOT PROGRAM.

Section 3517 of the Maritime Security Act of 2003 (46 U.S.C. 53101 note) is amended to read as follows:

"SEC. 3517. MAINTENANCE AND REPAIR REIMBURSEMENT PILOT PROGRAM.

"(a) AUTHORITY TO ENTER AGREEMENTS.—

"(1) IN GENERAL.—The Secretary of Transportation shall carry out a pilot program under which the Secretary shall enter into an agreement with 1 or more contractors under chapter 531 of title 46, United States Code, regarding maintenance and repair of 1 or more vessels that are subject to an operating agreement under that chapter.

"(2) REQUIREMENT OF AGREEMENT.—The Secretary shall, subject to the availability of appropriations, require 1 or more persons to enter into an agreement under this section as a condition of awarding an operating agreement to the person under chapter 531 of title 46, United States Code, for 1 or more vessels that normally make port calls in the United States.

"(b) TERMS OF AGREEMENT.—An agreement under this section—

"(1) shall require that except as provided in subsection (c), all qualified maintenance or repair on the vessel shall be performed in the United States;

"(2) shall require that the Secretary shall reimburse the contractor in accordance with subsection (d) for the costs of

qualified maintenance or repair performed in the United States; and

"(3) shall apply to qualified maintenance or repair performed during the 5-year period beginning on the date the vessel begins operating under the operating agreement under chapter 531 of title 46, United States Code.

"(c) EXCEPTION TO REQUIREMENT TO PERFORM WORK IN THE UNITED STATES.—A contractor shall not be required to have qualified maintenance or repair work performed in the United States under this section if—

"(1) the Secretary determines that there is no facility capable of meeting all technical requirements of the qualified maintenance or repair in the United States located in the geographic area in which the vessel normally operates available to perform the work in the time required by the contractor to maintain its regularly scheduled service;

"(2) the Secretary determines that there are insufficient funds to pay reimbursement under subsection (d) with respect to the work; or

"(3) the Secretary fails to make the certification described in subsection (e)(2).

"(d) REIMBURSEMENT.—

"(1) IN GENERAL.—The Secretary shall, subject to the availability of appropriations, reimburse a contractor for costs incurred by the contractor for qualified maintenance or repair performed in the United States under this section.

"(2) AMOUNT.—The amount of reimbursement shall be equal to the difference between—

"(A) the fair and reasonable cost of obtaining the qualified maintenance or repair in the United States; and

"(B) the fair and reasonable cost of obtaining the qualified maintenance or repair outside the United States, in the country in which the contractor would otherwise undertake the qualified maintenance or repair.

"(3) DETERMINATION OF FAIR AND REASONABLE COSTS.—The Secretary shall determine fair and reasonable costs for purposes of paragraph (2).

"(e) NOTIFICATION REQUIREMENTS.—

"(1) NOTIFICATION BY CONTRACTOR.—The Secretary is not required to pay reimbursement to a contractor under this section for qualified maintenance or repair, unless the contractor—

"(A) notifies the Secretary of the intent of the contractor to obtain the qualified maintenance or repair, by not later than 90 days before the date of the performance of the qualified maintenance or repair; and

"(B) includes in such notification—

"(i) a description of all qualified maintenance or repair that the contractor should reasonably expect may be performed;

"(ii) a description of the vessel's normal route and port calls in the United States;

"(iii) an estimate of the cost of obtaining the qualified maintenance or repair described under clause (i) in the United States; and

"(iv) an estimate of the cost of obtaining the qualified maintenance or repair described under clause (i) outside the United States, in the country in which the contractor otherwise would undertake the qualified maintenance or repair.

"(2) CERTIFICATION BY SECRETARY.—

"(A) Not later than 30 days after the date of receipt of notification under paragraph (1), the Secretary shall certify to the contractor—

"(i) whether the cost estimates provided by the contractor are fair and reasonable;

"(ii) if the Secretary determines that such cost estimates are not fair and reasonable, the Secretary's estimate of fair and reasonable costs for such work;

"(iii) whether there are available to the Secretary sufficient funds to pay reimbursement under subsection (d) with respect to such work; and

"(iv) that the Secretary commits such funds to the contractor for such reimbursement, if such funds are available for that purpose.

"(B) If the contractor notification described in paragraph (1) does not include an estimate of the cost of obtaining qualified maintenance and repair in the United States, then not later than 30 days after the date of receipt of such notification, the Secretary shall—

"(i) certify to the contractor whether there is a facility capable of meeting all technical requirements of the qualified maintenance and repair in the United States located in the geographic area in which the vessel normally operates available to perform the qualified maintenance and repair described in the notification by the contractor under paragraph (1) in the time period required by the contractor to maintain its regularly scheduled service; and

"(ii) if there is such a facility, require the contractor to resubmit such notification with the required cost estimate for such facility.

"(f) REGULATIONS.—

"(1) REQUIREMENT TO ISSUE NOTICE OF PROPOSED RULE MAKING.—The Secretary shall—

"(A) by not later than 30 days after the effective date of this subsection, issue a notice of proposed rule making to implement this section;

"(B) in such notice, solicit the submission of comments by the public regarding rules to implement this section; and

"(C) provide a period of at least 30 days for the submission of such comments.

"(2) INTERIM RULES.—Upon expiration of the period for submission of comments pursuant to paragraph (1)(C), the Secretary may prescribe interim rules necessary to carry out the Secretary's responsibilities under this section. For this purpose, the Secretary is excepted from compliance with the notice and comment requirements of section 553 of title 5, United States Code. At the time interim rules are issued, the Secretary shall solicit comments on the interim rules from the public and other

interested persons. Such period for comment shall not be less than 90 days. All interim rules prescribed under the authority of this subsection that are not earlier superseded by final rules shall expire no later than 270 days after the effective date of this subsection.

"(g) QUALIFIED MAINTENANCE OR REPAIR DEFINED.—In this section the term 'qualified maintenance or repair'—

"(1) except as provided in paragraph (2), means—

"(A) any inspection of a vessel that is—

"(i) required under chapter 33 of title 46, United States Code; and

"(ii) performed in the period in which the vessel is subject to an agreement under this section;

"(B) any maintenance or repair of a vessel that is determined, in the course of an inspection referred to in subparagraph (A), to be necessary; and

"(C) any additional maintenance or repair the contractor intends to undertake at the same time as the work described in subparagraph (B); and

"(2) does not include—

"(A) maintenance or repair not agreed to by the contractor to be undertaken at the same time as the work described in paragraph (1); or

"(B) any emergency work that is necessary to enable a vessel to return to a port in the United States.

"(h) ANNUAL REPORT.—The Secretary shall submit to the Congress by not later than September 30 each year a report on the program under this section. The report shall include a listing of future inspection schedules for all vessels included in the Maritime Security Fleet under section 53102 of title 46, United States Code.

"(i) AUTHORIZATION OF APPROPRIATIONS.—In addition to the other amounts authorized by this title, for reimbursement of costs of qualified maintenance or repair under this section there is authorized to be appropriated to the Secretary of Transportation $19,500,000 for each of fiscal years 2006 through 2011.".

SEC. 3504. TANK VESSEL CONSTRUCTION ASSISTANCE.

(a) REQUIREMENT TO ENTER CONTRACTS.—Section 3543(a) of the National Defense Authorization Act for Fiscal Year 2004 (46 U.S.C. 53101 note) is amended by striking "may" and inserting "shall, to the extent of the availability of appropriations,".

(b) AMOUNT OF ASSISTANCE.—Section 3543(b) of the National Defense Authorization Act for Fiscal Year 2004 (46 U.S.C. 53101 note) is amended by striking "up to 75 percent of".

SEC. 3505. IMPROVEMENTS TO THE MARITIME ADMINISTRATION VESSEL DISPOSAL PROGRAM.

(a) REPEAL OF LIMITATION ON SCRAPPING; COMPREHENSIVE MANAGEMENT PLAN.—Section 3502 of the Floyd D. Spence National Defense Authorization Act of Fiscal Year 2001 (enacted into law by section 1 of Public Law 106–398; 16 U.S.C. 5405 note; 114 Stat. 1654A–490) is amended by striking subsections (c), (d), (e), and (f), and inserting the following:

"(c) COMPREHENSIVE MANAGEMENT PLAN.—

"(1) REQUIREMENT TO DEVELOP PLAN.—The Secretary of Transportation shall prepare, publish, and submit to the Con-

gress by not later than 180 days after the date of the enactment of this Act a comprehensive plan for management of the vessel disposal program of the Maritime Administration in accordance with the recommendations made in the Government Accountability Office in report number GAO–05–264, dated March 2005.

"(2) CONTENTS OF PLAN.—The plan shall—

"(A) include a strategy and implementation plan for disposal of obsolete National Defense Reserve Fleet vessels (including vessels added to the fleet after the enactment of this paragraph) in a timely manner, maximizing the use of all available disposal methods, including dismantling, use for artificial reefs, donation, and Navy training exercises;

"(B) identify and describe the funding and other resources necessary to implement the plan, and specific milestones for disposal of vessels under the plan;

"(C) establish performance measures to track progress toward achieving the goals of the program, including the expeditious disposal of ships commencing upon the date of the enactment of this paragraph;

"(D) develop a formal decisionmaking framework for the program; and

"(E) identify external factors that could impede successful implementation of the plan, and describe steps to be taken to mitigate the effects of such factors.

"(d) IMPLEMENTATION OF MANAGEMENT PLAN.—

"(1) REQUIREMENT TO IMPLEMENT.—Subject to the availability of appropriations, the Secretary shall implement the vessel disposal program of the Maritime Administration in accordance with—

"(A) the management plan submitted under subsection (c); and

"(B) the requirements set forth in paragraph (2).

"(2) UTILIZATION OF DOMESTIC SOURCES.—In the procurement of services under the vessel disposal program of the Maritime Administration, the Secretary shall—

"(A) use full and open competition; and

"(B) utilize domestic sources to the maximum extent practicable.

"(e) FAILURE TO SUBMIT PLAN.—

"(1) PRIVATE MANAGEMENT CONTRACT FOR DISPOSAL OF MARITIME ADMINISTRATION VESSELS.—The Secretary of Transportation, subject to the availability of appropriations, shall promptly award a contract using full and open competition to expeditiously implement all aspects of disposal of obsolete National Defense Reserve Fleet vessels.

"(2) APPLICATION.—This subsection shall apply beginning 180 days after the date of the enactment of this subsection, unless the Secretary of Transportation has submitted to the Congress the comprehensive plan required under subsection (c).

"(f) REPORT.—No later than 1 year after the date of the enactment of this subsection, and every 6 months thereafter, the Secretary of Transportation, in coordination with the Secretary of the Navy, shall report to the Committee on Transportation and Infrastructure, the Committee on Resources, and the Committee on Armed Services

of the House of Representatives, and to the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate, on the progress made in implementing the vessel disposal plan developed under subsection (c). In particular, the report shall address the performance measures required to be established under subsection (c)(2)(C).".

(b) TEMPORARY AUTHORITY TO TRANSFER OBSOLETE COMBATANT VESSELS TO NAVY FOR DISPOSAL.—The Secretary of Transportation shall, subject to the availability of appropriations and consistent with section 1535 of title 31, United States Code, popularly known as the Economy Act, transfer to the Secretary of the Navy during fiscal year 2006 for disposal by the Navy, no fewer than 4 combatant vessels in the nonretention fleet of the Maritime Administration that are acceptable to the Secretary of the Navy.

(c) TRANSFER OF TITLE OF OBSOLETE VESSELS TO BE DISPOSED OF AS ARTIFICIAL REEFS.—Paragraph (4) of section 4 of the Act entitled "An Act to authorize appropriations for the fiscal year 1973 for certain maritime programs of the Department of Commerce, and for related purposes" (Public Law 92–402; 16 U.S.C. 1220a) is amended to read as follows:

> *"(4) the transfer would be at no cost to the Government (except for any financial assistance provided under section 1220(c)(1) of this title) with the State taking delivery of such obsolete ships and titles in an 'as-is—where-is' condition at such place and time designated as may be determined by the Secretary of Transportation.".*

SEC. 3506. ASSISTANCE FOR SMALL SHIPYARDS AND MARITIME COMMUNITIES.

(a) ESTABLISHMENT OF PROGRAM.—Subject to the availability of appropriations, the Administrator of the Maritime Administration shall establish a program to provide assistance to State and local governments—

> *(1) to provide assistance in the form of grants, loans, and loan guarantees to small shipyards for capital improvements; and*
>
> *(2) for maritime training programs in communities whose economies are substantially related to the maritime industry.*

(b) AWARDS.—In providing assistance under the program, the Administrator shall—

> *(1) take into account—*
>
> > *(A) the economic circumstances and conditions of maritime communities; and*
> >
> > *(B) the local, State, and regional economy in which the communities are located; and*
>
> *(2) strongly encourage State, local, and regional efforts to promote economic development and training that will enhance the economic viability of and quality of life in maritime communities.*

(c) USE OF FUNDS.—Assistance provided under this section may be used—

> *(1) to make capital and related improvements in small shipyards located in or near maritime communities;*
>
> *(2) to encourage, assist in, or provide training for residents of maritime communities that will enhance the economic viability of those communities; and*

(3) for such other purposes as the Administrator determines to be consistent with and supplemental to such activities.

(d) PROHIBITED USES.—Grants awarded under this section may not be used to construct buildings or other physical facilities or to acquire land unless such use is specifically approved by the Administrator in support of subsection (c)(3).

(e) MATCHING REQUIREMENTS.—

(1) FEDERAL FUNDING.—Except as provided in paragraph (2), Federal funds for any eligible project under this section shall not exceed 75 percent of the total cost of such project.

(2) EXCEPTIONS.—

(A) SMALL PROJECTS.—Paragraph (1) shall not apply to grants under this section for stand alone projects costing not more than $25,000. The amount under this subparagraph shall be indexed to the consumer price index and modified each fiscal year after the annual publication of the consumer price index.

(B) REDUCTION IN MATCHING REQUIREMENT.—If the Administrator determines that a proposed project merits support and cannot be undertaken without a higher percentage of Federal financial assistance, the Administrator may award a grant for such project with a lesser matching requirement than is described in paragraph (1).

(f) APPLICATION.—

(1) IN GENERAL.—The Administrator shall determine who, as an eligible applicant, may submit an application, at such time, in such form, and containing such information and assurances as the Administrator may require.

(2) MINIMUM STANDARDS FOR PAYMENT OR REIMBURSEMENT.—Each application submitted under paragraph (1) shall include—

(A) a comprehensive description of—

(i) the need for the project;

(ii) the methodology for implementing the project; and

(iii) any existing programs or arrangements that can be used to supplement or leverage assistance under the program.

(3) PROCEDURAL SAFEGUARDS.—The Administrator, in consultation with the Office of the Inspector General, shall issue guidelines to establish appropriate accounting, reporting, and review procedures to ensure that—

(A) grant funds are used for the purposes for which they were made available;

(B) grantees have properly accounted for all expenditures of grant funds; and

(C) grant funds not used for such purposes and amounts not obligated or expended are returned.

(4) PROJECT APPROVAL REQUIRED.—The Administrator may not award a grant under this section unless the Administrator determines that—

(A) sufficient funding is available to meet the matching requirements of subsection (e);

(B) the project will be completed without unreasonable delay; and

(C) the recipient has authority to carry out the proposed project.

(g) AUDITS AND EXAMINATIONS.—All grantees under this section shall maintain such records as the Administrator may require and make such records available for review and audit by the Administrator.

(h) SMALL SHIPYARD DEFINED.—In this section, the term "small shipyard" means a shipyard that—

(1) is a small business concern (within the meaning of section 3 of the Small Business Act (15 U.S.C. 632); and

(2) does not have more than 600 employees.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator of the Maritime Administration for each of fiscal years 2006 through 2010 to carry out this section—

(1) $5,000,000 for training grants; and

(2) $25,000,000 for capital and related improvement grants.

SEC. 3507. TRANSFER OF AUTHORITY FOR TITLE XI NON-FISHING LOAN GUARANTEE DECISIONS TO MARITIME ADMINISTRATION.

(a) IN GENERAL.—Title XI of the Merchant Marine Act, 1936 (46 U.S.C. App. 1271 et seq.), as amended by subsection (d) of this section, is amended—

(1) by striking "Secretary" each place it appears and inserting "Secretary or Administrator" in—

(A) section 1101(c), (f), and (g);

(B) section 1102;

(C) section 1103(a), (b), (c), (e), (g), and (h);

(D) section 1104A, except in—

(i) subsection (b)(7) and the undesignated paragraph that follows;

(ii) paragraphs (1), (2), (3)(B), and (4) of subsection (d);

(iii) subsection (e)(2)(F) the second place it appears;

(iv) subsection (j); and

(v) subsection (n)(1) the first place it appears;

(E) section 1104B;

(F) section 1105(a), (b), (c), and (e);

(G) section 1105(d) the first, second, third, fifth, and last places it appears; and

(H) sections 1108, 1109 (except the second place it appears in subsection (c)), and 1113 (as redesignated by subsection (d) of this section);

(2) by striking "Secretary" and inserting "Administrator" in—

(A) section 1103(i);

(B) section 1103(j) the first place it appears;

(C) section 1104A(b)(7) each place it appears but not in the undesignated paragraph that follows subsection (b)(7);

(D) section 1104A(d)(1)(A) each place it appears except the first;

(E) section 1104A(d)(3) each place it appears except in subparagraph (B);

(F) section 1104A(j)(1) the first, fifth, and seventh places it appears;

(G) section 1104A(n) each place it appears except the first;

(H) section 1110 each place it appears except the first and fourth places it appears in subsection (b);

(I) section 1111(a) and (b)(2) each place it appears;

(J) section 1111(b)(4) each place it appears except the first; and

(K) section 1112 each place it appears; and

(3) by striking "Secretary's" in sections 1108(g)(1) and 1109(d)(3) and inserting "Secretary's or Administrator's".

(b) ADDITIONAL AND CONFORMING TITLE XI CHANGES.—

(1) Section 1101 of the Merchant Marine Act, 1936 (46 U.S.C. App. 1271) is amended—

(A) by striking "title," and all that follows in subsection (n) and inserting "title."; and

(B) by adding at the end the following:

"(p) The term 'Administrator' means the Administrator of the Maritime Administration.".

(2) Section 1103(j) of such Act (46 U.S.C. App. 1273(j)) is amended by adding at the end the following:

"The Secretary of Defense shall determine whether a vessel satisfies paragraphs (1) and (2) by not later than 30 days after receipt of a request from the Administrator for such a determination.".

(3) Section 1104A(d) of such Act (46 U.S.C. App. 1274(d)) is amended—

(A) by striking "Secretary of Transportation" in paragraphs (1)(A) and (3)(B) and inserting "Administrator";

(B) by striking "the waiver" in paragraph (4)(B) and inserting "if deemed necessary by the Secretary or Administrator, the waiver";

(C) by striking "the increased" in paragraph (4)(B) and inserting "any significant increase in".

(4) Section 1104A(f) of such Act (46 U.S.C. App. 1273(f)) is amended—

(A) by striking "financial structures, or other risk factors identified by the Secretary or Administrator." in paragraph (2), as amended by subsection (a) of this section, and inserting "or financial structures.";

(B) by striking "financial structures, or other risk factors identified by the Secretary or Administrator." in paragraph (3), as amended by subsection (a) of this section, and inserting "or financial structures."; and

(C) by adding at the end the following:

"(5) A third party independent analysis conducted under paragraph (2) shall be performed by a private sector expert in assessing such risk factors who is selected by the Administrator.".

(5) Section 1104A(j)(2) of such Act (46 U.S.C. App. 1273(j)(2)) is amended by striking "The Secretary of Transportation" and inserting "The Administrator".

(6) Section 1104A(m) of such Act (46 U.S.C. App. 1273(m)) is amended by striking the last sentence and inserting "If the Secretary or Administrator has waived a requirement under section 1104A(d), the loan agreement shall include requirements for additional payments, collateral, or equity contributions to meet such waived requirement upon the occurrence of verifiable

conditions indicating that the obligor's financial condition enables the obligor to meet the waived requirement.".

(7) Section 1104A(n)(1) of such Act (46 U.S.C. App. 1273(n)(1)) is amended by striking "The Secretary of Transportation" and inserting "The Administrator".

(8) Section 1111 of such Act (46 U.S.C. 1279(f)) is amended by striking "Secretary of Transportation" each place it appears and inserting "Administrator".

(c) CONFORMING CHANGES IN OTHER STATUTES.—

(1) Section 401(a) of the Ocean Shipping Reform Act of 1998 (46 U.S.C. App. 1273a(a)) is amended by striking "Secretary of Transportation" and inserting "Administrator of the Maritime Administration".

(2) Section 101 of Public Law 85–469 (46 U.S.C. 1280) is amended by inserting "or the Administrator of the Maritime Administration" after "Secretary".

(3) Section 3527 of the Maritime Security Act of 2003 (46 U.S.C. App. 1280b) is amended by striking "Secretary of Transportation" and inserting "Administrator of the Maritime Administration".

(4) Section 3528 of the Maritime Security Act of 2003 (46 U.S.C. App. 1271 note) is repealed.

(d) TECHNICAL CORRECTION OF SECTION NUMBERING.—Title XI of the Merchant Marine Act, 1936 (46 U.S.C. App. 1271 et seq.) is amended by redesignating the second sections 1111 and 1112, as added by section 303 of the Sustainable Fisheries Act (Public Law 104–297; 110 Stat. 3616), as sections 1113 and 1114, respectively.

SEC. 3508. TECHNICAL CORRECTIONS.

(a) INTERMODAL CENTERS.—Section 9008(b)(1) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users is amended by striking "section 5309(m)(1)(C)" and inserting "paragraphs (1)(C) and (2)(C) of section 5309(m)".

(b) INTERMODAL SURFACE FREIGHT TRANSFER FACILITY ELIGIBILITY.—Section 9008(b)(2) of that Act is amended by striking "section 181(9)(D)" and inserting "181(8)(D)".

SEC. 3509. UNITED STATES MARITIME SERVICE.

Section 1306(a) of the Maritime Education and Training Act of 1980 (46 U.S.C. App. 1295e(a)), is amended by inserting "and to perform functions to assist the United States merchant marine, as determined necessary by the Secretary," after "United States" the second place it appears

SEC. 3510. AWARDS AND MEDALS.

Section 5(c) of the Merchant Marine Decorations and Medals Act (46 U.S.C. App. 2004(c)) is amended by striking "provide at cost, or authorize for the manufacture and sale at reasonable prices by private persons—" and inserting "provide—".

And the Senate agree to the same.

From the Committee on Armed Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

DUNCAN HUNTER,
CURT WELDON,
JOEL HEFLEY,

JIM SAXTON,
JOHN M. MCHUGH,
TERRY EVERETT,
ROSCOE BARTLETT,
HOWARD P. MCKEON,
MAC THORNBERRY,
JOHN N. HOSTETTLER,
JIM RYUN,
JIM GIBBONS,
ROBIN HAYES,
KEN CALVERT,
ROB SIMMONS,
THELMA DRAKE,
IKE SKELTON,
JOHN SPRATT,
SOLOMON P. ORTIZ,
LANE EVANS,
GENE TAYLOR,
SILVESTRE REYES,
VIC SNYDER,
ADAM SMITH,
LORETTA SANCHEZ,
ELLEN TAUSCHER,

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X:

PETE HOEKSTRA,
JANE HARMAN,

From the Committee on Education and the Workforce, for consideration of secs. 561–563, 571, and 815 of the House bill, and secs. 581–584 of the Senate amendment, and modifications committed to conference:

MICHAEL N. CASTLE,
JOE WILSON,
RUSH HOLT,

From the Committee on Energy and Commerce, for consideration of secs. 314, 601, 1032, and 3201 of the House bill, and secs. 312, 1084, 2893, 3116, and 3201 of the Senate amendment, and modifications committed to conference:

JOE BARTON,
PAUL GILLMOR,

From the Committee on Financial Services, for consideration of secs. 676 and 1073 of the Senate amendment, and modifications committed to conference:

MICHAEL G. OXLEY,
ROBERT W. NEY,

From the Committee on Government Reform, for consideration of secs. 322, 665, 811, 812, 820A, 822–825, 901, 1101–1106, 1108, title XIV, secs. 2832, 2841, and 2852 of the House bill, and secs. 652, 679, 801, 802, 809E, 809F, 809G, 809H, 811, 824, 831, 843–845, 857, 922, 1073, 1106, and 1109 of the Senate amendment, and modifications committed to conference:

TOM DAVIS,
CHRISTOPHER SHAYS,

From the Committee on Homeland Security, for consideration of secs. 1032, 1033, and 1035 of the House bill, and sec. 907 of the Senate amendment, and modifications committed to conference:

JOHN LINDER,
DANIEL E. LUNGREN,
BENNIE G. THOMPSON,

From the Committee on International Relations, for consideration of secs. 814, 1021, 1203–1206, and 1301–1305 of the House bill, and secs. 803, 1033, 1203, 1205–1207, and 1301–1306 of the Senate amendment, and modifications committed to conference:

HENRY HYDE,
JAMES A. LEACH,
TOM LANTOS,

From the Committee on the Judiciary, for consideration of secs. 551, 673, 1021, 1043, and 1051 of the House bill, and secs. 553, 615, 617, 619, 1072, 1075, 1077, and 1092 of the Senate amendment, and modifications committed to conference:

F. JAMES SENSENBRENNER,
STEVE CHABOT,

From the Committee on Resources, for consideration of secs. 341–346, 601, and 2813 of the House bill, and secs. 1078, 2884, and 3116 of the Senate amendment, and modifications committed to conference:

RICHARD POMBO,
HENRY E. BROWN, Jr.,

From the Committee on Science, for consideration of sec. 223 of the House bill and secs. 814 and 3115 of the Senate amendment, and modifications committed to conference:

SHERWOOD BOEHLERT,
W. TODD AKIN,
BART GORDON,

From the Committee on Small Business, for consideration of sec. 223 of the House bill, and secs. 814, 849–852, 855, and 901 of the Senate amendment, and modifications committed to conference:

DONALD A. MANZULLO,
SUE W. KELLY,

From the Committee on Transportation and Infrastructure, for consideration of secs. 314, 508, 601, and 1032–1034 of the House bill, and secs. 312, 2890, 2893, and 3116 of the Senate amendment, and modifications committed to conference:

DON YOUNG,
JOHN J. DUNCAN, Jr.,
JOHN T. SALAZAR,

From the Committee on Veterans Affairs, for consideration of secs. 641, 678, 714, and 1085 of the Senate amendment, and modifications committed to conference:

STEVE BUYER,
JEFF MILLER,
SHELLEY BERKLEY,

From the Committee on Ways and Means, for consideration of sec. 677 of the Senate amendment, and modifications committed to conference:

WILLIAM THOMAS,
WALLY HERGER,
JIM MCDERMOTT,
Managers on the Part of the House.

JOHN W. WARNER,
JOHN MCCAIN,
JAMES M. INHOFE,
PAT ROBERTS,
JEFF SESSIONS,
SUSAN COLLINS,
JOHN ENSIGN,
JIM TALENT,
SAXBY CHAMBLISS,
LINDSEY GRAHAM,
ELIZABETH DOLE,
JOHN CORNYN,
JOHN THUNE,
CARL LEVIN,
TED KENNEDY,
ROBERT C. BYRD,
JOSEPH LIEBERMAN,
JACK REED,
DANIEL K. AKAKA,
BILL NELSON,
BEN NELSON,
MARK DAYTON,
EVAN BAYH,
H.R. CLINTON,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1815) to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate amendment struck out all of the House bill after the enacting clause and inserted a substitute text.

The House recedes from its disagreement to the amendment of the Senate with an amendment that is a substitute for the House bill and the Senate amendment. The differences between the House bill, the Senate amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

SUMMARY STATEMENT OF CONFERENCE ACTIONS

The Conferees recommend authorization of appropriations for fiscal year 2006 for the Department of Defense for procurement; research and development; test and evaluation; operation and maintenance; working capital funds; military construction and family housing; and for weapons and environmental restoration programs of the Department of Energy; that have a budget authority implication of $441.5 billion for the national defense function.

The Conferees recommend the merging authorization of appropriations for the Department of Defense of $50.0 billion for costs associated with ongoing contingency operations in Iraq and Afghanistan; $6.6 billion for costs associated with Hurricane Katrina; $130.0 million for costs associated with Avian Flu; and $40.0 million for costs associated with Pakistan Earthquake relief efforts.

Summary table of authorizations

The defense authorization act provides authorizations for appropriations, but does not generally provide budget authority. Budget authority is provided in the appropriations act.

In order to relate the conference recommendations to the budget resolution, matters in addition to the dollar authorizations contained in this bill must be taken into account. A number of programs in the national defense function are authorized in other legislation.

The following table summarizes authorizations included in the bill for fiscal year 2006 and, in addition, summarizes the implications of the conference action for the budget authority totals for national defense (budget function 050).

SUMMARY OF NATIONAL DEFENSE AUTHORIZATION FOR FY 2006

(Dollars in Thousands)

	(Dollars in Thousands)								
	Authorization	House	Senate	Conference	Conference	Budget Authority Implication			
	Request	Authorized	Authorized	Change	Agreement	Request	House	Senate	Conference
DIVISION A									
Title I -- PROCUREMENT									
Aircraft Procurement, Army	2,800,880	2,861,380	2,800,880	-8,300	2,792,580	2,800,880	2,861,380	2,800,880	2,792,580
Missile Procurement, Army	1,270,850	1,242,919	1,265,850	-24,000	1,246,850	1,270,850	1,242,919	1,265,850	1,246,850
Proc of Weapons and Tracked Cbt Veh, Army	1,660,149	1,601,978	1,692,549	-7,200	1,652,949	1,660,149	1,601,978	1,692,549	1,652,949
Procurement of Ammunition, Army	1,720,872	1,750,772	1,830,672	18,000	1,738,872	1,720,872	1,750,772	1,830,672	1,738,872
Other Procurement, Army	4,302,634	4,043,289	4,339,434	26,300	4,328,934	4,302,634	4,043,289	4,339,434	4,328,934
Aircraft Procurement, Navy	10,517,126	10,042,526	9,946,926	-714,000	9,803,126	10,517,126	10,042,526	9,946,926	9,803,126
Weapons Procurement, Navy	2,707,841	2,775,041	2,749,441	30,000	2,737,841	2,707,841	2,775,041	2,749,441	2,737,841
Procurement of Ammunition, Navy and MC	872,849	869,770	892,849	-5,379	867,470	872,849	869,770	892,849	867,470
Shipbuilding and Conversion, Navy	8,721,165	10,779,773	9,057,865	159,458	8,880,623	8,721,165	10,797,773	9,075,865	8,898,623
Other Procurement, Navy	5,487,818	5,634,318	5,596,218	30,469	5,518,287	5,487,818	5,634,318	5,596,218	5,518,287
Procurement, Marine Corps	1,377,705	1,407,605	1,387,705	19,000	1,396,705	1,377,705	1,407,605	1,387,705	1,396,705
Aircraft Procurement, Air Force	11,973,933	12,793,756	13,257,633	888,400	12,862,333	11,973,933	12,793,756	13,257,633	12,862,333
Procurement of Ammunition, Air Force	1,031,207	1,031,207	1,031,207	-10,000	1,021,207	1,031,207	1,031,207	1,031,207	1,021,207
Missile Procurement, Air Force	5,490,287	5,490,287	5,500,287	-95,730	5,394,557	5,490,287	5,490,287	5,500,287	5,394,557
Other Procurement, Air Force	14,002,689	14,068,789	14,027,889	22,000	14,024,689	14,002,689	14,068,789	14,027,889	14,024,689
Procurement, Defense-wide	2,677,832	2,715,446	2,784,832	-30,844	2,646,988	2,677,832	2,715,446	2,784,832	2,646,988
Defense Production Act Purchases						19,573	19,573	19,573	19,573
Total Procurement	**76,615,837**	**79,108,856**	**78,162,237**	**298,174**	**76,914,011**	**76,635,410**	**79,146,429**	**78,199,810**	**76,951,584**
Title II -- RESEARCH, DEVELOPMENT, TEST & EVALUATION									
Research, Development, Test & Evaluation, Army	9,733,824	9,774,372	9,739,824	302,180	10,036,004	9,733,824	9,774,372	9,739,824	10,036,004
Research, Development, Test & Evaluation, Navy	18,037,991	18,022,140	18,410,431	543,450	18,581,441	18,037,991	18,022,140	18,410,431	18,581,441
Research, Development, Test & Evaluation, AF	22,612,351	22,418,212	22,653,568	-307,339	22,305,012	22,612,351	22,418,212	22,653,568	22,305,012
Research, Development, Test & Evaluation, Def	18,803,416	19,095,805	18,868,296	305,528	19,108,944	18,803,416	19,095,805	18,868,296	19,108,944
Operational Test & Evaluation, Defense	168,458	168,458	168,458		168,458	168,458	168,458	168,458	168,458
Total RDT&E	**69,356,040**	**69,478,987**	**69,840,577**	**843,819**	**70,199,859**	**69,356,040**	**69,478,987**	**69,840,577**	**70,199,859**

SUMMARY OF NATIONAL DEFENSE AUTHORIZATION FOR FY 2006

(Dollars in Thousands)

	Authorization Request	House Authorized	Senate Authorized	Conference Change	Conference Agreement	Budget Authority Implication Request	House	Senate	Conference
Title III -- OPERATION AND MAINTENANCE & OTHER PROGRAMS									
Operation and Maintenance									
Operation and Maintenance, Army	25,316,595	24,383,873	24,890,960	-630,300	24,686,295	25,316,595	24,383,873	24,890,960	24,686,295
Operation and Maintenance, Navy	30,759,889	30,312,736	30,497,489	-221,800	30,538,089	30,759,889	30,312,736	30,497,489	30,538,089
Operation and Maintenance, Marine Corps	3,804,926	3,631,277	3,842,026	4,600	3,809,526	3,804,926	3,631,277	3,842,026	3,809,526
Operation and Maintenance, Air Force	31,521,136	30,559,135	31,370,819	-404,000	31,117,136	31,521,136	30,559,135	31,370,819	31,117,136
Operation and Maintenance, Defense-wide	18,453,469	18,375,781	18,627,569	96,700	18,550,169	18,453,469	18,375,781	18,627,569	18,550,169
Operation and Maintenance, Army Reserve	1,987,382	1,998,282	1,989,542	5,160	1,992,542	1,987,382	1,998,282	1,989,542	1,992,542
Operation and Maintenance, Navy Reserve	1,245,695	1,245,695	1,245,695	-8,400	1,237,295	1,245,695	1,245,695	1,245,695	1,237,295
Operation and Maintenance, Marine Corps Reserve	199,934	207,434	199,934	-1,900	198,034	199,934	207,434	199,934	198,034
Operation and Maintenance, Air Force Reserve	2,501,686	2,501,686	2,559,686	-13,900	2,487,786	2,501,686	2,501,686	2,559,686	2,487,786
Operation and Maintenance, Army National Guard	4,509,719	4,521,119	4,528,019	-31,400	4,478,319	4,509,719	4,521,119	4,528,019	4,478,319
Operation and Maintenance, Air National Guard	4,724,091	4,727,091	4,772,991	-22,100	4,701,991	4,724,091	4,727,091	4,772,991	4,701,991
Transfer Accounts	1,369,689	1,369,689	1,409,689	40,000	1,409,689	1,369,689	1,369,689	1,409,689	1,409,689
Miscellaneous Appropriations	508,331	508,331	508,331		508,331	508,331	508,331	508,331	508,331
Subtotal Operation and Maintenance	**126,902,542**	**124,342,129**	**126,442,750**	**-1,187,340**	**125,715,202**	**126,902,542**	**124,342,129**	**126,442,750**	**125,715,202**
Other Programs									
Drug Interdiction and Counter-Drug Activities, Def	895,741	895,741	895,741	6,000	901,741	895,741	895,741	895,741	901,741
Defense Health Program	19,791,612	19,756,194	19,900,812	100,982	19,892,594	19,791,612	19,756,194	19,900,812	19,892,594
Office of the Inspector General	209,687	174,487	209,687		209,687	209,687	174,487	209,687	209,687
Chemical Agents and Munitions Destruction, Army	1,405,827	1,395,827	1,425,827	20,000	1,425,827	1,405,827	1,395,827	1,425,827	1,425,827
Subtotal Other Programs	**22,302,867**	**22,222,249**	**22,432,067**	**126,982**	**22,429,849**	**22,302,867**	**22,222,249**	**22,432,067**	**22,429,849**

SUMMARY OF NATIONAL DEFENSE AUTHORIZATION FOR FY 2006

(Dollars in Thousands)

	Authorization Request	House Authorized	Senate Authorized	Conference Change	Conference Agreement	Budget Authority Implication Request	House	Senate	Conference
Revolving and Management Funds									
Def Working Capital Funds (A, N, AF, Def-wide)	316,340	316,340	316,340		316,340	316,340	316,340	316,340	316,340
Defense Working Capital Funds - DeCA	1,155,000	1,155,000	1,155,000		1,155,000	1,155,000	1,155,000	1,155,000	1,155,000
National Defense Sealift Fund	1,648,504	1,697,023	1,011,304	9,213	1,657,717	1,648,504	1,697,023	1,011,304	1,657,717
Subtotal Revolving and Mgt Funds	**3,119,844**	**3,168,363**	**2,482,644**	**9,213**	**3,129,057**	**3,119,844**	**3,168,363**	**2,482,644**	**3,129,057**
Total O&M & Other Programs	**152,325,253**	**149,732,741**	**151,357,461**	**-1,051,145**	**151,274,108**	**152,325,253**	**149,732,741**	**151,357,461**	**151,274,108**
MILITARY PERSONNEL	**108,942,746**	**108,824,292**	**109,179,601**		**108,942,746**	**108,942,746**	**108,824,292**	**109,179,601**	**108,942,746**
Title X – GENERAL PROVISIONS									
General Transfer Authority (non-additive)	[4,000,000]	[4,000,000]	[3,500,000]	[-500,000]	[3,500,000]				
Inflation Savings			-1,300,000					-1,300,000	
Subtotal General Provisions			**-1,300,000**					**-1,300,000**	
DIVISION B									
MILITARY CONSTRUCTION									
Military Construction, Army	1,479,841	1,601,771	1,605,913	295,419	1,775,260	1,479,841	1,601,771	1,605,913	1,775,260
Military Construction, Navy	1,029,249	1,109,177	1,101,266	127,892	1,157,141	1,029,249	1,109,177	1,101,266	1,157,141
Military Construction, Air Force	1,069,640	1,171,338	1,198,321	218,890	1,288,530	1,069,640	1,171,338	1,198,321	1,288,530
Military Construction, Defense-wide	1,042,730	976,664	1,042,730	-33,875	1,008,855	1,042,730	976,664	1,042,730	1,008,855
NATO Security Investment Program	206,858	206,858	206,858		206,858	206,858	206,858	206,858	206,858
Base Realignment and Closure Account IV	377,827	377,827	377,827	-123,000	254,827	377,827	377,827	377,827	254,827
Base Realignment and Closure Account 2005	1,880,466	1,570,466	1,504,466	-376,000	1,504,466	1,880,466	1,570,466	1,504,466	1,504,466

SUMMARY OF NATIONAL DEFENSE AUTHORIZATION FOR FY 2006

(Dollars in Thousands)

	Authorization Request	House Authorized	Senate Authorized	Conference Change	Conference Agreement	Budget Authority Implication Request	House	Senate	Conference
Military Construction, Army National Guard	327,012	410,624	449,600	196,139	523,151	327,012	410,624	449,600	523,151
Military Construction, Air National Guard	165,256	225,727	262,461	150,861	316,117	165,256	225,727	262,461	316,117
Military Construction, Army Reserve	106,077	138,425	121,077	46,492	152,569	106,077	138,425	121,077	152,569
Military Construction, Naval and MC Reserve	45,226	45,226	50,226	1,638	46,864	45,226	45,226	50,226	46,864
Military Construction, Air Force Reserve	79,260	110,847	79,260	26,623	105,883	79,260	110,847	79,260	105,883
Military Construction, Foreign Currency Fluctuations							65,000	65,000	
Subtotal Military Construction	**7,809,442**	**7,944,950**	**8,000,005**	**531,079**	**8,340,521**	**7,809,442**	**8,009,950**	**8,065,005**	**8,340,521**
FAMILY HOUSING									
Family Housing Construction, Army	549,636	549,636	549,636		549,636	549,636	549,636	549,636	549,636
Family Housing Support, Army	812,993	803,993	812,993	-9,000	803,993	812,993	803,993	812,993	803,993
Family Housing Construction, Navy and MC	218,942	218,942	222,139		218,942	218,942	218,942	222,139	218,942
Family Housing Support, Navy and Marine Corps	593,660	588,660	593,660	-5,000	588,660	593,660	588,660	593,660	588,660
Family Housing Construction, Air Force	1,251,108	1,236,220	1,251,108	-149,221	1,101,887	1,251,108	1,236,220	1,251,108	1,101,887
Family Housing Support, Air Force	766,939	755,319	658,453		766,939	766,939	755,319	658,453	766,939
Family Housing Construction, Defense-wide									
Family Housing Support, Defense-wide	46,391	46,391	46,391		46,391	46,391	46,391	46,391	46,391
DoD Family Housing Improvement Fund	2,500	2,500	2,500		2,500	2,500	2,500	2,500	2,500
Subtotal Family Housing	**4,242,169**	**4,201,661**	**4,136,880**	**-163,221**	**4,078,948**	**4,242,169**	**4,201,661**	**4,136,880**	**4,078,948**
Prior Year Rescissions			-92,354	-252,858	-252,858			-92,354	-252,858
Total Mil Con and Fam Housing	**12,051,611**	**12,146,611**	**12,044,531**	**115,000**	**12,166,611**	**12,051,611**	**12,211,611**	**12,109,531**	**12,166,611**

SUMMARY OF NATIONAL DEFENSE AUTHORIZATION FOR FY 2006

(Dollars in Thousands)

	Authorization Request	House Authorized	Senate Authorized	Conference Change	Conference Agreement	Budget Authority Implication Request	House	Senate	Conference
OTHER DoD MILITARY (Discretionary)									
Receipts from Travel and Purchase Card Refunds							45,000	45,000	45,000
Armed Forces Retirement Home Fund	58,281	58,281	58,281		58,281				
Disposal of DoD Real Property						15,000	15,000	15,000	15,000
Lease of DoD Real Property						12,000	12,000	12,000	12,000
Overseas Facility Investment Recovery						1,000			
Total Other DoD Military Disc	**58,281**	**58,281**	**58,281**		**58,281**	**28,000**	**72,000**	**72,000**	**72,000**
Prior Year Rescissions in Procurement and RTD&E									**-120,609**
Subfunction (051) Department of Defense Disc	**419,349,768**	**419,349,768**	**419,342,688**	**205,848**	**419,555,616**	**419,339,060**	**419,466,060**	**419,458,980**	**419,486,299**
OTHER DoD MILITARY (Mandatory)									
Concurrent Receipt Accrual Payments to the Military Retirement Fund						2,343,000	2,343,000	2,343,000	2,343,000
Offsetting Receipts and Other						-1,358,000	-1,165,000	-1,165,000	-1,165,000
Revolving, Trust, and Other DoD Mandatory						792,000	748,000	748,000	748,000
Sale of Certain Materials in the National Defense Stockpile Transaction Fund							-100,000	-100,000	-100,000
Reimbursement for Protective Equipment for Troops in Iraq and Afghanistan								7,000	
Retroactive Increase in Death Gratuity								250,000	
Retroactive Increase in Death Gratuity for Noncombatants								370,000	
Expanded Authority for Lease-Purchase Agreements								60,000	
Eliminate DIC Offset Against SBP								443,000	
Paid-Up SBP								245,000	
Concurrent Receipt for Disabled Veterans								495,000	
Reimbursement for Fire Protection Activities								6,000	
Early Retirement for Reservists								40,000	
Voluntary Separation and Involuntary Retirement								1,000	
Share-In-Savings Contracts								15,000	
Additional National Defense Stockpile Sales								-12,000	-12,000

SUMMARY OF NATIONAL DEFENSE AUTHORIZATION FOR FY 2006

(Dollars in Thousands)

	Authorization Request	House Authorized	Senate Authorized	Conference Change	Conference Agreement	Budget Authority Implication Request	House	Senate	Conference
National Defense Stockpile Tungsten Sales								-14,000	-14,000
Commeration of OIF/OEF								2,000	2,000
Dry-Dock Sales								-1,000	-2,000
Increasing Elegibility for TRICARE Reserve Select									1,000
Expansion of Authority to Exchange Property							12,000		
Revision of Authority to Dispose of Certain Materials							-12,000		
Total Other DoD Military Mandatory						**1,777,000**	**1,826,000**	**3,733,000**	**1,801,000**
Subfunction (051) DOD Mandatory						**1,777,000**	**1,826,000**	**3,733,000**	**1,801,000**
SUBFUNCTION (051) TOTAL DOD MIL	**419,349,768**	**419,349,768**	**419,342,688**	**205,848**	**419,555,616**	**421,116,060**	**421,292,060**	**423,191,980**	**421,287,299**
DIVISION C									
ATOMIC ENERGY DEFENSE ACTIVITIES (053)									
Energy Supply	12,000	12,000			12,000	12,000	12,000		12,000
Weapons Activities	6,630,133	6,455,744	6,590,319	-196,197	6,433,936	6,630,133	6,455,744	6,590,319	6,433,936
Defense Nuclear Nonproliferation	1,637,239	1,515,239	1,637,239	-6,088	1,631,151	1,637,239	1,515,239	1,637,239	1,631,151
Naval Reactors	786,000	786,000	786,000	3,500	789,500	786,000	786,000	786,000	789,500
Office of the Administrator	343,869	343,869	343,869	-2,000	341,869	343,869	343,869	343,869	341,869
Subtotal National Nuclear Security Admin	**9,397,241**	**9,100,852**	**9,357,427**	**-200,785**	**9,196,456**	**9,397,241**	**9,100,852**	**9,357,427**	**9,196,456**
Defense Site Acceleration Completion	5,183,713	5,480,102	5,335,849			5,183,713	5,480,102	5,335,849	
Defense Environmental Services	831,331	831,331	853,584			831,331	831,331	853,584	
Defense Environmental Cleanup				177,327	6,192,371				6,192,371
Other Defense Activities	635,998	635,998	563,423	6,000	641,998	635,998	635,998	563,423	641,998
Defense Nuclear Waste Disposal	351,447	351,447	301,447	-1,447	350,000	351,447	351,447	301,447	350,000
Subtotal Environ & Other Def Activities	**7,002,489**	**7,298,878**	**7,054,303**	**181,880**	**7,184,369**	**7,002,489**	**7,298,878**	**7,054,303**	**7,184,369**
Subtotal Department of Energy	**16,411,730**	**16,411,730**	**16,411,730**	**-18,905**	**16,392,825**	**16,411,730**	**16,411,730**	**16,411,730**	**16,392,825**

SUMMARY OF NATIONAL DEFENSE AUTHORIZATION FOR FY 2006

(Dollars in Thousands)

	Authorization Request	House Authorized	Senate Authorized	Conference Change	Conference Agreement	Budget Authority Implication Request	House	Senate	Conference
OTHER ATOMIC ENERGY DEFENSE ACTIVITIES (Discretionary)									
Defense Nuclear Facilities Safety Board	22,032	22,032	22,032		22,032	22,032	22,032	22,032	22,032
Corps of Engineers - Civil Works						140,000	140,000	140,000	140,000
Total Other Atomic Energy Def Disc	**22,032**	**22,032**	**22,032**		**22,032**	**162,032**	**162,032**	**162,032**	**162,032**
Subfunction (053) Atomic Energy Def Disc	**16,433,762**	**16,433,762**	**16,433,762**	**-18,905**	**16,414,857**	**16,573,762**	**16,573,762**	**16,573,762**	**16,554,857**
OTHER ATOMIC ENERGY DEFENSE ACTIVITIES (Mandatory)									
Energy Employees Occupational Illness Compensation Program						916,000	453,000	453,000	453,000
Subfunction (053) Other Atomic Energy Def Mand						**916,000**	**453,000**	**453,000**	**453,000**
SUBFUNCTION (053) ATOMIC ENERGY	**16,433,762**	**16,433,762**	**16,433,762**	**-18,905**	**16,414,857**	**17,489,762**	**17,026,762**	**17,026,762**	**17,007,857**
DEFENSE RELATED ACTIVITIES (054)									
Department of Homeland Security						727,000	727,000	727,000	727,000
Department of Justice Salaries and Expenses						1,600,000	1,600,000	1,600,000	1,600,000
General Administration Salaries and Expenses						17,000	17,000	17,000	17,000
Department of Trans - MARAD Maritime Security Program						156,000	156,000	156,000	156,000
Intelligence Community Management Account						337,844	337,844	337,844	337,844
National Science Foundation - Antarctic Research Activities						68,000	68,000	68,000	68,000
Selective Service System - Salaries and Expenses						26,000	26,000	26,000	26,000
Subfunction (054) Defense Related Activities Disc						**2,931,844**	**2,931,844**	**2,931,844**	**2,931,844**

SUMMARY OF NATIONAL DEFENSE AUTHORIZATION FOR FY 2006

(Dollars in Thousands)

	Authorization Request	House Authorized	Senate Authorized	Conference Change	Conference Agreement	Budget Authority Implication Request	House	Senate	Conference
OTHER DEFENSE RELATED ACTIVITIES (Mandatory)									
CIA Retirement & Disability						244,600	244,600	244,600	244,600
Radiation Exposure Compensation Trust Fund						43,000	65,000	65,000	65,000
FBI Offsetting Receipts									
Subfunction (054) Defense Related Activities Mand						**287,600**	**309,600**	**309,600**	**309,600**
SUBFUNCTION (054) TOTAL DEFENSE-RELATED ACTIVITIES						**3,219,444**	**3,241,444**	**3,241,444**	**3,241,444**
Total National Def Funct (050) Disc	**435,783,530**	**435,783,530**	**435,776,450**	**186,943**	**435,970,473**	**438,844,666**	**438,971,666**	**438,964,586**	**438,973,000**
Total National Def Funct (050) Mand						**2,980,600**	**2,588,600**	**4,495,600**	**2,563,600**
TOTAL NATIONAL DEF FUNCT (050)	**435,783,530**	**435,783,530**	**435,776,450**	**186,943**	**435,970,473**	**441,825,266**	**441,560,266**	**443,460,186**	**441,536,600**
Title XV: OIF/OEF 2006 Emergency Supplemental		**49,000,000**	**50,000,000**		**50,000,000**		**49,000,000**	**50,000,000**	**50,000,000**
Hurricane Katrina Emergency Supplemental					**6,604,500**				**6,604,500**
Avian Flu Emergency Supplemental					**130,000**				**130,000**
Addtl Funding for Pakistan Earthquake Relief Efforts (S. Amdt)			**40,000**		**40,000**			**40,000**	**40,000**

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Procurement overview

The budget request for fiscal year 2006 included an authorization of $76,914.8 million in Procurement for the Department of Defense.

The House bill would authorize $79,108.9 million.

The Senate amendment would authorize $78,162.2 million.

The conferees recommend an authorization of $76,914.0 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

NATIONAL DEFENSE AUTHORIZATION FOR FISCAL YEAR 2006
(Dollars in Thousands)

Title I -- PROCUREMENT	Authorization Request	House Authorization	Senate Authorization	Conference Change	Conference Authorization
Aircraft Procurement, Army	2,800,880	2,861,380	2,800,880	-8,300	2,792,580
Missile Procurement, Army	1,270,850	1,242,919	1,265,850	-24,000	1,246,850
Procurement of W&TCV, Army	1,660,149	1,601,978	1,692,549	-7,200	1,652,949
Procurement of Ammunition, Army	1,720,872	1,750,772	1,830,672	18,000	1,738,872
Other Procurement, Army	4,302,634	4,043,289	4,339,434	26,300	4,328,934
Aircraft Procurement, Navy	10,517,126	10,042,526	9,946,926	-714,000	9,803,126
Weapons Procurement, Navy	2,707,841	2,775,041	2,749,441	30,000	2,737,841
Procurement of Ammunition, Navy & Marine Corps	872,849	869,770	892,849	-5,379	867,470
Shipbuilding and Conversion, Navy	8,721,165	10,779,773	9,057,865	159,458	8,880,623
Other Procurement, Navy	5,487,818	5,634,318	5,596,218	30,469	5,518,287
Procurement, Marine Corps	1,377,705	1,407,605	1,387,705	19,000	1,396,705
Aircraft Procurement, Air Force	11,973,933	12,793,756	13,257,633	888,400	12,862,333
Procurement of Ammunition, Air Force	1,031,207	1,031,207	1,031,207	-10,000	1,021,207
Missile Procurement, Air Force	5,490,287	5,490,287	5,500,287	-95,730	5,394,557
Other Procurement, Air Force	14,002,689	14,068,789	14,027,889	22,000	14,024,689
Procurement, Defense-Wide	2,677,832	2,715,446	2,784,832	-30,844	2,646,988
National Guard and Reserve Equipment					
Defense Production Act Purchases					
TOTAL PROCUREMENT	76,615,837	79,108,856	78,162,237	298,174	76,914,011

Aircraft procurement, Army overview

The budget request for fiscal year 2006 included an authorization of $2,800.9 million in Aircraft Procurement, Army for the Department of Defense.

The House bill would authorize $2,861.4 million.

The Senate amendment would authorize $2,800.9 million.

The conferees recommend an authorization of $2,792.6 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Aircraft Procurement, Army										
	Aircraft										
	Fixed Wing										
1	UTILITY F/W CARGO AIRCRAFT		4,926		4,926		4,926				4,926
2	UTILITY F/W AIRCRAFT										
	Rotary Wing										
3	ARMED RECONNAISSANCE HELICOPTER		70,000		70,000		70,000				70,000
4	HELICOPTER, LIGHT UTILITY (LUH)		108,000		108,000		108,000				108,000
5	UH-60 BLACKHAWK (MYP)	41	562,160	46	635,660	41	562,160			41	562,160
	HH-60L - ARNG			[5]	[73,500]						
	Additional UH-60s (S. Amdt)						[20,300]				
	Medevac kits (S. Amdt)						[-20,300]				
5	LESS: ADVANCE PROCUREMENT (PY)		-56,510		-56,510		-56,510				-56,510
6	ADVANCE PROCUREMENT (CY)		79,052		79,052		79,052				79,052
7	HELICOPTER NEW TRAINING										
	Modification of Aircraft										
8	GUARDRAIL MODS (TIARA)										
9	ARL MODS (TIARA)										
10	AH-64 MODS		580,392		586,392		580,392		4,000		584,392
	Modern signal processing unit				[6,000]				[4,000]		
11	ADVANCE PROCUREMENT (CY)		19,000		19,000		19,000				19,000
12	CH-47 CARGO HELICOPTER MODS		675,065		675,065		675,065				675,065
12	LESS: ADVANCE PROCUREMENT (PY)		-23,722		-23,722		-23,722				-23,722
13	ADVANCE PROCUREMENT (CY)		24,689		24,689		24,689				24,689
14	UTILITY/CARGO AIRPLANE MODS		13,575		13,575		13,575				13,575
15	OH-58 MODS										
16	AIRCRAFT LONG RANGE MODS		779		779		779				779
17	LONGBOW		84,513		84,513		84,513				84,513
17	LESS: ADVANCE PROCUREMENT (PY)										

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
18	ADVANCE PROCUREMENT (CY)										
19	UH-60 MODS		33,294		33,294		33,294				33,294
19	LESS: ADVANCE PROCUREMENT (PY)										
20	ADVANCE PROCUREMENT (CY)										
21	KIOWA WARRIOR		24,478		24,478		24,478				24,478
22	AIRBORNE AVIONICS		106,124		83,124		106,124		-12,300		93,824
	JTRS program reduction				[-23,000]				[-12,300]		
23	GATM ROLLUP		31,542		31,542		31,542				31,542
24	AIRBORNE DIGITIZATION										
	Spares and Repair Parts										
25	SPARE PARTS (AIR)		3,948		3,948		3,948				3,948
	Support Equipment and Facilities										
	Ground Support Avionics										
26	AIRCRAFT SURVIVABILITY EQUIPMENT		11,200		11,200		11,200				11,200
27	ASE INFRARED CM		211,151		211,151		211,151				211,151
	Other Support										
28	AIRBORNE COMMAND & CONTROL		28,055		28,055		28,055				28,055
29	AVIONICS SUPPORT EQUIPMENT		3,418		3,418		3,418				3,418
30	COMMON GROUND EQUIPMENT		70,436		70,436		70,436				70,436
31	AIRCREW INTEGRATED SYSTEMS		29,352		33,352		29,352				29,352
	Aircraft wireless intercom				[4,000]						
32	AIR TRAFFIC CONTROL		62,399		62,399		62,399				62,399
33	INDUSTRIAL FACILITIES		41,222		41,222		41,222				41,222
34	LAUNCHER, 2.75 ROCKET		2,342		2,342		2,342				2,342
35	AIRBORNE COMMUNICATIONS										
	Total - Aircraft Procurement, Army		**2,800,880**		**2,861,380**		**2,800,880**		**-8,300**		**2,792,580**

Missile procurement, Army overview

The budget request for fiscal year 2006 included an authorization of $1,270.9 million in Missile Procurement, Army for the Department of Defense.

The House bill would authorize $1,242.9 million.

The Senate amendment would authorize $1,265.9 million.

The conferees recommend an authorization of $1,246.9 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Missile Procurement, Army										
	Other Missiles										
	Surface-to-air Missile System										
1	PATRIOT SYSTEM SUMMARY	108	489,700	108	489,700	108	489,700			108	489,700
2	STINGER SYSTEM SUMMARY										
3	SURFACE-LAUNCHED AMRAAM SYSTEM SUMM		19,315		19,315		19,315				19,315
	Air-to-surface Missile System										
4	HELLFIRE SYS SUMMARY		80,073		80,073		80,073				80,073
5	APKWS (ADVANCED PRECISION KILL WEAPON	600	34,055	600	6,124	465	29,055	-600	-24,000		10,055
	Program reduction				[-27,931]	[-135]	[-5,000]		[-24,000]		
5	LESS: ADVANCE PROCUREMENT (PY)		-6,124		-6,124		-6,124				-6,124
6	ADVANCE PROCUREMENT (CY)										
	Anti-tank/Assault Missile System										
7	JAVELIN (AAWS-M) SYSTEM SUMMARY	300	57,636	300	57,636	300	57,636			300	57,636
7	LESS: ADVANCE PROCUREMENT (PY)										
8	ADVANCE PROCUREMENT (CY)										
9	LINE OF SIGHT ANTI-TANK (LOSAT) SYSTEM SU										
10	TOW 2 SYSTEM SUMMARY	800	44,002	800	44,002	800	44,002			800	44,002
10	LESS: ADVANCE PROCUREMENT (PY)		-16,795		-16,795		-16,795				-16,795
11	ADVANCE PROCUREMENT (CY)		18,900		18,900		18,900				18,900
12	GUIDED MLRS ROCKET (GMLRS)	1,026	124,814	1,026	124,814	1,026	124,814			1,026	124,814
13	MLRS REDUCED RANGE PRACTICE ROCKETS (I	900	7,726	900	7,726	900	7,726			900	7,726
14	MLRS LAUNCHER SYSTEMS		20,787		20,787		20,787				20,787
15	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	35	174,929	35	174,929	35	174,929			35	174,929
16	ARMY TACTICAL MSL SYS (ATACMS) - SYS SUM	45	58,458	45	58,458	45	58,458			45	58,458
	Modification of Missiles										
	Modifications										
17	PATRIOT MODS		77,411		77,411		77,411				77,411

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
18	STINGER MODS										
19	JAVELIN MISSILE MODS		14,007		14,007		14,007				14,007
20	ITAS/TOW MODS		9,587		9,587		9,587				9,587
21	MLRS MODS		14,579		14,579		14,579				14,579
22	HIMARS MODIFICATIONS: (NON AAO)		8,001		8,001		8,001				8,001
23	HELLFIRE MODIFICATIONS										
	Spares and Repair Parts										
24	SPARES AND REPAIR PARTS		30,142		30,142		30,142				30,142
	Support Equipment and Facilities										
25	AIR DEFENSE TARGETS		6,156		6,156		6,156				6,156
26	ITEMS LESS THAN $5.0M (MISSILES)		10		10		10				10
27	PRODUCTION BASE SUPPORT		3,481		3,481		3,481				3,481
28	CLOSED ACCOUNT ADJUSTMENTS										
	Total - Missile Procurement Army		**1,270,850**		**1,242,919**		**1,265,850**	**-600**	**-24,000**		**1,246,850**

Procurement of weapons and tracked combat vehicles, Army overview

The budget request for fiscal year 2006 included an authorization of $1,660.1 million in Procurement of Weapons and Tracked Combat Vehicles, Army for the Department of Defense.

The House bill would authorize $1,602.0 million.

The Senate amendment would authorize $1,692.5 million.

The conferees recommend an authorization of $1,652.9 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Procurement of Weapons and Tracked Combat Veh										
	Tracked Combat Vehicles										
1	ABRAMS TRNG DEV MOD		3,754		3,754		3,754				3,754
2	BRADLEY BASE SUSTAINMENT		37,908		37,908		37,908				37,908
2	LESS: ADVANCE PROCUREMENT (PY)										
3	BRADLEY FVS TRAINING DEVICES (MOD)		5,679		21,679		5,679		3,000		8,679
	Full-crew interactive skills trainer (AB-FIST) - ARNG				[16,000]				[3,000]		
4	ABRAMS TANK TRAINING DEVICES		3,709		3,709		3,709				3,709
5	STRYKER	240	878,449	240	893,449	240	878,449			240	878,449
	Tire production - second source qualification				[15,000]						
	Modification of Tracked Combat Vehicles										
6	CARRIER, MOD										
7	FIST VEHICLE (MOD)										
8	MOD OF IN-SVC EQUIP, FIST VEHICLE										
9	BFVS SERIES (MOD)		45,265		45,265		45,265				45,265
10	HOWITZER, MED SP FT 155MM M109A6 (MOD)		14,801		14,801		14,801				14,801
11	FAASV PIP TO FLEET		6,439		6,439		6,439				6,439
12	M1 ABRAMS TANK (MOD)		443,475		443,475		443,475				443,475
13	SYSTEM ENHANCEMENT PGM: SEP M1A2										
14	ABRAMS UPGRADE PROGRAM										
	Support Equipment and Facilities										
15	ITEMS LESS THAN $5.0M (TCV-WTCV)		407		407		407				407
16	PRODUCTION BASE SUPPORT (TCV-WTCV)		10,258		10,258		10,258				10,258
	Weapons and Other Combat Vehicles										
17	INTEGRATED AIR BURST WEAPON SYSTEM FAI		32,484		32,484		32,484		-10,200		22,284
	Buying ahead of need								[-10,200]		

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
18	ARMOR MACHINE GUN, 7.62MM M240 SERIES	1,197	14,148			1,197	14,148			1,197	14,148
	Transfer to Title XV			[-1,197]	[-14,148]						
19	MACHINE GUN, 5.56MM (SAW)		80		80		80				80
20	GRENADE LAUNCHER, AUTO, 40MM, MK19-3	352	8,715	352	8,715	352	8,715			352	8,715
21	MORTAR SYSTEMS		200		200		200				200
22	M16 RIFLE	14,500	8,000	14,500	8,000	14,500	8,000			14,500	8,000
23	M107, CAL. 50, SNIPER RIFLE	600	9,656			600	9,656			600	9,656
	Transfer to Title XV			[-600]	[-9,656]						
24	5.56 CARBINE M4	2,106	3,215			2,106	3,215			2,106	3,215
	Transfer to Title XV			[-2,106]	[-3,215]						
25	COMMON REMOTELY OPERATED WEAPONS ST										
26	HOWITZER LT WT 155MM (T)	23	46,786	23	46,786	23	79,186			23	46,786
	Additional M777 LW-155						[32,400]				
	Modification of Weapons and Other Combat Vehicl										
27	MARK-19 MODIFICATIONS		5,444		5,444		5,444				5,444
28	M4 CARBINE MODS		44,817				44,817				44,817
	Transfer to Title XV				[-44,817]						
29	SQUAD AUTOMATIC WEAPON (MOD)		3,095				3,095				3,095
	Transfer to Title XV				[-3,095]						
30	MEDIUM MACHINE GUNS (MODS)		7,089				7,089				7,089
	Transfer to Title XV				[-7,089]						
31	HOWITZER, TOWED, 155MM, M198 (MODS)										
32	M119 MODIFICATIONS		1,000		1,000		1,000				1,000
33	M16 RIFLE MODS		1,970				1,970				1,970
	Transfer to Title XV				[-1,970]						
34	MODIFICATIONS LESS THAN $5.0M (WOCV-WT(		5,146		5,146		5,146				5,146
	Support Equipment and Facilities										
35	ITEMS LESS THAN $5.0M (WOCV-WTCV)		488		488		488				488

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
36	PRODUCTION BASE SUPPORT (WOCV-WTCV)		6,494		6,494		6,494				6,494
37	INDUSTRIAL PREPAREDNESS		2,655		2,655		2,655				2,655
38	SMALL ARMS EQUIPMENT (SOLDIER ENH PROC		5,181				5,181				5,181
	Transfer to Title XV				[-5,181]						
39	REF SMALL ARMS										
	Spares										
40	SPARES AND REPAIR PARTS (WTCV)		3,342		3,342		3,342				3,342
	Total - Procurement of WTCV, Army		**1,660,149**		**1,601,978**		**1,692,549**		**-7,200**		**1,652,949**

Procurement of ammunition, Army overview

The budget request for fiscal year 2006 included an authorization of $1,720.9 million in Procurement of Ammunition, Army for the Department of Defense.

The House bill would authorize $1,750.8 million.

The Senate amendment would authorize $1,830.7 million.

The conferees recommend an authorization of $1,738.9 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Procurement of Ammunition, Army										
	Ammunition										
	Small/Medium Caliber Ammunition										
1	CTG, 5.56MM, ALL TYPES		142,363		142,363		142,363				142,363
2	CTG, 7.62MM, ALL TYPES		75,290		75,290		75,290				75,290
3	CTG, 9MM, ALL TYPES		4,018		4,018		4,018				4,018
4	CTG, .50 CAL, ALL TYPES		110,043		110,043		110,043				110,043
5	CTG, 25MM, ALL TYPES		30,965		30,965		30,965				30,965
6	CTG, 30MM, ALL TYPES		17,618		17,618		17,618				17,618
7	CTG, 40MM, ALL TYPES		142,594		142,594		142,594				142,594
	Mortar Ammunition										
8	60MM MORTAR, ALL TYPES		14,355		14,355		14,355				14,355
9	81MM MORTAR, ALL TYPES		85,250		85,250		85,250				85,250
10	CTG, MORTAR, 120MM, ALL TYPES		62,918		62,918		62,918				62,918
	Tank Ammunition										
11	CTG TANK 105MM: ALL TYPES		29,421		29,421		29,421				29,421
12	120MM TANK TRAINING, ALL TYPES		145,094		145,094		145,094				145,094
13	CTG, TANK, 120MM TACTICAL, ALL TYPES		52,724		52,724		58,224		1,000		53,724
	M1028 120mm tank cartridge						[5,500]		[1,000]		
	Artillery Ammunition										
14	CTG, ARTY, 75MM: ALL TYPES		2,246		2,246		2,246				2,246
15	CTG, ARTY, 105MM: ALL TYPES		41,873		41,873		41,873				41,873
16	CTG, ARTY, 155MM, ALL TYPES		124,565		124,565		124,565				124,565
17	PROJ 155MM EXTENDED RANGE XM982		25,098		25,098		25,098				25,098
18	MODULAR ARTILLERY CHARGE SYSTEM (MACS), ALL		67,966		67,966		67,966				67,966
	Artillery Fuzes										
19	ARTILLERY FUZES, ALL TYPES		22,926		22,926		22,926				22,926

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Mines										
20	MINE, TRAINING, ALL TYPES		230		230		230				230
21	MINES (CONVENTIONAL), ALL TYPES		4,009		4,009		4,009				4,009
22	MINE, CLEARING CHARGE, ALL TYPES		4,646		4,646		4,646				4,646
23	ANTIPERSONNEL LANDMINE ALTERNATIVES		27,876		27,876		27,876				27,876
	Rockets										
24	SHOULDER FIRED ROCKETS, ALL TYPES		7,810		7,810		7,810				7,810
25	ROCKET, HYDRA 70, ALL TYPES		156,879		156,879		156,879				156,879
	Other Ammunition										
26	DEMOLITION MUNITIONS, ALL TYPES		29,719		34,619		34,619		3,000		32,719
	Rapid wall breaching kit				[3,000]		[3,000]		[3,000]		
	Modern demolition initiator						[1,900]				
	M19				[1,900]						
27	GRENADES, ALL TYPES		53,107		53,107		53,107				53,107
28	SIGNALS, ALL TYPES		26,648		26,648		26,648				26,648
29	SIMULATORS, ALL TYPES		10,415		10,415		10,415				10,415
	Miscellaneous										
30	AMMO COMPONENTS, ALL TYPES		8,796		8,796		8,796				8,796
31	NON-LETHAL AMMUNITION, ALL TYPES		18,784		18,784		18,784				18,784
32	CAD/PAD ALL TYPES		2,598		2,598		2,598				2,598
33	ITEMS LESS THAN $5 MILLION		5,503		5,503		5,503				5,503
34	AMMUNITION PECULIAR EQUIPMENT		12,765		20,765		20,765		6,600		19,365
	Ammunition peculiar equipment outloading modules						[8,000]		[3,600]		
	MCAAP outloading module				[8,000]				[3,000]		
35	FIRST DESTINATION TRANSPORTATION (AMM(		9,101		9,101		9,101				9,101
36	CLOSEOUT LIABILITIES		100		100		100				100

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Ammunition Production Base Support										
	Production Base Support										
37	PROVISION OF INDUSTRIAL FACILITIES		33,532		43,532		115,932		5,400		38,932
	HMX/RDX nitrate explosive formulation capabilities						[10,000]				
	Insensitive munitions load assembly and pack						[10,000]				
	Small-caliber production facility modernization						[22,400]				
	Acid concentration and nitrocellulose production						[40,000]				
	Flexible LAP				[10,000]				[5,400]		
38	LAYAWAY OF INDUSTRIAL FACILITIES		348		5,348		348				348
	Lake City AAP				[5,000]						
39	MAINTENANCE OF INACTIVE FACILITIES		5,001		5,001		5,001				5,001
40	CONVENTIONAL MUNITIONS DEMILITARIZATI		102,933		104,933		111,933		2,000		104,933
	Missile recycling center energetics processing module						[10,000]		[2,000]		
	Missile recycling center (S. Amdt)						[-1,000]				
	Energetics processing module				[2,000]						
41	ARMS INITIATIVE		2,745		2,745		2,745				2,745
	Total - Procurement of Ammunition, Army		**1,720,872**		**1,750,772**		**1,830,672**		**18,000**		**1,738,872**

Other procurement, Army overview

The budget request for fiscal year 2006 included an authorization of $4,302.6 million in Other Procurement, Army for the Department of Defense.

The House bill would authorize $4,043.3 million.

The Senate amendment would authorize $4,339.4 million.

The conferees recommend an authorization of $4,328.9 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Other Procurement, Army										
	Tactical and Support Vehicles										
	Tactical Vehicles										
1	TACTICAL TRAILERS/DOLLY SETS		15,867		15,867		15,867				15,867
2	SEMITRAILERS, FLATBED		6,049		6,049		6,049				6,049
3	SEMITRAILERS, TANKERS		6,287		6,287		6,287				6,287
4	HI MOB MULTI-PURP WHLD VEH (HMMWV)		224,222		224,222		224,222				224,222
5	TRUCK, DUMP, 20T (CCE)										
6	FAMILY OF MEDIUM TACTICAL VEH (FMTV)		449,601		449,601		449,601				449,601
7	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQ		7,523		7,523		7,523				7,523
8	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV		207,096		216,096		208,696		6,600		213,696
	Movement tracking system						[1,600]		[1,600]		
	HEMTT LET				[9,000]				[5,000]		
9	ARMORED SECURITY VEHICLES (ASV)										
10	MINE PROTECTION VEHICLE FAMILY										
11	TRUCK, TRACTOR, LINE HAUL, M915/M916		17,063		17,063		17,063				17,063
12	TRUCK, TRACTOR, YARD TYPE, M878 (C/S)										
13	HVY EXPANDED MOBILE TACTICAL TRUCK EX		40,710				40,710				40,710
	Transfer to Title XV				[-40,710]						
14	HMMWV RECAPITALIZATION PROGRAM		32,800				32,800				32,800
	Transfer to Title XV				[-32,800]						
15	MODIFICATION OF IN SVC EQUIP		11,659		11,659		11,659				11,659
16	ITEMS LESS THAN $5.0M (TAC VEH)		378		378		378				378
17	TOWING DEVICE-FIFTH WHEEL		1,950		1,950		1,950				1,950
	Non-tactical Vehicles										
18	HEAVY ARMORED SEDAN		2,900		2,900		2,900				2,900
19	PASSENGER CARRYING VEHICLES		270		270		270				270
20	NONTACTICAL VEHICLES, OTHER		430		430		430				430

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Communications and Electronics Equipment										
	Comm-Joint Communications										
21	WIN - TACTICAL PROGRAM		122,433		122,433		122,433				122,433
22	JCSE EQUIPMENT (USREDCOM)		4,240		4,240		4,240				4,240
	Comm-Satellite Communications										
23	SECURED ENROUTE COM PACKAGE		7,582		7,582		7,582				7,582
24	DEFENSE SATELLITE COMMUNICATIONS SYST		55,023		55,023		55,023				55,023
25	SHF TERM		23,359		23,359		23,359				23,359
26	SAT TERM, EMUT (SPACE)		1,439		1,439		1,439				1,439
27	NAVSTAR GLOBAL POSITIONING SYSTEM (SPA		44,730		22,380		44,730				44,730
	Transfer to Title XV				[-22,350]						
28	SMART-T (SPACE)		14,607		14,607		14,607				14,607
29	SCAMP (SPACE)		600		600		600				600
30	GLOBAL BRDCST SVC - GBS		12,478		12,478		12,478				12,478
31	MOD OF IN-SVC EQUIP (TAC SAT)		7,699		7,699		7,699				7,699
	Comm-C3 System										
32	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)		17,358		17,358		17,358				17,358
	Comm-Combat Communications										
33	ARMY DATA DISTRIBUTION SYSTEM (DATA R/		34,837		34,837		34,837				34,837
34	JOINT TACTICAL RADIO SYSTEM										
35	RADIO TERMINAL SET, MIDS LVT(2)		3,240		3,240		3,240				3,240
36	SINCGARS FAMILY		55,511				55,511				55,511
	Transfer to Title XV				[-55,511]						
37	MULTI-PURPOSE INFORMATION OPERATIONS S		8,602		8,602		8,602				8,602
38	JOINT TACTICAL AREA COMMAND SYSTEMS										
39	BRIDGE TO FUTURE NETWORKS		41,288		41,288		41,288				41,288
40	COMMS-ELEC EQUIP FIELDING		6,837		6,837		6,837				6,837
41	SOLDIER ENHANCEMENT PROGRAM COMM/EL		8,153		8,153		8,153				8,153

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(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
42	COMBAT SURVIVOR EVADER LOCATOR (CSEL)		15,729		4,200		15,729		1,500		17,229
	AN/ARS-6A				[4,200]				[1,500]		
	Program adjustment				[-1,349]		[-15,729]				
42a	Combat Survivor Radios				15,729						
43	RADIO, IMPROVED HIGH FREQUENCY FAMILY		28,041		28,041		28,041				28,041
44	MEDICAL COMM FOR CBT CASUALTY CARE (M		8,262		8,262		8,262				8,262
	Comm-Intelligence Communications										
45	CI AUTOMATION ARCHITECTURE		1,320		1,320		1,320				1,320
	Information Security										
47	INFORMATION SYSTEM SECURITY PROGRAM-I		69,734		69,734		69,734				69,734
	Comm-Long Haul Communications										
48	TERRESTRIAL TRANSMISSION		15,661		15,661		15,661				15,661
49	BASE SUPPORT COMMUNICATIONS		33,583		33,583		33,583				33,583
50	ARMY DISN ROUTER										
51	ELECTROMAG COMP PROG (EMCP)		479		479		479				479
52	WW TECH CON IMP PROG (WWTCIP)		2,704		2,704		2,704				2,704
	Comm-Base Communications										
53	INFORMATION SYSTEMS		12,883		12,883		12,883				12,883
54	DEFENSE MESSAGE SYSTEM (DMS)		6,433		6,433		6,433				6,433
55	INSTALLATION INFO INFRASTRUCTURE MOD P		294,384		294,384		294,384				294,384
56	LOCAL AREA NETWORK (LAN)										
57	PENTAGON INFORMATION MGT AND TELECOM		28,618		28,618		28,618				28,618
	Elect Equip-Nat For Int Prog (NFIP)										
58	FOREIGN COUNTERINTELLIGENCE PROG (FCI)	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
59	GENERAL DEFENSE INTELL PROG (GDIP)	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
	Elect Equip-Tact Int Rel Act (TIARA)										
60	ALL SOURCE ANALYSIS SYS (ASAS) (TIARA)		21,204		21,204		21,204				21,204
61	JTT/CIBS-M (TIARA)		9,862		9,862		9,862				9,862

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
62	PROPHET GROUND (TIARA)		13,006		16,206		13,006		3,000		16,006
	Block 1 enhancement - 10th Mountain Division				[3,200]						
	Prophet ground vehicle block I enhancements								[3,000]		
63	TUAV		26,000		26,000		26,000				26,000
64	SMALL UAV: (SUAV)		20,000		20,000		20,000				20,000
65	ARMY COMMON GROUND STATION (CGS) (TIA										
66	DIGITAL TOPOGRAPHIC SPT SYS (DTSS) (TIARA		2,888		2,888		2,888				2,888
67	DRUG INTERDICTION PROGRAM (DIP) (TIARA)										
68	TACTICAL EXPLOITATION SYSTEM (TIARA)										
69	DCGS-A (JMIP)		43,543		43,543		43,543				43,543
70	JOINT TACTICAL GROUND STATION (JTAGS)		12,648		12,648		12,648				12,648
71	TROJAN (TIARA)		6,067		6,067		6,067				6,067
72	MOD OF IN-SVC EQUIP (INTEL SPT) (TIARA)		1,668		1,668		1,668				1,668
73	CI HUMINT INFO MANAGE SYS (CHIMS) (TIARA		730		730		730				730
74	ITEMS LESS THAN $5.0M (TIARA)		16,563		16,563		16,563				16,563
	Elect Equip-Electronic Warfare (EW)										
75	LIGHTWEIGHT COUNTER MORTAR RADAR										
76	WARLOCK										
77	COUNTERINTELLIGENCE/SECURITY COUNTER										
	Elect Equip-Tactical Surv. (TAC SURV)										
78	SENTINEL MODS		8,393		8,393		8,393				8,393
79	NIGHT VISION DEVICES		164,674				184,874				164,674
	Enhanced NVG procurement and fielding						[20,200]				
	Transfer to Title XV				[-164,674]						
80	LONG RANGE ADVANCED SCOUT SURVEILLAN		42,293		42,293		42,293				42,293
81	LTWT VIDEO RECON SYSTEM (LWVRS)										
82	NIGHT VISION, THERMAL WPN SIGHT		83,692		83,692		83,692				83,692
83	JLENS FAMILY										

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(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
84	ARTILLERY ACCURACY EQUIP										
85	MOD OF IN-SVC EQUIP (MMS)		334		334		334				334
86	MOD OF IN-SVC EQUIP (MVS)										
87	ENHANCED PORTABLE INDUCTIVE ARTILLERY		6,763		6,763		6,763				6,763
88	PROFILER		4,869		4,869		4,869				4,869
89	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)		18,027		18,027		18,027				18,027
90	FORCE XXI BATTLE CMD BRIGADE & BELOW (I		146,085		146,085		146,085				146,085
91	LIGHTWEIGHT LASER DESIGNATOR/RANGEFIN		12,720		12,720		12,720				12,720
92	COMPUTER BALLISTICS: LHMBC XM32		1,415		1,415		1,415				1,415
93	MORTAR FIRE CONTROL SYSTEM		18,877		18,877		18,877				18,877
94	INTEGRATED MET SYS SENSORS (IMETS)-(TIAF		3,699		3,699		3,699				3,699
95	ENHANCED SENSOR & MONITORING SYSTEM		2,000		2,000		2,000				2,000
	Elect Equip-Tactical C2 Systems										
96	TACTICAL OPERATIONS CENTERS		58,339		58,339		58,339				58,339
97	AFATDS		29,537		29,537		29,537				29,537
98	MOD OF IN-SVC EQUIP, AFATDS		5,104		5,104		5,104				5,104
99	LIGHT WEIGHT TECHNICAL FIRE DIRECTION S'		2,978		2,978		2,978				2,978
100	BATTLE COMMAND SUSTAINMENT SUPPORT S		10,139		10,139		10,139				10,139
101	FAAD C2		26,108		26,108		26,108				26,108
102	AIR & MSL DEFENSE PLANNING & CONTROL SY		3,668		3,668		3,668				3,668
103	FORWARD ENTRY DEVICE / LIGHTWEIGHT FED		3,159		3,159		3,159				3,159
104	KNIGHT FAMILY										
105	LIFE CYCLE SOFTWARE SUPPORT (LCSS)		1,914		1,914		1,914				1,914
106	LOGTECH		62,256		62,256		62,256				62,256
107	TC AIMS II		31,356		31,356		31,356				31,356
108	ISYSCON EQUIPMENT										
109	JOINT NETWORK MANAGEMENT SYSTEM (JNM		11,885		11,885		11,885				11,885
110	TACTICAL INTERNET MANAGER		16,962		16,962		16,962				16,962

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(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
111	MANEUVER CONTROL SYSTEM (MCS)		49,562		49,562		49,562				49,562
112	SINGLE ARMY LOGISTICS ENTERPRISE (SALE)		89,017		89,017		89,017		-14,000		75,017
	Reduce program growth								[-14,000]		
113	STANDARD INTEGRATED CMD POST SYSTEM										
114	MOUNTED BATTLE COMMAND ON THE MOVE (		870		870		870				870
	Elect Equip - Automation										
115	ARMY TRAINING MODERNIZATION		23,722		23,722		23,722				23,722
116	AUTOMATED DATA PROCESSING EQUIP		152,268		152,268		152,268				152,268
117	RESERVE COMPONENT AUTOMATION SYS (RC.		30,819		30,819		30,819				30,819
	Elect Equip-Audio Visual Sys (A/V)										
118	AFRTS		2,732		2,732		2,732				2,732
119	ITEMS LESS THAN $5.0M (A/V)		6,381		6,381		6,381				6,381
120	ITEMS LESS THAN $5M (SURVEYING EQUIPMEI		2,895		2,895		2,895				2,895
	Elect Equip-Support										
121	PRODUCTION BASE SUPPORT (C-E)		438		438		438				438
	Other Support Equipment										
	Chemical Defensive Equipment										
122	RECONNAISSANCE SYSTEM,FOX NBC (NBCRS)										
123	SMOKE & OBSCURANT FAMILY: SOF (NON AAC		2,904		2,904		2,904				2,904
	Bridging Equipment										
124	TACTICAL BRIDGING		26,611		26,611		26,611				26,611
125	TACTICAL BRIDGE, FLOAT-RIBBON		5,913		5,913		5,913				5,913
	Engineer (Non-construction) Equipment										
126	HANDHELD STANDOFF MINEFIELD DETECTION		7,084		7,084		7,084				7,084
127	KIT, STANDARD TELEOPERATING										
128	GRND STANDOFF MINE DETECTION SYSTEM (C		2,962		2,962		2,962				2,962
129	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)		1,617		1,617		1,617				1,617
130	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOI		29,786		29,786		29,786				29,786

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
131	< $5M, COUNTERMINE EQUIPMENT		580		580		580				580
	Combat Service Support Equipment										
132	HEATERS AND ECU'S		3,420		3,420		3,420				3,420
133	LAUNDRIES, SHOWERS AND LATRINES		1,998		1,998		1,998				1,998
134	SOLDIER ENHANCEMENT		4,810		4,810		4,810				4,810
135	LIGHTWEIGHT MAINTENANCE ENCLOSURE (LM										
136	LAND WARRIOR		35,700		35,700		35,700				35,700
137	MOUNTED WARRIOR		1,600		1,600		1,600				1,600
138	FORCE PROVIDER										
139	AUTHORIZED STOCKAGE LIST MOBILITY SYST										
140	FIELD FEEDING EQUIPMENT		26,553		26,553		26,553				26,553
141	CARGO AERIAL DELIVERY PROGRAM		39,644		39,644		39,644				39,644
142	ITEMS LESS THAN $5.0M (ENG SPT)		3,282		3,282		3,282				3,282
143	ITEMS LESS THAN $5.0M (CSS EQ)										
	Petroleum Equipment										
144	QUALITY SURVEILLANCE EQUIPMENT		730		730		730				730
145	DISTRIBUTION SYSTEMS, PETROLEUM & WATI		66,055		66,055		66,055				66,055
146	INLAND PETROLEUM DISTRIBUTION SYSTEM										
	Water Equipment										
147	WATER PURIFICATION SYSTEMS		8,888		8,888		8,888				8,888
	Medical Equipment										
148	COMBAT SUPPORT MEDICAL		10,686		15,686		10,686				10,686
	Cartilage infuser				[5,000]						
	Maintenance Equipment										
149	SHOP EQ CONTACT MAINTENANCE TRK MTD (I		8,244		8,244		8,244				8,244
150	WELDING SHOP, TRAILER MTD		252		252		252				252
151	ITEMS LESS THAN $5.0M (MAINT EQ)		1,300		1,300		1,300				1,300

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Construction Equipment										
152	MISSION MODULES - ENGINEERING		3,785		3,785		3,785				3,785
153	LOADERS		1,217		1,217		1,217				1,217
154	TRACTOR, FULL TRACKED		966		966		966				966
155	CRANES										
156	CRUSHING/SCREENING PLANT, 150 TPH										
157	HIGH MOBILITY ENGINEER EXCAVATOR (HME		13,472		13,472		13,472				13,472
158	CONST EQUIP ESP		3,646		3,646		3,646				3,646
159	ITEMS LESS THAN $5.0M (CONST EQUIP)		4,285		4,285		4,285				4,285
	Rail Float Containerization Equipment										
160	LOGISTIC SUPPORT VESSEL (LSV)										
161	JOINT HIGH SPEED VEHICLE (JHSV)		15,000		15,000		15,000				15,000
162	HARBORMASTER COMMAND & CONTROL CEN		600		600		600				600
163	CAUSEWAY SYSTEMS		2,000		2,000		17,000		10,000		12,000
	Modular causeway system						[15,000]		[10,000]		
164	ITEMS LESS THAN $5.0M (FLOAT/RAIL)		4,988		4,988		4,988				4,988
	Generators										
165	GENERATORS AND ASSOCIATED EQUIP		43,067		48,567		43,067		5,500		48,567
	Deployable power generation distribution system				[5,500]				[5,500]		
	Material Handling Equipment										
166	ROUGH TERRAIN CONTAINER HANDLER (RTCH										
167	ALL TERRAIN LIFTING ARMY SYSTEM		361		361		361				361
168	MHE EXTENDED SERVICE PROGRAM (ESP)										
169	ITEMS LESS THAN $5.0M (MHE)										
	Training Equipment										
170	COMBAT TRAINING CENTERS (CTC) SUPPORT		60,811		60,811		60,811				60,811

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
171	TRAINING DEVICES, NONSYSTEM		184,528		214,328		184,528		13,700		198,228
	Bullet sensor live fire trainer				[5,600]						
	Future soldier trainer - ARNG				[13,700]						
	Laser marksmanship training systems - ARNG				[7,500]						
	Virtual training demonstration project				[3,000]						
	Future soldier trainer								[13,700]		
172	CLOSE COMBAT TACTICAL TRAINER		63,746		63,746		63,746				63,746
173	AVIATION COMBINED ARMS TACTICAL TRAINI		71,301		71,301		71,301				71,301
	Test Measure and Dig Equipment (TMD)										
174	CALIBRATION SETS EQUIPMENT										
175	INTEGRATED FAMILY OF TEST EQUIPMENT (IF		21,605		21,605		21,605				21,605
176	TEST EQUIPMENT MODERNIZATION (TEMOD)		471		471		471				471
	Other Support Equipment										
177	RAPID EQUIPPING SOLDIER SUPPORT EQ (REF)		50,000		50,000		50,000				50,000
178	PHYSICAL SECURITY SYSTEMS (OPA3)		66,614		66,614		66,614				66,614
179	BASE LEVEL COM'L EQUIPMENT		6,224		6,224		6,224				6,224
180	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)		9,379		9,379		9,379				9,379
181	PRODUCTION BASE SUPPORT (OTH)		2,638		2,638		2,638				2,638
182	SPECIAL EQUIPMENT FOR USER TESTING		9,316		9,316		9,316				9,316
183	CLASSIFIED PROGRAM (MA8975)		2,434		2,434		2,434				2,434
	Spares and Repair Parts										
	OPA2										
184	INITIAL SPARES - C&E		33,076		33,076		33,076				33,076
	OPA3										
185	INITIAL SPARES - OTHER SUPPORT EQUIP		732		732		732				732
999	CLASSIFIED PROGRAMS		9,978		9,978		9,978				9,978
	Total - Other Procurement, Army		**4,302,634**		**4,043,289**		**4,339,434**		**26,300**		**4,328,934**

Aircraft procurement, Navy overview

The budget request for fiscal year 2006 included an authorization of $10,517.1 million in Aircraft Procurement, Navy for the Department of Defense.

The House bill would authorize $10,042.5 million.

The Senate amendment would authorize $9,946.9 million.

The conferees recommend an authorization of $9,803.1 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Aircraft Procurement, Navy										
	Combat Aircraft										
1	AV-8B (V/STOL)HARRIER (MYP)		1,707		1,707		1,707				1,707
2	EA-18G	4	318,386	4	318,386	4	318,386			4	318,386
2	LESS: ADVANCE PROCUREMENT (PY)		-8,211		-8,211		-8,211				-8,211
3	ADVANCE PROCUREMENT (CY)		26,486		26,486		26,486				26,486
4	F/A-18E/F (FIGHTER) HORNET (MYP)	38	2,819,314	38	2,822,514	38	2,819,314		3,200	38	2,822,514
	Shared reconnaissance pod (SHARP)				[3,200]				[3,200]		
4	LESS: ADVANCE PROCUREMENT (PY)		-83,084		-83,084		-83,084				-83,084
5	ADVANCE PROCUREMENT (CY)		86,105		86,105		86,105				86,105
6	V-22 (MEDIUM LIFT)	9	1,064,516	9	1,064,516	9	1,064,516			9	1,064,516
6	LESS: ADVANCE PROCUREMENT (PY)		-71,214		-71,214		-71,214				-71,214
7	ADVANCE PROCUREMENT (CY)		67,274		67,274		67,274				67,274
8	UH-1Y/AH-1Z	10	307,479	10	357,479	10	307,479		10,800	10	318,279
	Non-recurring engineering				[50,000]				[10,800]		
9	MH-60S (MYP)	26	571,274	26	571,274	26	571,274			26	571,274
9	LESS: ADVANCE PROCUREMENT (PY)		-107,905		-107,905		-107,905				-107,905
10	ADVANCE PROCUREMENT (CY)		125,698		125,698		125,698				125,698
11	MH-60R	12	504,690	12	504,690	12	504,690			12	504,690
11	LESS: ADVANCE PROCUREMENT (PY)		-69,269		-69,269		-69,269				-69,269
12	ADVANCE PROCUREMENT (CY)		119,078		119,078		119,078				119,078
13	E-2C (EARLY WARNING) HAWKEYE (MYP)	2	237,272	2	237,272	2	237,272			2	237,272
13	LESS: ADVANCE PROCUREMENT (PY)		-26,320		-26,320		-26,320				-26,320
14	ADVANCE PROCUREMENT (CY)		38,000		38,000		38,000				38,000
	Airlift Aircraft										
15	UC-35										
16	C-40A		10,312		10,312	1	88,212				10,312
	C-40A					[1]	[77,900]				

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
17	C-37										
	Trainer Aircraft										
18	T-48 (T-39 REPLACEMENT)										
19	T-45TS (TRAINER) GOSHAWK	6	239,240	9	297,840	6	239,240			6	239,240
	Additional aircraft			[3]	[58,600]						
20	JPATS		2,411	6	37,411		2,411		22,500		24,911
	Additional systems			[6]	[35,000]				[22,500]		
	Other Aircraft										
21	KC-130J	12	1,138,098	4	337,198	4	357,098	-8	-781,000	4	357,098
	Realign program			[-8]	[-800,900]	[-8]	[-781,000]	[-8]	[-781,000]		
21	LESS: ADVANCE PROCUREMENT (PY)		-45,355		-45,355		-45,355				-45,355
22	ADVANCE PROCUREMENT (CY)				46,000		46,000		46,000		46,000
	Realign program				[46,000]		[46,000]		[46,000]		
23	F-5	9	4,517	9	4,517	9	4,517			9	4,517
	Modification of Aircraft										
24	EA-6 SERIES		120,619		210,019		120,619				120,619
	Low band transmitter				[16,400]						
	ICAP III				[73,000]						
25	AV-8 SERIES		34,862		34,862		34,862				34,862
26	ADVERSARY		5,013		5,013		5,013				5,013
27	F-18 SERIES		422,444		422,444		462,444				422,444
	Litening AT targeting pod for F/A-18D						[40,000]				
28	H-46 SERIES		55,427		55,427		55,427				55,427
29	AH-1W SERIES		7,656		7,656		15,456		4,500		12,156
	Night targeting system upgrade						[7,800]		[4,500]		

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
30	H-53 SERIES		14,917		52,017		26,417		8,000		22,917
	H-53 EAPS barrier filters						[5,000]		[4,000]		
	H-53 crash attenuating crew chief seats				[6,500]		[6,500]		[4,000]		
	Integrated mechanical diagnostics system				[9,200]						
	T64 engine reliability improvement program				[21,400]						
31	SH-60 SERIES		12,360		12,360		19,960				12,360
	SH-60 armed helicopter kits						[7,600]				
32	H-1 SERIES		7,395		7,395		7,395				7,395
33	EP-3 SERIES		55,120		55,120		68,120				55,120
	USQ-146 electronic attack for EP-3						[13,000]				
34	P-3 SERIES		163,348		170,348		170,348		7,000		170,348
	Anti-surface warfare improvement program						[7,000]		[4,000]		
	High resolution digital recorders				[5,000]				[2,000]		
	CURTIS upgrade for BMUP aircraft				[2,000]				[1,000]		
35	S-3 SERIES		751		751		751				751
36	E-2 SERIES		13,654		13,654		13,654				13,654
37	TRAINER A/C SERIES		14,004		14,004		14,004				14,004
38	C-2A		29,575		29,575		29,575				29,575
39	C-130 SERIES		42,698		42,698		42,698				42,698
40	FEWSG		605		605		605				605
41	CARGO/TRANSPORT A/C SERIES		19,914		19,914		19,914				19,914
42	E-6 SERIES		11,219		11,219		11,219				11,219
43	EXECUTIVE HELICOPTERS SERIES		16,734		16,734		16,734				16,734
44	SPECIAL PROJECT AIRCRAFT		20,762		20,762		20,762				20,762
45	T-45 SERIES		49,980		49,980		49,980				49,980
46	POWER PLANT CHANGES		26,334		26,334		26,334				26,334
47	JPATS SERIES		719		719		719				719
48	AVIATION LIFE SUPPORT MODS		323		323		323				323

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
49	COMMON ECM EQUIPMENT		51,376		51,376		51,376				51,376
50	COMMON AVIONICS CHANGES		214,202		214,202		214,202		-25,000		189,202
	Reduce growth in common avionics								[-25,000]		
51	COMMON DEFENSIVE WEAPON SYSTEM		13,752		13,752		13,752				13,752
52	ID SYSTEMS		7,741		7,741		7,741				7,741
53	V-22 (TILT/ROTOR ACFT) OSPREY		81,002		81,002		81,002				81,002
	Aircraft Spares and Repair Parts										
54	SPARES AND REPAIR PARTS		1,089,236		1,089,236		1,089,236		-10,000		1,079,236
	KC-130J reduction								[-10,000]		
	Aircraft Support Equipment and Facilities										
55	COMMON GROUND EQUIPMENT		499,469		499,469		499,469				499,469
56	AIRCRAFT INDUSTRIAL FACILITIES		9,508		9,508		9,508				9,508
57	WAR CONSUMABLES		10,437		10,437		10,437				10,437
58	OTHER PRODUCTION CHARGES		15,467		15,467		15,467				15,467
59	SPECIAL SUPPORT EQUIPMENT		106,376		106,376		106,376				106,376
60	FIRST DESTINATION TRANSPORTATION		1,628		1,628		1,628				1,628
61	CANCELLED ACCOUNT ADJUSTMENTS										
	Total - Aircraft Procurement, Navy		**10,517,126**		**10,042,526**		**9,946,926**		**-714,000**		**9,803,126**

Weapons procurement, Navy overview

The budget request for fiscal year 2006 included an authorization of $2,707.8 million in Weapons Procurement, Navy for the Department of Defense.

The House bill would authorize $2,775.0 million.

The Senate amendment would authorize $2,749.4 million.

The conferees recommend an authorization of $2,737.8 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Weapons Procurement, Navy										
	Ballistic Missiles										
1	TRIDENT II										
1	LESS: ADVANCE PROCUREMENT (PY)										
	Modification of Missiles										
2	TRIDENT II MODS		932,680		932,680		932,680				932,680
	Support Equipment and Facilities										
3	MISSILE INDUSTRIAL FACILITIES		3,413		3,413		3,413				3,413
	Other Missiles										
	Strategic Missiles										
4	TOMAHAWK	379	353,409	456	420,609	379	353,409			379	353,409
	Additional missiles			[77]	[67,200]						
	Tactical Missiles										
5	AMRAAM	101	81,507	101	81,507	101	81,507			101	81,507
6	SIDEWINDER	165	37,823	165	37,823	211	45,423			165	37,823
	AIM-9X captive air training missile					[46]	[7,600]				
7	JSOW	420	144,449	420	144,449	420	144,449			420	144,449
8	SLAM-ER										
9	STANDARD MISSILE	75	145,676	75	145,676	75	145,676			75	145,676
10	RAM	90	86,944	90	86,944	90	86,944			90	86,944
11	HELLFIRE										
12	AERIAL TARGETS		101,882		101,882		101,882				101,882
13	DRONES AND DECOYS										
14	OTHER MISSILE SUPPORT		10,336		10,336		10,336				10,336
	Modification of Missiles										
15	ESSM	116	99,833	116	99,833	116	99,833			116	99,833
16	STANDARD MISSILES MODS		53,531		53,531		53,531				53,531

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Support Equipment and Facilities										
17	WEAPONS INDUSTRIAL FACILITIES		4,112		4,112		24,112		20,000		24,112
	Allegany Ballistic Laboratory						[20,000]		[20,000]		
	Ordnance Support Equipment										
18	ORDNANCE SUPPORT EQUIPMENT		45,410		45,410		45,410				45,410
	Torpedoes and Related Equipment										
	Torpedoes and Related Equip.										
19	SSTD		3,994		3,994		3,994				3,994
20	ASW TARGETS		24,557		24,557		24,557				24,557
	Mod of Torpedoes and Related Equipment										
21	MK-46 TORPEDO MODS		76,591		76,591		76,591				76,591
22	MK-48 TORPEDO ADCAP MODS		61,309		61,309		61,309				61,309
23	QUICKSTRIKE MINE		3,018		3,018		3,018				3,018
	Support Equipment										
24	TORPEDO SUPPORT EQUIPMENT		29,234		29,234		29,234				29,234
25	ASW RANGE SUPPORT		13,039		13,039		13,039				13,039
	Destination Transportation										
26	FIRST DESTINATION TRANSPORTATION		3,188		3,188		3,188				3,188
	Other Weapons										
	Guns and Gun Mounts										
27	SMALL ARMS AND WEAPONS		22,515		22,515		22,515				22,515
	Modification of Guns and Gun Mounts										
28	CIWS MODS		195,648		195,648		195,648				195,648
29	COAST GUARD WEAPONS		5,375		5,375		5,375				5,375
30	GUN MOUNT MODS		84,142		84,142		98,142		10,000		94,142
	MK45 mod 4 gun mounts						[14,000]		[10,000]		
31	PIONEER		1,964		1,964		1,964				1,964
32	CRUISER MODERNIZATION WEAPONS		5,428		5,428		5,428				5,428

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
33	AIRBORNE MINE NEUTRALIZATION SYSTEMS		1,515		1,515		1,515				1,515
	Other										
34	CANCELLED ACCOUNT ADJUSTMENTS										
	Spares and Repair Parts										
35	SPARES AND REPAIR PARTS		75,319		75,319		75,319				75,319
	Total - Weapons Procurement, Navy		**2,707,841**		**2,775,041**		**2,749,441**		**30,000**		**2,737,841**

Procurement of ammunition, Navy and Marine Corps overview

The budget request for fiscal year 2006 included an authorization of $872.8 million in Procurement of Ammunition, Navy and Marine Corps for the Department of Defense.

The House bill would authorize $869.8 million.

The Senate amendment would authorize $892.8 million.

The conferees recommend an authorization of $867.5 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Procurement of Ammunition, Navy & Marine Corps										
	Proc Ammo, Navy										
	Navy Ammunition										
1	GENERAL PURPOSE BOMBS		135,355		135,355		135,355				135,355
2	JDAM	3,400	82,589	3,400	82,589	3,400	82,589			3,400	82,589
3	AIRBORNE ROCKETS, ALL TYPES		35,159		27,080		35,159		-8,079		27,080
	APKWS - program delay				[-8,079]				[-8,079]		
4	MACHINE GUN AMMUNITION		23,666		23,666		23,666				23,666
5	PRACTICE BOMBS		56,569		56,569		56,569				56,569
6	CARTRIDGES & CART ACTUATED DEVICES		32,586		32,586		32,586				32,586
7	AIRCRAFT ESCAPE ROCKETS		10,860		10,860		10,860				10,860
8	AIR EXPENDABLE COUNTERMEASURES		70,174		70,174		70,174				70,174
9	JATOS		4,566		4,566		4,566				4,566
10	5 INCH/54 GUN AMMUNITION		25,923		25,923		25,923				25,923
11	EXTENDED RANGE GUIDED MUNITIONS (ERGM										
12	76MM GUN AMMUNITION										
13	INTERMEDIATE CALIBER GUN AMMUNITION		1,252		1,252		1,252				1,252
14	OTHER SHIP GUN AMMUNITION		40,144		40,144		40,144				40,144
15	SMALL ARMS & LANDING PARTY AMMO		35,639		35,639		35,639				35,639
16	PYROTECHNIC AND DEMOLITION		13,910		13,910		13,910				13,910
17	JUDGMENT FUND										
18	AMMUNITION LESS THAN $5 MILLION		3,157		3,157		3,157				3,157
	Proc Ammo, MC										
	Marine Corps Ammunition										
19	5.56 MM, ALL TYPES		37,452		37,452		37,452				37,452
20	7.62 MM, ALL TYPES		13,731		13,731		13,731				13,731
21	LINEAR CHARGES, ALL TYPES		38,761		43,761		38,761		2,700		41,461
	MN79				[5,000]				[2,700]		

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
22	.50 CALIBER		34,882		34,882		34,882				34,882
23	40 MM, ALL TYPES		58,148		58,148		58,148				58,148
24	60MM, ALL TYPES		16,224		16,224		16,224				16,224
25	81MM, ALL TYPES		17,211		17,211		17,211				17,211
26	120MM, ALL TYPES		7,231		7,231		7,231				7,231
27	CTG 25MM, ALL TYPES		2,118		2,118		2,118				2,118
28	9 MM ALL TYPES										
29	GRENADES, ALL TYPES		5,315		5,315		5,315				5,315
30	ROCKETS, ALL TYPES										
31	ARTILLERY, ALL TYPES		31,810		31,810		46,810				31,810
	M795 155mm high explosive cartridge						[15,000]				
32	EXPEDITIONARY FIGHTING VEHICLE		5,738		5,738		5,738				5,738
33	DEMOLITION MUNITIONS, ALL TYPES		2,353		2,353		7,353				2,353
	Time fuze blasting igniter						[5,000]				
34	FUZE, ALL TYPES		3,648		3,648		3,648				3,648
35	NON LETHALS		1,127		1,127		1,127				1,127
36	AMMO MODERNIZATION		7,350		7,350		7,350				7,350
37	ITEMS LESS THAN $5 MILLION		18,201		18,201		18,201				18,201
	Total - Procurement of Ammunition, Navy & Marine Corp		**872,849**		**869,770**		**892,849**		**-5,379**		**867,470**

Shipbuilding and conversion, Navy overview

The budget request for fiscal year 2006 included an authorization of $8,721.2 million in Shipbuilding and Conversion, Navy for the Department of Defense.

The House bill would authorize $10,779.8 million.

The Senate amendment would authorize $9,057.9 million.

The conferees recommend an authorization of $8,880.6 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Shipbuilding and Conversion, Navy										
	Other Warships										
1	ADVANCE PROCUREMENT (CY)		564,913		564,913		651,613		86,700		651,613
	CVN-21 (CVN-78) - avoid one year delay						[86,700]		[86,700]		
2	VIRGINIA CLASS SUBMARINE	1	2,398,118	1	2,398,118	1	2,398,118			1	2,398,118
2	LESS: ADVANCE PROCUREMENT (PY)		-760,420		-760,420		-760,420				-760,420
3	ADVANCE PROCUREMENT (CY)		763,786		763,786		763,786				763,786
4	SSGN CONVERSION		334,322		334,322		334,322				334,322
4	LESS: ADVANCE PROCUREMENT (PY)		-47,806		-47,806		-47,806				-47,806
5	ADVANCE PROCUREMENT (CY)										
6	CVN REFUELING OVERHAULS	1	2,572,341	1	2,572,341	1	2,572,341			1	2,572,341
6	LESS: ADVANCE PROCUREMENT (PY)		-1,078,778		-1,078,778		-1,078,778				-1,078,778
7	ADVANCE PROCUREMENT (CY)		20,000		20,000		20,000				20,000
8	SSN ERO										
9	ADVANCE PROCUREMENT (CY)		39,524		39,524		39,524				39,524
10	SSBN ERO	1	364,636	1	364,636	1	364,636			1	364,636
10	LESS: ADVANCE PROCUREMENT (PY)		-134,443		-134,443		-134,443				-134,443
11	ADVANCE PROCUREMENT (CY)		62,248		62,248		62,248				62,248
12	DD(X)		220,222		220,222		220,222				220,222
12	LESS: ADVANCE PROCUREMENT (PY)		-220,222		-220,222		-220,222				-220,222
13	ADVANCE PROCUREMENT (CY)		715,992				765,992		50,000		765,992
	DD(X) AP for follow ship at follow yard						[50,000]		[50,000]		
	Decrease in program funding				[-715,992]						
14	DDG-51		225,427	2	2,725,427		225,427				225,427
	Additional ships			[2]	[2,500,000]						
14	LESS: ADVANCE PROCUREMENT (PY)										
15	DDG MODERNIZATION PROGRAM						25,000		25,000		25,000
	DDG-51 modernization program						[25,000]		[25,000]		

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Amphibious Ships										
16	LHD-1 AMPHIBIOUS ASSAULT SHIP		197,769		197,769		197,769				197,769
17	LPD-17	1	1,344,741	1	1,344,741	1	1,344,741			1	1,344,741
17	LESS: ADVANCE PROCUREMENT (PY)										
18	ADVANCE PROCUREMENT (CY)										
19	ADVANCE PROCUREMENT (CY)		150,447		418,047		325,447		50,000		200,447
	LHA-R acceleration						[175,000]		[50,000]		
	Program increase				[267,600]						
	Auxiliaries, Craft and Prior Yr Program Costs										
20	LCU(X)				7,000				6,000		6,000
	Aft-ramp range retriever craft (ARC)				[7,000]				[6,000]		
21	OUTFITTING		426,987		426,987		426,987		-41,987		385,000
	Reduction in growth								[-41,987]		
22	SERVICE CRAFT		56,255		56,255		56,255		-16,255		40,000
	Reduction in growth								[-16,255]		
23	LCAC SLEP	6	110,583	6	110,583	6	110,583			6	110,583
24	MINE HUNTER										
25	COMPLETION OF PY SHIPBUILDING PROGRAMS		394,523		394,523		394,523				394,523
26	POWER UNIT ASSEMBLY FACILITY										
	Total - Shipbuilding and Conversion, Navy		**8,721,165**		**10,779,773**		**9,057,865**		**159,458**		**8,880,623**

Other procurement, Navy overview

The budget request for fiscal year 2006 included an authorization of $5,487.8 million in Other Procurement, Navy for the Department of Defense.

The House bill would authorize $5,634.3 million.

The Senate amendment would authorize $5,596.2 million.

The conferees recommend an authorization of $5,518.3 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Other Procurement, Navy										
	Ships Support Equipment										
	Ship Propulsion Equipment										
1	LM-2500 GAS TURBINE		8,644		8,644		8,644				8,644
2	ALLISON 501K GAS TURBINE		22,208		27,208		22,208				22,208
	Mine sweeper re-engining				[5,000]						
	Navigation Equipment										
3	OTHER NAVIGATION EQUIPMENT		30,747		45,747		30,747		1,996		32,743
	Integrated bridge system				[15,000]				[3,000]		
	Scalable ECDIS-N production rate reduction								[-1,004]		
	Underway Replenishment Equipment										
4	UNDERWAY REPLENISHMENT EQUIPMENT		918		918		918				918
	Periscopes										
5	SUB PERISCOPES & IMAGING EQUIP		76,613		76,613		76,613				76,613
	Other Shipboard Equipment										
6	DDG MOD		2,998		2,998		2,998				2,998
7	FIREFIGHTING EQUIPMENT		31,710		31,710		31,710				31,710
8	COMMAND AND CONTROL SWITCHBOARD		2,852		2,852		2,852				2,852
9	POLLUTION CONTROL EQUIPMENT		32,889		32,889		32,889				32,889
10	SUBMARINE SUPPORT EQUIPMENT		19,912		24,412		24,412		1,000		20,912
	High performance metal fiber brushes				[4,500]		[4,500]		[1,000]		
11	VIRGINIA CLASS SUPPORT EQUIPMENT		175,572		175,572		175,572		-23,300		152,272
	Funding ahead of need								[-23,300]		
12	SUBMARINE BATTERIES		26,575		26,575		26,575				26,575
13	STRATEGIC PLATFORM SUPPORT EQUIP		70,429		70,429		70,429				70,429
14	DSSP EQUIPMENT		12,718		12,718		12,718				12,718
15	CG MODERNIZATION		135,253		135,253		135,253				135,253
16	LCAC		19,953		19,953		19,953				19,953

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
17	MINESWEEPING EQUIPMENT		12,372		12,372		12,372				12,372
18	ITEMS LESS THAN $5 MILLION		134,019		147,819		147,719		17,200		151,219
	Advanced control monitoring system for shipboard systems						[4,000]		[4,000]		
	Canned lubrication pumps for LSD-41/49 class						[4,000]		[3,500]		
	Aircraft carrier elevator modifications				[5,700]		[5,700]		[5,700]		
	CVN propeller replacement				[5,600]				[4,000]		
	Ultrasonic maintenance tools				[2,500]						
19	CHEMICAL WARFARE DETECTORS		897		897		897				897
20	SUBMARINE LIFE SUPPORT SYSTEM		13,672		13,672		13,672				13,672
	Reactor Plant Equipment										
21	REACTOR POWER UNITS		373,865		373,865		373,865				373,865
22	REACTOR COMPONENTS		222,596		222,596		222,596				222,596
	Ocean Engineering										
23	DIVING AND SALVAGE EQUIPMENT		8,592		8,592		8,592				8,592
	Small Boats										
24	STANDARD BOATS		15,671	24	21,671		15,671		3,000		18,671
	Special Operations swimmer/diver training craft			[24]	[6,000]				[3,000]		
	Training Equipment										
25	OTHER SHIPS TRAINING EQUIPMENT		3,126		3,126		3,126				3,126
	Production Facilities and Equipment										
26	OPERATING FORCES IPE		25,657		25,657		25,657				25,657
	Other Ship Support										
27	NUCLEAR ALTERATIONS		135,252		135,252		135,252				135,252
28	LCS MODULES		36,811		36,811		45,411		7,600		44,411
	Spare MT-30 marine gas turbine engine for LCS						[8,600]		[7,600]		
	Drug Interdiction Support										
29	DRUG INTERDICTION SUPPORT										

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Communications and Electronics Equipment										
	Ship Radars										
30	RADAR SUPPORT										
31	TISS										
	Ship Sonars										
32	SPQ-9B RADAR		5,913		9,913		5,913		3,000		8,913
	AN/SPQ-9B radar transmitter upgrade				[4,000]				[3,000]		
33	AN/SQQ-89 SURF ASW COMBAT SYSTEM		25,520		25,520		25,520				25,520
34	SSN ACOUSTICS		226,914		230,914		231,914		2,000		228,914
	Submarine A-RCI installation						[5,000]		[2,000]		
	Rapid COTS insertion				[4,000]						
35	UNDERSEA WARFARE SUPPORT EQUIPMENT		13,962		13,962		18,962		2,000		15,962
	Surface sonar dome window						[5,000]		[2,000]		
36	SONAR SWITCHES AND TRANSDUCERS		12,263		12,263		12,263				12,263
	ASW Electronic Equipment										
37	SUBMARINE ACOUSTIC WARFARE SYSTEM		27,332		27,332		27,332				27,332
38	SSTD		22,898		22,898		22,898				22,898
39	FIXED SURVEILLANCE SYSTEM		65,334		69,034		65,334				65,334
	Increase program funding				[3,700]						
40	SURTASS		3,848	2	18,748		3,848				3,848
	Twin-line towed arrays			[2]	[14,900]						
41	TACTICAL SUPPORT CENTER		5,270		10,870		5,270				5,270
	P-3 TCDL				[5,600]						
	Electronic Warfare Equipment										
42	AN/SLQ-32		25,053		25,053		30,053				25,053
	Accelerate procurement of SLQ-32						[5,000]				
43	INFORMATION WARFARE SYSTEMS		3,787		3,787		3,787				3,787

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Reconnaissance Equipment										
44	SHIPBOARD IW EXPLOIT		62,721		62,721		62,721				62,721
	Submarine Surveillance Equipment										
45	SUBMARINE SUPPORT EQUIPMENT PROG		92,806		92,806		92,806				92,806
	Other Ship Electronic Equipment										
46	NAVY TACTICAL DATA SYSTEM										
47	COOPERATIVE ENGAGEMENT CAPABILITY		16,474		16,474		16,474				16,474
48	GCCS-M EQUIPMENT		91,511		91,511		91,511				91,511
49	NAVAL TACTICAL COMMAND SUPPORT SYSTE		59,226		59,226		59,226				59,226
50	ATDLS		14,102		14,102		14,102				14,102
51	MINESWEEPING SYSTEM REPLACEMENT		84,045		84,045		84,045				84,045
52	SHALLOW WATER MCM		2,277		2,277		2,277				2,277
53	NAVSTAR GPS RECEIVERS (SPACE)		14,715		14,715		14,715				14,715
54	ARMED FORCES RADIO AND TV		4,366		4,366		4,366				4,366
55	STRATEGIC PLATFORM SUPPORT EQUIP		3,285		3,285		3,285				3,285
	Training Equipment										
56	OTHER TRAINING EQUIPMENT		62,027		62,027		62,027		-20,027		42,000
	Fund at FY05 level due to budget constraints								[-20,027]		
	Aviation Electronic Equipment										
57	MATCALS		19,584		19,584		19,584				19,584
58	SHIPBOARD AIR TRAFFIC CONTROL		7,307		7,307		7,307				7,307
59	AUTOMATIC CARRIER LANDING SYSTEM		17,388		17,388		17,388				17,388
60	NATIONAL AIR SPACE SYSTEM		18,446		18,446		18,446				18,446
61	AIR STATION SUPPORT EQUIPMENT		3,870		3,870		3,870				3,870
62	MICROWAVE LANDING SYSTEM		7,733		7,733		7,733				7,733
63	FACSFAC		3,609		3,609		3,609				3,609
64	ID SYSTEMS		24,915		24,915		24,915				24,915
65	TAC A/C MISSION PLANNING SYS(TAMPS)		7,857		7,857		7,857				7,857

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Other Shore Electronic Equipment										
66	DEPLOYABLE JOINT COMMAND AND CONT		27,901		27,901		27,901				27,901
67	DIMHRS										
68	COMMON IMAGERY GROUND SURFACE SYSTE		20,422		20,422		20,422				20,422
69	RADIAC		9,783		9,783		9,783				9,783
70	GPETE		6,944		6,944		6,944				6,944
71	INTEG COMBAT SYSTEM TEST FACILITY		4,381		4,381		4,381				4,381
72	EMI CONTROL INSTRUMENTATION		5,995		5,995		5,995				5,995
73	ITEMS LESS THAN $5 MILLION		19,721		19,721		19,721				19,721
	Shipboard Communications										
74	SHIPBOARD TACTICAL COMMUNICATIONS		2,597		2,597		2,597				2,597
75	PORTABLE RADIOS		10,058		10,058		10,058				10,058
76	SHIP COMMUNICATIONS AUTOMATION		253,960		253,960		253,960		-15,000		238,960
	Reduction in growth due to budget constraints								[-15,000]		
77	COMMUNICATIONS ITEMS UNDER $5M		15,248		15,248		15,248				15,248
	Submarine Communications										
78	SUBMARINE BROADCAST SUPPORT		2,162		4,662		2,162				2,162
	Fixed submarine broadcast system LF awase upgrade				[2,500]						
79	SUBMARINE COMMUNICATION EQUIPMENT		127,409		127,409		127,409				127,409
	Satellite Communications										
80	SATELLITE COMMUNICATIONS SYSTEMS		71,754		71,754		71,754				71,754
	Shore Communications										
81	JCS COMMUNICATIONS EQUIPMENT		2,950		2,950		2,950				2,950
82	ELECTRICAL POWER SYSTEMS		1,274		1,274		1,274				1,274
83	NSIPS										
84	JEDMICS										
85	NAVAL SHORE COMMUNICATIONS		59,208		59,208		59,208				59,208

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Cryptographic Equipment										
86	INFO SYSTEMS SECURITY PROGRAM (ISSP)		96,201		96,201		96,201				96,201
	Cryptologic Equipment										
87	CRYPTOLOGIC COMMUNICATIONS EQUIP		22,281		22,281		22,281				22,281
	Other Electronic Support										
88	COAST GUARD EQUIPMENT		31,377		31,377		31,377				31,377
	Drug Interdiction Support										
89	OTHER DRUG INTERDICTION SUPPORT										
	Aviation Support Equipment										
	Sonobuoys										
90	SONOBUOYS - ALL TYPES		58,422		58,422		58,422				58,422
	Aircraft Support Equipment										
91	WEAPONS RANGE SUPPORT EQUIPMENT		46,622		56,622		58,622		3,000		49,622
	Multi-spectral threat emitter system (MTES)						[6,000]		[3,000]		
	Joint threat emitter				[10,000]		[6,000]				
92	EXPEDITIONARY AIRFIELDS		7,860		7,860		7,860				7,860
93	AIRCRAFT REARMING EQUIPMENT		11,984		11,984		11,984				11,984
94	AIRCRAFT LAUNCH & RECOVERY EQUIPMENT		27,042		27,042		27,042				27,042
95	METEOROLOGICAL EQUIPMENT		25,129		25,129		25,129				25,129
96	OTHER PHOTOGRAPHIC EQUIPMENT		1,434		1,434		1,434				1,434
97	AVIATION LIFE SUPPORT		26,946		26,946		26,946				26,946
98	AIRBORNE MINE COUNTERMEASURES		38,036		38,036		38,036				38,036
99	LAMPS MK III SHIPBOARD EQUIPMENT		18,152		18,152		18,152				18,152
100	OTHER AVIATION SUPPORT EQUIPMENT		6,458		6,458		6,458				6,458
	Ordnance Support Equipment										
	Ship Gun System Equipment										
101	NAVAL FIRES CONTROL SYSTEM		6,057		6,057		11,057				6,057
	Maritime domain awareness						[5,000]				

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
102	GUN FIRE CONTROL EQUIPMENT		11,077		11,077		11,077				11,077
	Ship Missile System Equipment										
103	NATO SEASPARROW		38,442		38,442		38,442				38,442
104	RAM GMLS		17,488		29,488		35,488		12,000		29,488
	Phalanx SeaRAM for testing on Navy ships				[12,000]		[18,000]		[12,000]		
105	SHIP SELF DEFENSE SYSTEM		33,428		33,428		33,428				33,428
106	AEGIS SUPPORT EQUIPMENT		98,881		101,781		98,881		2,900		101,781
	Fiber switch system				[2,900]				[2,900]		
107	SURFACE TOMAHAWK SUPPORT EQUIPMENT										
108	TOMAHAWK SUPPORT EQUIPMENT		75,075		75,075		75,075				75,075
109	SUBMARINE TOMAHAWK SUPPORT EQUIP										
110	VERTICAL LAUNCH SYSTEMS		8,645		8,645		8,645				8,645
	FBM Support Equipment										
111	STRATEGIC MISSILE SYSTEMS EQUIP		108,106		108,106		108,106				108,106
	ASW Support Equipment										
112	SSN COMBAT CONTROL SYSTEMS		138,180		138,180		138,180				138,180
113	SUBMARINE ASW SUPPORT EQUIPMENT		4,836		4,836		4,836				4,836
114	SURFACE ASW SUPPORT EQUIPMENT		4,603		4,603		4,603				4,603
115	ASW RANGE SUPPORT EQUIPMENT		7,232		7,232		7,232				7,232
	Other Ordnance Support Equipment										
116	EXPLOSIVE ORDNANCE DISPOSAL EQUIP		28,403		28,403		28,403				28,403
117	ITEMS LESS THAN $5 MILLION		3,978		3,978		3,978				3,978
	Other Expendable Ordnance										
118	ANTI-SHIP MISSILE DECOY SYSTEM		40,436		40,436		49,436		6,000		46,436
	NULKA decoys to minimum sustain rate						[9,000]		[6,000]		
119	SURFACE TRAINING DEVICE MODS		10,618		10,618		10,618				10,618
120	SUBMARINE TRAINING DEVICE MODS		31,760		31,760		35,760		4,000		35,760
	Submarine mobile electronic perf spt systems						[4,000]		[4,000]		

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Civil Engineering Support Equipment										
121	PASSENGER CARRYING VEHICLES		1,796		1,796		1,796				1,796
122	GENERAL PURPOSE TRUCKS		2,049		2,049		2,049				2,049
123	CONSTRUCTION & MAINTENANCE EQUIP		31,033		31,033		31,033				31,033
124	FIRE FIGHTING EQUIPMENT		14,320		14,320		14,320				14,320
125	TACTICAL VEHICLES		44,383		44,383		44,383				44,383
126	AMPHIBIOUS EQUIPMENT		149,702		149,702		149,702				149,702
127	POLLUTION CONTROL EQUIPMENT		11,736		11,736		11,736				11,736
128	ITEMS UNDER $5 MILLION		26,459		26,459		26,459				26,459
129	PHYSICAL SECURITY VEHICLES		1,200		1,200		1,200				1,200
	Supply Support Equipment										
130	MATERIALS HANDLING EQUIPMENT		12,946		23,946		12,946		5,000		17,946
	Six-ton loaders				[11,000]				[5,000]		
131	OTHER SUPPLY SUPPORT EQUIPMENT		15,872		23,872		15,872		2,000		17,872
	Serial number tracking system				[8,000]				[2,000]		
132	FIRST DESTINATION TRANSPORTATION		5,785		5,785		5,785				5,785
133	SPECIAL PURPOSE SUPPLY SYSTEMS		73,383		73,383		73,383				73,383
	Personnel and Command Support Equipment										
	Training Devices										
134	TRAINING SUPPORT EQUIPMENT		15,984		23,984		15,984		3,000		18,984
	Laser marksmanship training system - Naval Reserve				[8,000]				[3,000]		
	Command Support Equipment										
135	COMMAND SUPPORT EQUIPMENT		60,768		69,868		76,368		9,100		69,868
	Man overboard indicator systems				[9,100]		[9,100]		[9,100]		
	Electronic military personnel records system						[6,500]				
136	EDUCATION SUPPORT EQUIPMENT		426		426		426				426
137	MEDICAL SUPPORT EQUIPMENT		8,772		8,772		11,772		1,000		9,772
	Navy medical automated info tech insertion						[3,000]		[1,000]		

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
138	INTELLIGENCE SUPPORT EQUIPMENT	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
139	OPERATING FORCES SUPPORT EQUIPMENT		7,925		12,425		7,925		3,000		10,925
	Envelop protective covers				[4,500]				[3,000]		
140	C4ISR EQUIPMENT		31,773		31,773		31,773				31,773
141	ENVIRONMENTAL SUPPORT EQUIPMENT		17,755		17,755		17,755				17,755
142	PHYSICAL SECURITY EQUIPMENT		238,276		240,276		238,276				238,276
	Transportable anti-intrusion pontoon barrier system				[2,000]						
143	CLASSIFIED PROGRAMS	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
144	SPECIAL PROGRAM	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
	Other										
146	SPARES AND REPAIR PARTS		268,741		268,741		268,741				268,741
	Spares and Repair Parts										
999	CLASSIFIED PROGRAMS		10,899		10,899		10,899				10,899
	Total - Other Procurement, Navy		**5,487,818**		**5,634,318**		**5,596,218**		**30,469**		**5,518,287**

Procurement, Marine Corps overview

The budget request for fiscal year 2006 included an authorization of $1,377.7 million in Procurement, Marine Corps for the Department of Defense.

The House bill would authorize $1,407.6 million.

The Senate amendment would authorize $1,387.7 million.

The conferees recommend an authorization of $1,396.7 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Procurement, Marine Corps										
	Weapons and Combat Vehicles										
	Tracked Combat Vehicles										
1	AAV7A1 PIP		26,134		26,134		26,134				26,134
2	EXPEDITIONARY FIGHTING VEHICLE		30,359		30,359		30,359				30,359
3	LAV PIP		59,699		59,699		59,699				59,699
4	HIMARS										
5	IMPROVED RECOVERY VEHICLE (IRV)										
6	MODIFICATION KITS (ARMOR AND FIRE SUPPO										
7	M1A1 FIREPOWER ENHANCEMENTS		33,454		33,454		33,454				33,454
	Artillery and Other Weapons										
8	EXPEDITIONARY FIRE SUPPORT SYSTEM		5,965		5,965		5,965				5,965
9	155MM LIGHTWEIGHT TOWED HOWITZER	77	178,364	77	178,364	77	178,364			77	178,364
10	MODIFICATION KITS (INFANTRY WEAPONS)						2,000		1,000		1,000
	Mk19 grenade machine gun modification kits						[2,000]		[1,000]		
11	MARINE ENHANCEMENT PROGRAM										
12	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	15	176,795	15	176,795	15	176,795			15	176,795
13	WEAPONS AND COMBAT VEHICLES UNDER $5		7,743		7,743		7,743				7,743
	Weapons										
14	MODULAR WEAPON SYSTEM		23,604		23,604		23,604				23,604
	Other Support										
15	MODIFICATION KITS		10,638		10,638		10,638				10,638
16	WEAPONS ENHANCEMENT PROGRAM		5,357		5,357		5,357				5,357
17	OPERATIONS OTHER THAN WAR										
	Guided Missiles and Equipment										
	Guided Missiles										
18	EXPEDITIONARY AIR DEFENSE SYSTEM (LAAD		1,997		1,997		1,997				1,997
19	JAVELIN										

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
20	PEDESTAL MOUNTED STINGER (PMS) (MYP)										
21	HIMARS ROCKETS										
22	COMPLEMENTARY LOW ALTITUDE WEAPON S`		442		442		442				442
23	PREDATOR (SRAW)										
	Other Support										
24	MODIFICATION KITS										
	Communications and Electronics Equipment										
	Command and Control Systems										
25	UNIT OPERATIONS CENTER		952		952		5,752		4,800		5,752
	USMC Hitchhiker baseline COC						[4,800]		[4,800]		
	Repair and Test Equipment										
26	REPAIR AND TEST EQUIPMENT		25,749		25,749		25,749				25,749
27	AUTO TEST SYSTEMS										
28	GENERAL PURPOSE TOOLS & TEST SYSTEMS										
29	CALIBRATION FACILITIES										
	Other Support (Tel)										
30	COMBAT SUPPORT SYSTEM		23,757		23,757		23,757				23,757
31	MODIFICATION KITS		23,611		23,611		23,611				23,611
	Command and Control System (Non-tel)										
32	GLOBAL COMBAT SUPPORT SYSTEM										
33	ITEMS UNDER $5 MILLION (COMM & ELEC)		2,043		2,043		2,043				2,043
34	AIR OPERATIONS C2 SYSTEMS		13,058		13,058		13,058				13,058
35	MAGTF CSSE & SE										
36	MULTIPLE ROLE RADAR SYSTEM										
37	JOINT TACTICAL RADIO SYSTEMS		14,837		14,837		14,837				14,837
	Repair and Equipment (Non-tel)										
38	RADAR SYSTEMS		12,167		12,167		12,167				12,167
39	RADAR SET AN/TPS-59										

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
40	TRANSITION SWITCH MODULE										
	Intell/Comm Equipment (Non-tel)										
41	TACTICAL REMOTE SENSOR SYSTEM										
42	FIRE SUPPORT SYSTEM		33,460		33,460		33,460				33,460
43	SMALL UNIT REMOTE SCOUTING SYSTEM (SUF										
44	INTELLIGENCE SUPPORT EQUIPMENT		65,973		76,673		65,973		3,000		68,973
	Tactical remote sensor system (TRSS)				[8,900]				[3,000]		
	Topographic production capability components (TPCC)				[1,800]						
45	MOD KITS (INTEL)										
	Repair and Test Equipment (Non-tel)										
46	VISUAL INFORMATION SYSTEMS (VIS)										
	Other Comm/Elec Equipment (Non-tel)										
47	COMPLIMENTARY LOW ALTITUDE WEAPONS S										
48	NIGHT VISION EQUIPMENT		20,795	715	30,795		20,795		6,000		26,795
	Close quarters battle sight			[715]	[10,000]				[6,000]		
	Other Support (Non-tel)										
49	COMMON COMPUTER RESOURCES		48,589		48,589		48,589				48,589
50	COMMAND POST SYSTEMS		17,255		17,255		17,255				17,255
51	RADIO SYSTEMS		28,972		28,972		28,972				28,972
52	COMM SWITCHING & CONTROL SYSTEMS		54,324		54,324		54,324				54,324
53	COMM & ELEC INFRASTRUCTURE SUPPORT		17,805		17,805		20,005		2,200		20,005
	Continuity of operations program						[2,200]		[2,200]		
54	MOD KITS MAGTF C41										
	Support Vehicles										
	Administrative Vehicles										
55	COMMERCIAL PASSENGER VEHICLES		775		775		775				775
56	COMMERCIAL CARGO VEHICLES		11,776		11,776		11,776				11,776

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Tactical Vehicles										
57	5/4T TRUCK HMMWV (MYP)		97,988		97,988		97,988				97,988
58	MOTOR TRANSPORT MODIFICATIONS										
59	MEDIUM TACTICAL VEHICLE REPLACEMENT										
60	LIGHTWEIGHT PRIME MOVER		3,445		3,445		3,445				3,445
61	LOGISTICS VEHICLE SYSTEM REP		28,366		28,366		28,366				28,366
62	FAMILY OF TACTICAL TRAILERS		6,906		6,906		6,906				6,906
	Other Support										
63	ITEMS LESS THAN $5 MILLION		3,748		3,748		3,748				3,748
	Engineer and Other Equipment										
64	ENVIRONMENTAL CONTROL EQUIP ASSORT		3,450		3,450		3,450				3,450
65	ASSAULT BREACHER VEHICLE										
66	BULK LIQUID EQUIPMENT		21,887		21,887		21,887				21,887
67	TACTICAL FUEL SYSTEMS		5,338		5,338		5,338				5,338
68	DEMOLITION SUPPORT SYSTEMS										
69	POWER EQUIPMENT ASSORTED		12,153		12,153		12,153				12,153
70	AMPHIBIOUS SUPPORT EQUIPMENT		16,105		16,105		16,105				16,105
71	EOD SYSTEMS		71,185		71,185		71,185				71,185
	Materials Handling Equipment										
72	AMPHIBIOUS RAID EQUIPMENT										
73	PHYSICAL SECURITY EQUIPMENT		5,064		5,064		5,064				5,064
74	GARRISON MOBILE ENGINEER EQUIPMENT (GI		10,914		10,914		10,914				10,914
75	MATERIAL HANDLING EQUIP		21,132		21,132		21,132				21,132
76	FIRST DESTINATION TRANSPORTATION		3,421		3,421		3,421				3,421
	General Property										
77	FAMILY OF INCIDENT RESPONSE										

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
78	FIELD MEDICAL EQUIPMENT		2,459		7,659		3,459		1,000		3,459
	Combat casualty care equipment upgrade				[5,200]						
	Rapid IV pumps (S. Amdt)						[1,000]		[1,000]		
79	FAMILY OF EOD EQUIPMENT										
80	TRAINING DEVICES		17,722		17,722		17,722				17,722
81	CONTAINER FAMILY		3,721		3,721		3,721				3,721
82	FAMILY OF CONSTRUCTION EQUIPMENT		19,745		23,745		19,745		1,000		20,745
	Mobile helipad system				[4,000]				[1,000]		
83	FAMILY OF INTERNALLY TRANSPORTABLE VE		3,786		3,786		3,786				3,786
84	BRIDGE BOATS										
85	RAPID DEPLOYABLE KITCHEN		5,405		5,405		5,405				5,405
	Other Support										
86	MODIFICATION KITS										
87	ITEMS LESS THAN $5 MILLION		10,412		10,412		10,412				10,412
88	CANCELLED ACCOUNT ADJUSTMENT (M)										
	Spares and Repair Parts										
89	SPARES AND REPAIR PARTS		26,904		26,904		26,904				26,904
	Total - Procurement, Marine Corps		**1,377,705**		**1,407,605**		**1,387,705**		**19,000**		**1,396,705**

Aircraft procurement, Air Force overview

The budget request for fiscal year 2006 included an authorization of $11,973.9 million in Aircraft Procurement, Air Force for the Department of Defense.

The House bill would authorize $12,793.8 million.

The Senate amendment would authorize $13,257.6 million.

The conferees recommend an authorization of $12,862.3 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Aircraft Procurement, Air Force										
	Combat Aircraft										
	Tactical Forces										
1	JOINT STRIKE FIGHTER ADVANCE PROCUREM		152,377				152,377				152,377
	Decrease program funding				[-152,377]						
2	F-22 RAPTOR	24	3,680,902	24	3,680,902	24	3,680,902			24	3,680,902
2	LESS: ADVANCE PROCUREMENT (PY)		-494,280		-494,280		-494,280				-494,280
3	ADVANCE PROCUREMENT (CY)		576,877		576,877		576,877				576,877
4	F-15E		108,316		173,316		173,316		65,000		173,316
	Program increase				[65,000]		[65,000]		[65,000]		
4	LESS: ADVANCE PROCUREMENT (PY)		-108,316		-108,316		-108,316				-108,316
5	ADVANCE PROCUREMENT (CY)										
	Airlift Aircraft										
	Tactical Airlift										
6	C-17A (MYP)	15	3,260,816	15	3,260,816	15	3,260,816			15	3,260,816
6	LESS: ADVANCE PROCUREMENT (PY)		-469,957		-469,957		-469,957				-469,957
7	ADVANCE PROCUREMENT (CY)		445,423		445,423		445,423				445,423
8	C-17 ICS										
	Other Airlift										
9	C-40										
9a	C-37B (S. Amdt)					1	45,000	1	45,000	1	45,000
10	C-130J		235,770	9	880,770	9	880,770	9	645,000	9	880,770
	Realign program					[9]	[645,000]	[9]	[645,000]		
	Additional aircraft			[9]	[645,000]						
10	LESS: ADVANCE PROCUREMENT (PY)		-136,787		-136,787		-136,787				-136,787
11	ADVANCE PROCUREMENT (CY)				90,000		90,000		90,000		90,000
	Realign program						[90,000]		[90,000]		
	Increase program funding				[90,000]						
11a	Aircraft for performance of aeromedical evacuations						200,000				

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Trainer Aircraft										
	UPT Trainers										
12	INTRO TO FLIGHT/AIRMANSHIP PRG										
	Operational Trainers										
13	JPATS	54	333,307	54	333,307	54	333,307			54	333,307
	Other Aircraft										
	Helicopters										
14	V22 OSPREY	2	244,659	2	244,659	2	244,659			2	244,659
14	LESS: ADVANCE PROCUREMENT (PY)		-10,866		-10,866		-10,866				-10,866
15	ADVANCE PROCUREMENT (CY)		10,525		10,525		10,525				10,525
	Mission Support Aircraft										
16	CIVIL AIR PATROL A/C		571		571		571				571
	Other Aircraft										
17	TARGET DRONES		82,907		82,907		82,907				82,907
18	GLOBAL HAWK	5	398,423	4	368,523	5	398,423			5	398,423
	Program reduction			[-1]	[-29,900]						
18	LESS: ADVANCE PROCUREMENT (PY)		-70,764		-70,764		-70,764				-70,764
19	ADVANCE PROCUREMENT (CY)		69,993		69,993		69,993				69,993
20	PREDATOR UAV	9	125,566	15	210,566	9	125,566			9	125,566
	Additional vehicles			[6]	[85,000]						
	Modification of In-service Aircraft										
	Strategic Aircraft										
21	B-2A		59,134		59,134		59,134				59,134
22	B-1B		27,875		27,875		45,875		14,000		41,875
	B-1B digital communications improvements						[18,000]		[14,000]		
23	B-52		145,025		145,025		145,025				145,025
24	F-117		17,221		17,221		17,221				17,221

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Tactical Aircraft										
25	A-10		52,159		52,159		52,159				52,159
26	F-15		151,518		151,518		151,518				151,518
27	F-16		380,960		380,960		380,960				380,960
28	F-22 RAPTOR		53,992		53,992		53,992				53,992
29	T/AT-37										
	Airlift Aircraft										
30	C-5		71,137		71,137		91,137		15,000		86,137
	C-5 avionics modernization program						[20,000]		[15,000]		
31	ADVANCE PROCUREMENT (CY)		20,000		20,000		20,000				20,000
32	C-9										
33	C-17A		260,826		260,826		260,826				260,826
34	C-21		3,924		3,924		3,924				3,924
35	C-32A		194		194		194				194
36	C-37A		382		382		382				382
37	C-141										
	Trainer Aircraft										
38	GLIDER MODS		3,174		3,174		3,174				3,174
39	T-6		6,143		6,143		6,143				6,143
40	T-1		181		181		181				181
41	T-38		202,694		202,694		202,694				202,694
42	T-41 AIRCRAFT										
43	T-43		2,014		2,014		2,014				2,014
	Other Aircraft										
44	KC-10A (ATCA)		21,937		21,937		21,937				21,937
45	C-12		6,295		6,295		6,295				6,295
46	C-20 MODS		488		488		488				488
47	VC-25A MOD		978		978		978				978

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
48	C-40		194		194		194				194
49	C-130		185,651		249,551		235,351		15,000		200,651
	C-130E/H avionics modernization programs						[12,000]				
	C-130E/H center wing box replacement						[37,700]				
	APN-241 - C-130 fleet AFR				[19,700]				[15,000]		
	LAIRCM - HC/C-130 fleet - AFR				[32,000]						
	Senior Scout shelter - C-130 - ANG				[7,000]						
	Senior Scout satellite antenna - C-130 - ANG				[5,200]						
50	C-130J MODS		5,988		5,988		5,988				5,988
51	C-135		88,748		88,748		98,748		2,000		90,748
	KC-135 global air traffic management (GATM) acceleration						[10,000]		[2,000]		
52	COMPASS CALL MODS		27,421		27,421		27,421				27,421
53	C-29A MODS		3,816		3,816		3,816				3,816
54	DARP		85,470		85,470		85,470				85,470
55	E-3		49,292		51,992		49,292		1,000		50,292
	Rotary coupler improvement program				[2,700]				[1,000]		
56	E-4		85,342		85,342		85,342				85,342
57	E-8		15,506		15,506		59,906				15,506
	E-8C Joint STARS re-engining						[44,400]				
58	H-1		32,418		32,418		32,418				32,418
59	H-60		50,497		53,497		50,497		2,700		53,197
	AN/ARS-6 V12 - ANG				[3,000]						
	AN/ARS-6 V12								[2,700]		
60	OTHER AIRCRAFT		70,953		70,953		70,953		-24,000		46,953
	JTRS delays								[-24,000]		
61	PREDATOR MODS		30,286		30,286		30,286				30,286
62	CV-22 MODS		102		102		102				102

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Other Modifications										
63	CLASSIFIED PROJECTS										
	Aircraft Spares and Repair Parts										
64	AIRCRAFT INITIAL SPARES + REPAIR PARTS		204,038		204,038		204,038				204,038
	Aircraft Support Equipment and Facilities										
	Common Support Equip										
65	COMMON SUPPORT EQUIPMENT		124,420		124,420		124,420				124,420
	Post Production Support										
66	B-1		13,466		13,466		13,466				13,466
67	B-2A		7,304		7,304		7,304				7,304
68	B-2A		22,111		22,111		22,111				22,111
69	B-52		21,162		21,162		21,162				21,162
70	C-130		20,502		20,502		20,502				20,502
71	F-15 POST PRODUCTION SUPPORT		13,170		13,170		13,170				13,170
72	F-16 POST PRODUCTION SUPPORT		17,833		17,833		17,833				17,833
	Industrial Preparedness										
73	INDUSTRIAL PREPAREDNESS		22,360		22,360		22,360				22,360
	War Consumables										
74	WAR CONSUMABLES		24,058		29,358		24,058				24,058
	F-16 BRU-57				[5,300]						
	Other Production Charges										
75	OTHER PRODUCTION CHARGES		644,155	24	679,555		740,755	12	17,700	12	661,855
	Litening AT targeting pod for A/OA-10, F-16, and B-52						[96,600]				
	A-10 litening advanced targeting pod			[24]	[35,400]			[12]	[17,700]		
76	DEPOT MODERNIZATION		115,525		115,525		115,525				115,525
	Classified Pgms										
77	CLASSIFIED PROGRAMS										

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Other Production Charges SOF										
78	OTHER PRODUCTION CHARGES - SOF										
	DARP										
79	DARP		68,432		75,232		68,432				68,432
	U-2 Dragonlady				[6,800]						
	Total - Aircraft Procurement, Air Force		**11,973,933**		**12,793,756**		**13,257,633**	**22**	**888,400**		**12,862,333**

Procurement of ammunition, Air Force overview

The budget request for fiscal year 2006 included an authorization of $1,031.2 million for Procurement of Ammunition, Air Force in the Department of Defense.

The House bill would authorize $1,031.2 million.

The Senate amendment would authorize $1,031.2 million.

The conferees recommend an authorization of $1,021.2 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Procurement of Ammunition, Air Force										
	Procurement of Ammo, Air Force										
	Rockets										
1	SMALL ARMS										
	Rockets										
2	ROCKETS		36,302		36,302		36,302				36,302
	Cartridges										
3	CARTRIDGES		160,530		160,530		160,530		-10,000		150,530
	30MM TP PGU-15/B, B116 unit cost savings								[-10,000]		
	Bombs										
4	PRACTICE BOMBS		14,278		14,278		14,278				14,278
5	GENERAL PURPOSE BOMBS		240,231		240,231		240,231				240,231
6	SENSOR FUZED WEAPON	302	120,379	302	120,379	302	120,379			302	120,379
7	JOINT DIRECT ATTACK MUNITION	8,000	223,285	8,000	223,285	8,000	223,285			8,000	223,285
8	WIND CORRECTED MUNITIONS DISPE										
	Flare, IR MJU-7B										
9	CAD/PAD		21,212		21,212		21,212				21,212
10	EXPLOSIVE ORDINANCE DISPOSAL (		2,958		2,958		2,958				2,958
11	SPARES AND REPAIR PARTS		4,354		4,354		4,354				4,354
12	INITIAL SPARES										
13	SPARES										
14	MODIFICATIONS		892		892		892				892
15	ITEMS LESS THAN $5,000,000		3,948		3,948		3,948				3,948
	Fuzes										
16	FLARES		143,620		143,620		143,620				143,620
17	FUZES		53,176		53,176		53,176				53,176

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Weapons										
	Small Arms										
18	SMALL ARMS		6,042		6,042		6,042				6,042
	Total - Procurement of Ammunition, Air Force		**1,031,207**		**1,031,207**		**1,031,207**		**-10,000**		**1,021,207**

Missile procurement, Air Force overview

The budget request for fiscal year 2006 included an authorization of $5,490.3 million in Missile Procurement, Air Force for the Department of Defense.

The House bill would authorize $5,490.3 million.

The Senate amendment would authorize $5,500.3 million.

The conferees recommend an authorization of $5,394.6 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Missile Procurement, Air Force										
	Ballistic Missiles										
	Missile Replacement Equipment-Ballistic										
1	ADVANCED CRUISE MISSILE		2,027		2,027		2,027				2,027
2	MISSILE REPLACEMENT EQ-BALLIST		41,635		41,635		41,635				41,635
	Other Missiles										
	Tactical										
3	JASSM	300	150,238	300	150,238	300	150,238		-50,230		100,008
	Sustain minimum production capability								[-50,230]		
4	JOINT STANDOFF WEAPON		971		971		971				971
5	SIDEWINDER (AIM-9X)	196	44,963	196	44,963	196	44,963			196	44,963
6	AMRAAM	166	120,668	166	120,668	166	120,668			166	120,668
7	PREDATOR HELLFIRE MISSILE	378	38,135	378	38,135	378	38,135			378	38,135
8	SMALL DIAMETER BOMB	512	59,052	512	59,052	512	59,052			512	59,052
	Industrial Facilities										
9	INDUSTRIAL FACILITIES		1,225		1,225		1,225				1,225
10	POLLUTION PREVENTION ACTIVITY		895		895		895				895
	Modification of In-service Missiles										
	Class IV										
11	ADVANCED CRUISE MISSILE		3,251		3,251		3,251				3,251
12	MM III MODIFICATIONS		672,633		672,633		682,633		8,500		681,133
	Minuteman III propulsion replacement program						[10,000]		[8,500]		
13	AGM-65D MAVERICK		233		233		233				233
14	AGM-88C HARM		38		38		38				38
15	AIR LAUNCH CRUISE MISSILE		24,764		24,764		24,764				24,764
	Spares and Repair Parts										
	Missiles and Repair Parts										
16	MISSILE SPARES + REPAIR PARTS		85,094		85,094		85,094				85,094

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Other Support										
	Space Programs										
17	ADVANCED EHF	1	607,271	1	607,271	1	607,271			1	607,271
17	LESS: ADVANCE PROCUREMENT (PY)		-78,293		-78,293		-78,293				-78,293
18	ADVANCE PROCUREMENT (CY)										
19	WIDEBAND GAPFILLER SATELLITES(		22,300		22,300		22,300				22,300
20	ADVANCE PROCUREMENT (CY)		50,217		50,217		50,217				50,217
21	SPACEBORNE EQUIP (COMSEC)		9,575		9,575		9,575				9,575
22	GLOBAL POSITIONING (SPACE)	3	305,732	3	305,732	3	305,732			3	305,732
22	LESS: ADVANCE PROCUREMENT (PY)		-29,646		-29,646		-29,646				-29,646
23	ADVANCE PROCUREMENT (CY)		42,000		42,000		42,000				42,000
24	DEF METEOROLOGICAL SAT PROG(SP		67,175		67,175		67,175				67,175
25	DEFENSE SUPPORT PROGRAM(SPACE)		42,713		42,713		42,713				42,713
26	DEFENSE SATELLITE COMM SYSTEM(										
27	TITAN SPACE BOOSTERS(SPACE)		66,180		66,180		66,180				66,180
28	EVOLVED EXPENDABLE LAUNCH VEH(	5	838,347	5	838,347	5	838,347		-54,000		784,347
	Launch delay								[-54,000]		
29	MEDIUM LAUNCH VEHICLE(SPACE)		111,166		111,166		111,166				111,166
	Special Programs										
30	DEFENSE SPACE RECONN PROGRAM		320,606		320,606		320,606				320,606
31	SPECIAL PROGRAMS	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
32	SPECIAL ACTIVITIES	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
33	CLASSIFIED PROGRAMS	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
34	SPECIAL UPDATE PROGRAMS		26,250		26,250		26,250				26,250
999	CLASSIFIED PROGRAMS		1,842,872		1,842,872		1,842,872				1,842,872
	Total - Missile Procurement, Air Force		**5,490,287**		**5,490,287**		**5,500,287**		**-95,730**		**5,394,557**

Other procurement, Air Force overview

The budget request for fiscal year 2006 included an authorization of $14,002.7 million in Other Procurement, Air Force for the Department of Defense.

The House bill would authorize $14,068.8 million.

The Senate amendment would authorize $14,027.9 million.

The conferees recommend an authorization of $14,024.7 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Other Procurement, Air Force										
	Vehicular Equipment										
	Passenger Carrying Vehicles										
1	ARMORED VEHICLE		503		503		503				503
2	PASSENGER CARRYING VEHICLES		14,399		14,399		14,399				14,399
	Cargo and Utility Vehicles										
3	TRUCK, STAKE/PLATFORM										
4	TRUCK, CARGO-UTILITY, 3/4T, 4X										
5	TRUCK, CARGO-UTILITY, 3/4T, 4X										
6	TRUCK, MAINT/UTILITY/DELIVERY										
7	TRUCK, CARRYALL										
8	MEDIUM TACTICAL VEHICLE		13,058		13,058		13,058				13,058
9	HIGH MOBILITY VEHICLE (MYP)		3,257		3,257		3,257				3,257
10	TRUCK, TRACTOR, OVER 5T										
11	CAP VEHICLES		821		821		821				821
12	ITEMS LESS THAN $5.0 MILLION (CARGO + UTIL										
	Special Purpose Vehicles										
13	TRUCK TANK 1200 GAL										
14	TRUCK, TANK FUEL R-11										
15	HMMWV, ARMORED		2,190		2,190		2,190				2,190
16	TRUCK, REFUSE										
17	HMWWV,UP-ARMORED		11,058		11,058		11,058				11,058
18	TRACTOR A/C TOW MB-4										
19	TRACTOR, TOW, FLIGHTLINE										
20	TRUCK HYDRANT FUEL										
21	ITEMS LESS THAN $5.0M (SPECIAL PURPOSE)										
	Fire Fighting Equipment										
22	FIRE FIGHTING/CRASH RESCUE VEH		21,414		21,414		21,414				21,414

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
23	ITEMS LESS THAN $5.0M (FIRE FIGHTING EQUI										
	Materials Handling Equipment										
24	TRUCK F/L 6000 LB										
25	TRUCK, F/L 10,000 LB										
26	HALVERSEN LOADER		16,311		16,311		24,511		7,000		23,311
	Halverson loader						[8,200]		[7,000]		
27	ITEMS LESS THAN $5.0M										
	Base Maintenance Support										
28	LOADER, SCOOP										
29	LOADER- SCOOP- W/BACKHOE										
30	TRUCK, DUMP 5CY										
31	RUNWAY SNOW REMOVAL & CLEANING		22,026		22,026		22,026				22,026
32	CRANE 7-50 TON										
33	MODIFICATIONS										
34	ITEMS LESS THAN $5.0M (VEH)		10,546		10,546		10,546				10,546
	Cancelled Account Adjustment										
35	CANCELLED ACCOUNT ADJUSTMENTS										
	Electronics and Telecommunications										
	Comm Security Equipment (COMSEC)										
36	COMSEC EQUIPMENT		58,176		58,176		58,176				58,176
37	MODIFICATIONS (COMSEC)		2,399		2,399		2,399				2,399
	Intelligence Programs										
38	INTELLIGENCE TRAINING EQUIP		4,744		4,744		4,744				4,744
39	INTELLIGENCE COMM EQUIPMENT		1,523		1,523		14,023				1,523
	Jumbo digital transit cased system (J-DTS)						[12,500]				
	Electronics Programs										
40	TRAFFIC CONTROL/LANDING		16,795		51,395		16,795				16,795
	Mobile approach control system - ANG				[34,600]						

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
41	NATIONAL AIRSPACE SYSTEM		51,919		59,419		51,919		5,000		56,919
	DASR/DAAS				[7,500]				[5,000]		
42	THEATER AIR CONTROL SYS IMPROV		76,752		76,752		76,752				76,752
43	WEATHER OBSERVATION FORECAST		35,723		35,723		35,723				35,723
44	STRATEGIC COMMAND AND CONTROL		44,690		44,690		44,690				44,690
45	CHEYENNE MOUNTAIN COMPLEX		23,009		23,009		23,009				23,009
46	TAC SIGINT SPT										
47	DRUG INTERDICTION SPT		416		416		416				416
	Special Comm-Electronics Projects										
48	GENERAL INFORMATION TECHNOLOGY		110,997		121,497		110,997		5,000		115,997
	Science and engineering lab data integration				[5,000]				[5,000]		
	Automatic asset following system				[3,200]						
	Cluster computer initiative				[2,300]						
49	AF GLOBAL COMMAND & CONTROL SYS		11,891		11,891		11,891				11,891
50	MOBILITY COMMAND AND CONTROL		9,488		9,488		9,488				9,488
51	AIR FORCE PHYSICAL SECURITY SYS		35,910		38,910		35,910		1,000		36,910
	Force protection surveillance system				[3,000]				[1,000]		
52	COMBAT TRAINING RANGES		36,096		38,596		40,596		1,000		37,096
	Joint threat emitters				[2,500]		[4,500]		[1,000]		
53	MINIMUM ESSENTIAL EMERGENCY COM		20,545		20,545		20,545				20,545
54	C3 COUNTERMEASURES		4,517		4,517		4,517				4,517
55	GCSS-AF FOS		12,738		12,738		12,738				12,738
56	THEATER BATTLE MGT C2 SYSTEM		41,709		41,709		41,709				41,709
57	AIR OPERATIONS CENTER (AOC)		21,816		21,816		21,816				21,816
	Air Force Communications										
58	BASE INFO INFRASTRUCTURE		374,926		374,926		374,926				374,926
59	USCENTCOM		31,059		31,059		31,059				31,059
60	AUTOMATED TELECOMMUNICATIONS										

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	DISA Programs										
61	SPACE BASED IR SENSOR PGM SPACE		3,689		3,689		3,689				3,689
62	NAVSTAR GPS SPACE		9,096		9,096		9,096				9,096
63	NUDET DETECTION SYS SPACE		9,396		9,396		9,396				9,396
64	AF SATELLITE CONTROL NETWORK		51,778		51,778		51,778				51,778
65	SPACELIFT RANGE SYSTEM SPACE		114,189		114,189		114,189				114,189
66	MILSATCOM SPACE		28,720		28,720		28,720				28,720
67	SPACE MODS SPACE		25,063		25,063		25,063				25,063
	Organization and Base										
68	TACTICAL C-E EQUIPMENT		131,120		131,120		131,120				131,120
69	COMBAT SURVIVOR EVADER LOCATER		24,726				24,726				24,726
	Program adjustment			[-2,046]	[-24,726]						
69a	Combat Survivor Radios				24,726						
70	RADIO EQUIPMENT		7,458		7,458		7,458				7,458
71	TV EQUIPMENT (AFRTV)		5,871		5,871		5,871				5,871
72	CCTV/AUDIOVISUAL EQUIPMENT		3,193		3,193		3,193				3,193
73	BASE COMM INFRASTRUCTURE		107,007		107,007		107,007				107,007
74	ITEMS LESS THAN $5.0M		3,662		3,662		3,662				3,662
	Modifications										
75	COMM ELECT MODS		24,714		24,714		24,714				24,714
	Other Base Maintenance and Support Equip										
	Test Equipment										
76	BASE/ALC CALIBRATION PACKAGE										
77	PRIMARY STANDARDS LABORATORY										
78	ITEMS LESS THAN $5.0M (TEST EQUIPMENT)										
	Personal Safety and Rescue Equipment										
79	NIGHT VISION GOGGLES		11,965		11,965		11,965				11,965
80	ITEMS LESS THAN $5.0M (SAFETY + RESCUE)										

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Depot Plant and Material Handling Equip										
81	MECHANIZED MATERIAL HANDLING EQUIPME		14,617		22,617		14,617		3,000		17,617
	Point of Maintenance Initiative				[8,000]				[3,000]		
82	ITEMS LESS THAN $5.0M (DEPOT PLANT)										
	Electrical Equipment										
83	FLOODLIGHTS SET TYPE NF2D										
84	ITEMS LESS THAN $5.0M (ELECTRICAL EQUIP)										
	Base Support Equipment										
85	BASE PROCURED EQUIPMENT		23,188		23,188		23,188				23,188
86	MEDICAL/DENTAL EQUIPMENT		14,695		14,695		14,695				14,695
87	ENVIRONMENTAL PROJECTS										
88	AIR BASE OPERABILITY		5,463		5,463		5,463				5,463
89	PHOTOGRAPHIC EQUIPMENT										
90	PRODUCTIVITY CAPITAL INVESTMENT		5,324		5,324		5,324				5,324
91	MOBILITY EQUIPMENT		23,370		23,370		23,370				23,370
92	AIR CONDITIONERS										
93	ITEMS LESS THAN $5.0M		28,693		28,693		28,693				28,693
94	PRODUCTION ACTIVITIES	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
	Special Support Projects										
95	TECH SURV COUNTERMEASURES EQMT										
96	DARP RC135		21,507		21,507		21,507				21,507
97	DARP, MRIGS		147,952		147,952		147,952				147,952
98	SELECTED ACTIVITIES	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
99	SPECIAL UPDATE PROGRAM		270,788		270,788		270,788				270,788
100	DEFENSE SPACE RECONNAISSANCE PROGRAM		14,631		14,631		14,631				14,631
101	MODIFICATIONS										
102	FIRST DESTINATION TRANSPORTATION										

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Spares and Repair Parts										
103	SPARES AND REPAIR PARTS		30,340		30,340		30,340				30,340
104	REPLENISHMENT SPARES										
999	CLASSIFIED PROGRAMS		11,697,053		11,697,053		11,697,053				11,697,053
	Total - Other Procurement, Air Force		**14,002,689**		**14,068,789**		**14,027,889**		**22,000**		**14,024,689**

Procurement, Defense-wide overview

The budget request for fiscal year 2006 included an authorization of $2,677.8 million in Procurement, Defense-wide for the Department of Defense.

The House bill would authorize $2,715.4 million.

The Senate amendment would authorize $2,784.8 million.

The conferees recommend an authorization of $2,647.0 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Procurement, Defense-Wide										
	Major Equipment										
	Major Equipment, OSD/WHS										
1	MAJOR EQUIPMENT, OSD		98,045		87,659		98,045				98,045
	MANPADS defense program				[-10,386]						
	Major Equipment, NSA										
2	CONSOLIDATED CRYPTOLOGIC PROGRAM	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
3	INFORMATION SYSTEMS SECURITY PROGRAM		7,790		7,790		7,790				7,790
4	DEFENSE AIRBORNE RECONNAISSANCE PGM	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
5	DEFENSE COUNTERDRUG PROGRAM	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
	Major Equipment, WHS										
6	WHS MOTOR VEHICLES										
7	MAJOR EQUIPMENT, WHS		26,307		26,307		26,307				26,307
	Major Equipment, DISA										
8	DRUG INTERDICTION										
9	INFORMATION SYSTEMS SECURITY		27,072		27,072		27,072				27,072
10	DEFENSE MESSAGE SYSTEM		8,912		8,912		8,912				8,912
11	GLOBAL COMMAND AND CONTROL SYSTEM		5,498		5,498		5,498				5,498
12	GLOBAL COMBAT SUPPORT SYSTEM		2,686		2,686		2,686				2,686
13	TELEPORT PROGRAM		98,320		98,320		98,320				98,320
14	GLOBAL INFORMATION GRID										
15	ITEMS LESS THAN $5 MILLION		33,491		33,491		33,491				33,491
16	DEFENSE INFORMATION SYSTEMS NETWORK		25,568		25,568		25,568				25,568
	Major Equipment, DIA										
17	INTELLIGENCE AND COMMUNICATIONS	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
18	DEFENSE HUMINT INTELLIGENCE PROGRAM	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
	Major Equipment, DLA										
19	MAJOR EQUIPMENT		8,328		8,328		8,328				8,328

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	Major Equipment, DCAA										
20	ITEMS LESS THAN $5 MILLION		1,497		1,497		1,497				1,497
	Major Equipment, TJS										
21	MAJOR EQUIPMENT, TJS		42,473		42,473		42,473				42,473
	Major Equipment, DHRA										
22	PERSONNEL ADMINISTRATION		7,496		7,496		7,496				7,496
	National Geospatial Intelligence Agency										
23	MAJOR EQUIPMENT, NGA	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
	Defense Threat Reduction Agency										
24	VEHICLES		200		200		200				200
25	OTHER MAJOR EQUIPMENT		16,319		16,319		16,319				16,319
	Defense Security Cooperation Agency										
26	OTHER MAJOR EQUIPMENT		780		780		780				780
	Major Equipment, AFIS										
27	MAJOR EQUIPMENT, AFIS		6,521		6,521		6,521				6,521
	Major Equipment, DODDE										
28	AUTOMATION/EDUCATIONAL SUPPORT & LOG		1,500		1,500		1,500				1,500
	Major Equipment, DCMA										
29	MAJOR EQUIPMENT		12,068		12,068		12,068				12,068
	Major Equipment, DTSA										
30	MAJOR EQUIPMENT		407		407		407				407
	Major Equipment, CIFA										
31	TSCM EQUIPMENT	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
	Major Equipment, NDU										
32	NATIONAL DEFENSE UNIVERSITY										
	Special Operations Command										
	Aviation Programs										

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
33	ROTARY WING UPGRADES AND SUSTAINMENT		129,748		129,748		137,448		7,000		136,748
	MH-47 IR suppressors						[7,700]		[7,000]		
34	SOF TRAINING SYSTEMS		13,897		13,897		13,897				13,897
35	MC-130H AIR REFUELING SYSTEM		18,268		18,268		18,268				18,268
36	MH-47 SERVICE LIFE EXTENSION PROGRAM		83,737		83,737		83,737				83,737
37	MH-60 SOF MODERNIZATION PROGRAM		29,629		29,629		29,629				29,629
38	MC-130H, COMBAT TALON II		66,288		66,288		66,288				66,288
39	CV-22 SOF MOD	2	117,923	2	117,923	2	117,923			2	117,923
40	AC-130U GUNSHIP ACQUISITION										
41	C-130 MODIFICATIONS		67,270		67,270		67,270				67,270
42	AIRCRAFT SUPPORT		1,045		1,045		1,045				1,045
	Shipbuilding										
43	ASDS ADVANCE PROCUREMENT		71,694		71,694		71,694		-71,694		
	Fence, pending milestone C						[71,694]				
	Program adjustment								[-71,694]		
44	ADVANCED SEAL DELIVERY SYSTEM (ASDS)		12,350		12,350		12,350		-2,350		10,000
	Program adjustment								[-2,350]		
45	MK8 MOD1 SEAL DELIVERY VEHICLE		2,151		2,151		2,151				2,151
	Ammunition Programs										
46	SOF ORDNANCE REPLENISHMENT		38,126		38,126		38,126				38,126
47	SOF ORDNANCE ACQUISITION		11,158		11,158		22,158		8,000		19,158
	Time delayed firing devices/sympathetic detonators						[11,000]		[8,000]		
	Other Procurement Programs										
48	COMMUNICATIONS EQUIPMENT AND ELECTRC		69,898		69,898		99,898				69,898
	Multi-band inter/intra team radio						[13,500]				
	Multi-band multi-mission radio						[16,500]				

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
49	SOF INTELLIGENCE SYSTEMS		27,642		45,642		39,642		1,000		28,642
	Joint threat warning system - air			[16]	[10,000]		[12,000]		[1,000]		
	SOF Intelligence Systems - SOTVS				[8,000]						
50	SMALL ARMS AND WEAPONS		119,372		119,372		122,672				119,372
	Rucksack portable UAV						[3,300]				
51	CLASSIFIED PROGRAMS	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
52	MARITIME EQUIPMENT MODIFICATIONS		2,275		2,275		2,275				2,275
53	SPECIAL APPLICATIONS FOR CONTINGENCIES		16,511		16,511		16,511				16,511
54	SOF COMBATANT CRAFT SYSTEMS		17,732		17,732		17,732				17,732
55	SPARES AND REPAIR PARTS		5,114		5,114		5,114				5,114
56	SPECIAL PROGRAM	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
57	TACTICAL VEHICLES		4,541		4,541		4,541				4,541
58	USSOCOM REQUIREMENTS - TITLE IX										
59	CLASSIFIED PROGRAM GDIP	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
60	SOF MARITIME EQUIPMENT		1,088		1,088		1,088				1,088
61	DRUG INTERDICTION										
62	MISCELLANEOUS EQUIPMENT		22,271		22,271		22,271				22,271
63	SPECIAL OPERATIONS MISSION PLANNING EN\										
64	SOF OPERATIONAL ENHANCEMENTS		233,824		243,824		250,624		1,000		234,824
	Miscellaneous programs						[16,800]				
	Special weapons observation recce direct action sys				[10,000]				[1,000]		
65	PSYOP EQUIPMENT		46,649		46,649		46,649				46,649
	Chemical/Biological Defense										
	CBDP										
66	INSTALLATION FORCE PROTECTION		198,045		198,045		208,245		10,200		208,245
	Military mail screening equipment						[10,200]		[10,200]		
67	INDIVIDUAL PROTECTION		97,183		97,183		97,183				97,183
68	DECONTAMINATION		2,950		2,950		2,950				2,950

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
69	JOINT BIOLOGICAL DEFENSE PROGRAM		62,341		62,341		62,341				62,341
70	COLLECTIVE PROTECTION		31,841		31,841		31,841				31,841
71	CONTAMINATION AVOIDANCE		258,299		278,299		274,299		16,000		274,299
	M22 automatic chemical agent detection alarm				[20,000]		[16,000]		[16,000]		
999	CLASSIFIED PROGRAMS		365,694		365,694		365,694				365,694
	Total - Procurement, Defense-Wide		**2,677,832**		**2,715,446**		**2,784,832**		**-30,844**		**2,646,988**

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2006 Request Qty	FY 2006 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Conference Change Qty	Conference Change Cost	Conference Authorized Qty	Conference Authorized Cost
	National Guard & Reserve Equipment										
	Reserve Equipment										
	ARMY RESERVE										
1	MISCELLANEOUS EQUIPMENT										
	NAVY RESERVE										
2	MISCELLANEOUS EQUIPMENT										
	MARINE CORPS RESERVE										
3	MISCELLANEOUS EQUIPMENT										
	AIR FORCE RESERVE										
4	MISCELLANEOUS EQUIPMENT										
	National Guard Equipment										
	ARMY NATIONAL GUARD										
5	MISCELLANEOUS EQUIPMENT										
	AIR NATIONAL GUARD										
6	MISCELLANEOUS EQUIPMENT										
	Total - National Guard & Reserve Equipment										
	Defense Production Act Purchases										
1	DEFENSE PRODUCTION ACT PURCHASES										
	Total - Defense Production Act Purchases										
	TOTAL PROCUREMENT		**76,615,837**		**79,108,856**		**78,162,237**		**298,174**		**76,914,011**

ITEMS OF SPECIAL INTEREST

Joint Combat Pistol program

The conferees are aware the U.S. Special Operations Command (SOCOM) has a requirement for a new .45 caliber pistol, the Joint Combat Pistol (JCP) program. The conferees understand that the SOCOM requirement is under review through the Joint Capabilities Integration and Development System process, and that the Army and the Marine Corps have expressed interest in the JCP program. The conferees note that SOCOM has issued a draft request for proposals (RFP) for the procurement of these new pistols and that this draft RFP contains an addendum for a potentially large quantity procurement. The conferees are not only concerned with the potential procurement of pistols in excess of the SOCOM requirement but also concerned with the proliferation of service programs to acquire a new combat pistol. The conferees expect the Department of Defense to acquire the JCP and any other new pistol in accordance with Department acquisition regulations and full and open competition. The conferees direct the Secretary of Defense to provide a report to the congressional defense committees, no later than April 1, 2006, on the acquisition strategy for pistols. The report would include an analysis of alternatives for the JCP program and details on the Joint Combat Pistol, Close Quarter Battle, Personal Defense Weapon, and any other Department acquisition program relating to military pistols. The report would also include an evaluation of the costs of utilizing the current inventory of serviceable M1911A1 pistols still in storage and the potential option of refurbishing unserviceable M1911A1 pistols.

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Authorization of Appropriations

Authorization of appropriations (secs. 101–104)

The House bill contained provisions (secs. 101–104) that would authorize the recommended fiscal year 2006 funding levels for procurement Army, Navy, Marine Corps, Air Force, and Defense-wide activities.

The Senate amendment contained similar provisions (secs. 101–104).

The conference agreement includes these provisions.

Subtitle B—Army Programs

Multiyear procurement authority for utility helicopters (sec. 111)

The House bill contained a provision (sec. 111) that would authorize the Secretary of the Army to enter into a multiyear procurement contract, beginning with fiscal year 2007, for procurement of up to 461 helicopters in the UH–60M configuration and, acting as the executive agent for the Department of the Navy, in the MH–60S configuration.

The Senate amendment contained a similar provision (sec. 113).

The House recedes with an amendment that would authorize the Secretary to enter into a multiyear contract, beginning with fis-

cal year 2007, for the procurement of UH–60M Black Hawk utility helicopters and, acting as the executive agent for the Department of the Navy, enter into a multiyear contract for the procurement of MH–60S Sea Hawk utility helicopters. The conferees understand that the Department of the Army and the Department of the Navy intend to procure 461 H–60 helicopters.

Multiyear procurement authority for Modernized Target Acquisition Designation Sight/Pilot Night Vision Sensors for AH–64 Apache attack helicopters (sec. 112)

The House bill contained a provision (sec. 112) that would authorize the Secretary of the Army to enter into a multiyear procurement contract, beginning with fiscal year 2006, for procurement of the Apache Modernized Target Acquisition Designation Sight/Pilot Night Vision Sensor (MTADS/PNVS).

The Senate amendment contained a similar provision (sec. 112).

The Senate recedes with an amendment that would authorize the Secretary to enter into a multiyear procurement contract, beginning with fiscal year 2006, for procurement of the Apache MTADS/PNVS, with a 4 year limitation on the length of the contract.

Multiyear procurement authority for conversion of AH–64A Apache attack helicopters to the AH–64D Block II configuration (sec. 113)

The House bill contained a provision (sec. 113) that would authorize the Secretary of the Army to enter into a multiyear procurement contract, beginning with fiscal year 2006, for procurement of the conversion of 96 Apache helicopters to the Block II configuration.

The Senate amendment contained a similar provision (sec. 111).

The Senate recedes with an amendment that would authorize the Secretary to enter into a multiyear procurement contract, beginning with fiscal year 2006, for procurement of the conversion of AH–64A Apaches to the AH–64D Block II configuration, with a 4 year limitation on the length of the contract. The conferees understand that the Department of the Army intends to convert at least 96 AH–64A Apache helicopters to the AH–64D Block II configuration.

Acquisition strategy for tactical wheeled vehicle programs (sec. 114)

The House bill contained a provision (sec. 114) that would require the Secretary of the Army and the Secretary of the Navy to enter into a joint service program for the procurement of a new vehicle class of tactical wheeled vehicles.

The Senate amendment contained no similar provision.

The Senate recedes.

The conferees support the Army's revised strategy for acquiring tactical wheeled vehicles and understand the Army intends to recapitalize, modernize, and eventually replace the Army's existing light, medium, and heavy tactical wheeled vehicles with either a new next generation vehicle class or more capable current force

tactical wheeled vehicles. The conferees are aware that, in some areas, the Army and Marine Corps are cooperating in the development of tactical wheeled vehicle replacements. However, the conferees also understand that the Marine Corps has its own program to replace an aging fleet of battlefield resupply vehicles, the Logistics Vehicle System-Replacement program, even though it appears that the Army's Palletized Load System could be an adequate replacement for Marine Corps resupply vehicles. The conferees believe that the Army and Marine Corps can do more to coordinate tactical wheeled vehicle requirements and execute a joint service program to acquire tactical wheeled vehicles. The conferees encourage the Army-Marine Corps Board to review the current requirements for Army and Marine Corps tactical wheeled vehicles with the intent to converge tactical wheeled vehicle requirements and acquisition.

Report on Army modular force initiative (sec. 115)

The House bill contained a provision (sec. 115) that would place a $3.0 billion limitation on the obligation or expenditure of funds available for the acquisition programs for the Army modular force initiative until the Secretary of the Army submits a report to the congressional defense committees that outlines the full scope and funding levels of the programs considered part of the modular force initiative, and a detailed accounting of the use of funds provided for the modular force initiative in the 2005 emergency supplemental request.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would remove the funding limitation as contained in the House provision and directs the Secretary of the Army to submit a report to the congressional defense committees no later than 30 days after the date of the submission of the fiscal year 2006 request for emergency supplemental appropriations for the Department of Defense to the Congress.

The conferees have strongly supported and will continue to support the Army's modular force initiative. However, the conferees are concerned with modularity costs and the Army's ability to support current year and outyear funding for the modular force initiative. In March 2005, the Army's cost estimates for its modular force initiative was $48.0 billion. However, in a September 2005 report, the Government Accountability Office (GAO) found that the Army's cost estimate for the modularity initiative did not include $27.5 billion in personnel and construction costs, bringing potential known costs to $75.5 billion. Minimal information has been provided to the congressional defense committees on defined requirements and budget detail primarily because the Army modular force initiative has been funded through the use of emergency supplemental requests for the Department of Defense. The conferees require a greater level of detail to understand the Army's modular force initiative, and direct the Secretary of the Army to submit a report that would specify each program in the modular force initiative and the requirements, acquisition objective, funding profile, and unfunded requirements for each program specified as part of the Army's modular force initiative. The conferees expect the Army to provide the requested information aggregated by Army component.

Subtitle C—Navy Programs

Virginia-class submarine program (sec. 121)

The House bill contained a provision (sec. 121) that would limit the total procurement end costs for five *Virginia*-class submarines (SSN–779, SSN–780, SSN–781, SSN–782, and SSN–783) to the cost estimates submitted for those vessels with the fiscal year 2006 budget request. The provision would allow the Secretary of the Navy to adjust the limitation amounts for economic inflation and for changes in federal, state, or local laws enacted after September 30, 2005. The provision would also require the Secretary to notify Congress of any adjustments made to the limitation amounts annually, with the submission of the budget request for the following fiscal year.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would raise the amounts of the limitation for the same five *Virginia*-class submarines to the contract ceiling prices for those five submarines. In addition to the two reasons for which the House bill would allow the Secretary to submit adjustments to the cost limitations, the Senate amendment would allow the Secretary to make adjustments for the amounts of outfitting and post-delivery costs, and the amounts of increases or decreases in costs of those submarines that are attributable to the insertion of new technology. The amendment would, however, limit those technologies that could be used for cost adjustment to those that would either lower life cycle costs or meet an emerging threat.

The conferees direct the Secretary to submit a report to the congressional defense committees, upon submission of the budget request for fiscal year 2007, including a list of items and activities, and their estimated costs, that would be required during the outfitting and post-delivery of each of the five submarines covered by this provision.

LHA replacement (LHA(R)) amphibious assault ship program (sec. 122)

The House bill contained a provision (sec. 122) that would limit the total amount obligated or expended for procurement of each ship of the LHA replacement (LHA(R)) amphibious assault ship program to $2.0 billion. The provision would allow the Secretary of the Navy to adjust the amount for certain reasons, and report on those adjustments annually with the submission of the budget request. The provision would also prohibit the obligation or expenditure of any funds for procurement of the LHA(R) until the Secretary of Defense certifies to the congressional defense committees that: (1) a detailed Operational Requirements Document had been approved by the Joint Requirements Oversight Council; and (2) a stable design exists for the LHA(R) class of vessels.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would prohibit expenditure of more than 70 percent of the funds available in Shipbuilding and Conversion, Navy, for the LHA(R) program, until the Secretary of the Navy certifies in writing to the congressional de-

fense committees that there is an approved operational requirement and a stable design for the LHA(R) class of vessels.

Cost limitation for next-generation destroyer program (sec. 123)

The House bill contained a provision (sec. 123) that would limit the amount of procurement funds obligated or expended for each future major surface combatant, destroyer type, to $1.7 billion. The provision would allow the Secretary of the Navy to adjust this amount for economic inflation and for changes in federal, state, or local laws enacted after September 30, 2005. The provision would also require the Secretary to notify Congress of any adjustments made to this limitation annually, with the submission of the annual budget request. The provision would authorize $700.0 million in the Research, Development, Test, and Evaluation, Navy account for technology development and demonstration for this ship. The provision would also require the Secretary to ensure that the acquisition plan for this ship would: (1) use technologies from the DD(X) and CG(X) programs, as well as any other technology the Secretary considers appropriate; (2) require the ship to have an overall capability not less than that of the flight IIA version of the *Arleigh Burke* (DDG–51) class destroyer; and (3) posture the program to be ready for lead ship procurement not later than fiscal year 2011.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would limit the cost of the fifth vessel in the next-generation destroyer program to $2.3 billion. In addition to the two reasons the House bill would allow the Secretary to submit adjustments to the cost limitation, the Senate amendment would allow the Secretary to make adjustments for the amount of outfitting and post-delivery costs, and the amounts of increases or decreases in costs of the vessel that are attributable to the insertion of new technology. The amendment would, however, limit those technologies that could be used for cost adjustment to those that would either lower life cycle costs or meet an emerging threat. The amendment would require the Secretary to start reporting any adjustment to the cost limitation with the submission of the budget request for the year in which a contract for detail design and construction of the fifth vessel of the next-generation destroyer is expected to be awarded.

The conferees direct the Secretary to submit a report to the congressional defense committees, which would accompany the first report of cost limitation adjustment, that includes a list of items and activities, and their estimated costs, that would be required during the outfitting and post-delivery for this vessel.

Littoral combat ship (LCS) program (sec. 124)

The House bill contained a provision (sec. 124) that would limit the amounts obligated or expended for each ship of the Littoral Combat Ship (LCS) class, to include the amounts for mission modules, to $400.0 million. The provision would allow the Secretary of the Navy to adjust this amount for economic inflation and for changes in federal, state, or local laws enacted after September 30, 2005. The provision would also require the Secretary of the Navy to notify Congress of any adjustments made to this limitation annually, with the submission of the annual budget request. The pro-

vision would further prevent the Navy from requiring any LCS vessels or LCS mission modules until the Secretary of Defense submits the results of an operational evaluation of the first four LCS vessels, conducted by the Director of Operational Test and Evaluation, and a certification that there is a stable design for LCS to the congressional defense committees.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would limit the cost of the fifth and sixth vessels of the LCS-class to $220.0 million, excluding amounts for elements designated by the Secretary of the Navy as a mission package. In addition to the two reasons the House bill would allow the Secretary of the Navy to submit adjustments to the cost limitation, the Senate amendment would include the amount of outfitting the post-delivery costs, and the amounts of increases or decreases in cost of the vessels that are attributable to the insertion of new technology. The amendment would, however, limit those technologies that could be used for cost adjustment to those that would either lower life cycle costs or meet an emerging threat. The amendment would require the Secretary to start reporting any adjustment to the cost limitation with the submission of the budget request for the year in which a contract for detail design and construction of the fifth vessel of the next-generation destroyer is expected to be awarded. The amendment would also require the Secretary of the Navy to report, with the submission of the annual budget request, those elements that are designated as mission packages for the LCS-class of vessels, and their estimated cost. The amendment would limit the use of funds for any LCS vessels or mission packages, after the first four vessels, until the Secretary of the Navy submits a certification to the congressional defense committees that the LCS design is stable.

The conferees direct the Secretary of the Navy to submit a report to the congressional defense committees, which would accompany the first report of cost limitation adjustment, that includes a list of items and activities, and their estimated costs, that would be required during the outfitting and post-delivery for these vessels.

Prohibition on acquisition of next-generation destroyer through a single shipyard (sec. 125)

The Senate amendment contained a provision (sec. 121) that would prohibit the acquisition of the next-generation destroyer (DD(X)) through a winner-take-all acquisition strategy. The provision would also prohibit the obligation or expenditure of funds for the purpose of pursuing a winner-take-all acquisition strategy. The provision would define a winner-take-all acquisition strategy as one leading to the acquisition, including both design and construction, of the next-generation of destroyers through a single shipyard.

The House bill contained no similar provision.

The House recedes with an amendment that would not specify the DD(X) as the next-generation destroyer, but instead define the next-generation destroyer program as that which will acquire and deploy a new class of destroyers as the follow-on to the Arleigh Burke-class of destroyers.

Aircraft carrier force structure (sec. 126)

The House bill contained a provision (sec. 128) that would amend section 5062 of title 10, United States Code, by inserting a new subsection that would require the naval combat forces of the Navy to have no less than 12 operational aircraft carriers, and would clarify that an operational aircraft carrier could be one which is temporarily unavailable for worldwide deployment due to routine or scheduled maintenance or repair. The provision would also require the Secretary of Defense to take all necessary actions to ensure that the U.S.S. *John F. Kennedy* (CV–67) is maintained in a fully mission capable status, and would authorize $60.0 million in the Operations and Maintenance, Navy account for the operation and routine maintenance of the U.S.S. *John F. Kennedy.*

The Senate amendment contained a provision (sec. 321) that would authorize $288.0 million in the Operations and Maintenance, Navy account from this Act and any other Act for fiscal years 2005 and 2006, only for the repair and maintenance to extend the life of the U.S.S. *John F. Kennedy.* The provision would prohibit the Secretary of the Navy from reducing the number of active aircraft carriers of the Navy below 12 until the later of: (1) 180 days after submission of the 2005 Quadrennial Defense Review, as required by section 118 of title 10, United States Code; or (2) the date on which the Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, certifies to the congressional defense committees that agreements have been entered into to provide port facilities for the permanent forward deployment of such number of aircraft carriers as is necessary in the Pacific Command Area of Responsibility.

The Senate recedes with an amendment that would amend section 5062 of title 10, United States Code, by inserting a new subsection that would require the naval combat forces of the Navy to include no less than 12 operational aircraft carriers, and would specify that an operational aircraft carrier includes an aircraft carrier that is temporarily unavailable for worldwide deployment due to routine or scheduled maintenance or repair. The amendment would also authorize up to $288.0 million in the Operations and Maintenance, Navy account for repair and maintenance to extend the life of the U.S.S. *John F. Kennedy.*

Refueling and complex overhaul of the U.S.S. Carl Vinson (sec. 127)

The House bill contained a provision (sec. 126) that would authorize approximately $1.5 billion from the Shipbuilding and Conversion, Navy account as the first increment of the nuclear refueling and complex overhaul (RCOH) of the U.S.S. *Carl Vinson.* The provision would authorize the Secretary of the Navy to enter into a contract during fiscal year 2006 for this RCOH, but would also require as a condition of this contract that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2006 is subject to the availability of appropriations.

The Senate amendment contained a similar provision (sec. 124).

The Senate recedes with an amendment that would authorize $1.5 billion for the RCOH, but would acknowledge the fact that the

contract has already been entered into, using the authority of Public Law 109–104, enacted on November 19, 2005. The amendment would also clarify that the $89.0 million made available by Public Law 109–104 is part of the $1.5 billion authorized for fiscal year 2006.

CVN–78 aircraft carrier (sec. 128)

The Senate amendment contained a provision (sec. 122) that would authorize the Secretary of the Navy to fund the detail design and construction of the aircraft carrier designated CVN–78 using split funding in the Shipbuilding and Conversion, Navy account in fiscal years 2007, 2008, 2009, and 2010. The provision would direct that the contract for this ship provide that any obligation of the United States to make a payment for a fiscal year after 2006 would be subject to the availability of appropriations.

The House bill contained no similar provision.

The House recedes with an amendment that would reduce the number of years the funding could be split to fiscal years 2007, 2008, and 2009.

LHA replacement (LHA(R)) ship (sec. 129)

The Senate amendment contained a provision (sec. 123) that would authorize $325.4 million in the Shipbuilding and Conversion, Navy, account in fiscal year 2006 for design, advance procurement, advance construction, detail design, and construction for the lead ship of the LHA(R) class of vessels. The provision would also approve incremental funding for the lead ship in fiscal years 2007 and 2008. The provision would also authorize the Secretary of the Navy to enter into a contract for design, advance procurement, and advance construction for the lead LHA(R) in fiscal year 2006, and to enter another contract for the detail design and construction for the lead LHA(R) in fiscal year 2006. The provision would provide that any obligation of the United States to make a payment under these contracts for a fiscal year after 2006 would be subject to the availability of appropriations for that purpose for that fiscal year.

The House bill contained no similar provision.

The House recedes with an amendment that would lower the authorized amount of funds in Shipbuilding and Conversion, Navy, to $200.5 million for LHA(R) in fiscal year 2006.

Report on alternative propulsion methods for surface combatants and amphibious warfare ships (sec. 130)

The House bill contained a provision (sec. 127) that would require the Secretary of the Navy to submit a report to the congressional defense committees not later than the submission of the fiscal year 2007 budget request. The report would include the results of a 2005 study, directed by the Chief of Naval Operations, on alternative propulsion methods for Navy surface combatant vessels. The provision would require that the report include the study objectives, methodology, description of alternatives, conclusions, and the Secretary's intended actions based on the conclusion of the study.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would extend the date for the submission of the report until November 1, 2006. The amendment would also require the contents of the report to examine the life cycle costs of the various alternatives, including nuclear power alternatives, in the report.

The conferees expect the Navy to brief the congressional defense committees on the organization and study plan for the preparation of this report by April 1, 2006.

Subtitle D—Air Force Programs

C–17 aircraft program and assessment of intertheater airlift requirements (sec. 131)

The House bill contained a provision (sec. 131) that would authorize the Secretary of the Air Force to enter into a multiyear contract, beginning with fiscal year 2006, for the procurement of up to 42 additional C–17 aircraft.

The Senate amendment contained a provision (sec. 131) that would authorize a similar multiyear contract authority, but would require the Secretary of Defense to certify to the congressional defense committees that the requirement for up to 42 additional C–17 aircraft is consistent with the Quadrennial Defense Review (QDR) before procuring additional C–17 aircraft under that multiyear authority. The Senate amendment would further require the Secretary of Defense to carry out an assessment of the intertheater airlift capabilities required to support the national defense strategy as part of the QDR. In the assessment, the Secretary of Defense would be required to explain how the future airlift force structure requirements in the QDR take into account: (1) the increased airlift demands associated with the Army modular brigade combat teams; (2) the objective to deliver a brigade combat team anywhere in the world within 4 to 7 days, a division within 10 days, and multiple divisions within 20 days; (3) the increased airlift demands associated with the expanded scope of operational activities of the Special Operations Forces; (4) the realignment of the overseas basing structure in accordance with the Integrated Presence and Basing Strategy; (5) adjustments in the force structure to meet homeland defense requirements; (6) the potential for simultaneous homeland defense activities and major combat operations; and (7) potential changes in requirements for intratheater airlift or sealift capabilities. The Senate amendment would also encourage the Secretary of the Air Force to procure sufficient C–17 aircraft to maintain the C–17 production at not less than the minimum sustaining rate in the event the Secretary of Defense is unable to make the multiyear certification, until sufficient flight test data has been obtained to validate the improved C–5 mission capability rates used in the Mobility Capabilities Study as a result of the C–5 Reliability Enhancement and Reengining Program and Avionics Modernization Program.

The House recedes with an amendment that would require the Secretary of Defense to provide an additional explanation on how the future airlift force structure requirements in the QDR take into account the capability of the Civil Reserve Air Fleet to provide adequate augmentation in meeting global mobility requirements. The

House amendment would further allow the intratheater airlift assessments to be submitted to the Committees on Armed Services of the Senate and the House of Representatives up to 45 days after submission of the QDR, if the Department is unable to submit them with the budget request.

Prohibition on retirement of KC–135E aircraft (sec. 132)

The Senate amendment contained a provision (sec. 132) that would prohibit the Secretary of the Air Force from retiring any KC–135E aircraft of the Air Force in fiscal year 2006.

The House bill contained no similar provision.

The House recedes.

Prohibition on retirement of F–117 aircraft during fiscal year 2006 (sec. 133)

The Senate amendment contained a provision (sec. 134) that would prohibit the Secretary of the Air Force from retiring any F–117 Nighthawk stealth attack aircraft of the Air Force in fiscal year 2006.

The House bill contained no similar provision.

The House recedes.

Prohibition on retirement of C–130E/H tactical airlift aircraft during fiscal year 2006 (sec. 134)

The Senate amendment contained a provision (sec. 135) that would prohibit the Secretary of the Air Force from retiring any C–130E/H tactical airlift aircraft of the Air Force in fiscal year 2006.

The House bill contained no similar provision.

The House recedes.

Procurement of C–130J/KC–130J aircraft after fiscal year 2005 (sec. 135)

The Senate amendment contained a provision (sec. 136) that would require any C–130J/KC–130J procured after fiscal year 2005, including any C–130J/KC–130J aircraft procured through a multiyear contract continuing in force from a fiscal year before fiscal year 2006, to be procured through a contract under part 15 of the Federal Acquisition Regulation, relating to items by negotiated contract, rather than through a contract under part 12 of the Federal Acquisition Regulation, relating to acquisition of commercial items.

The House bill contained no similar provision.

The House recedes.

Report on Air Force aircraft aeromedical evacuation programs (sec. 136)

The Senate amendment contained a provision (sec. 137) that would require the Secretary of the Air Force to procure up to two aircraft dedicated to the aeromedical evacuation mission and capable of providing nonstop aeromedical evacuations across the Atlantic Ocean. The provision would also authorize $200.0 million in aircraft procurement funds for the procurement and equipping of these aircraft.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary to submit to the congressional defense committees a report on aeromedical evacuation programs of the Air Force not later than 90 days after the date of the enactment of this Act. The report should provide a comprehensive evaluation and overall assessment of the current aeromedical evacuation program, carried out through the use of designated aircraft, compared to the former aeromedical evacuation program, carried out through the use of dedicated aircraft. The report would include: (1) a description of challenges and capability gaps of the current aircraft aeromedical evacuation program compared to the challenges and capability gaps of the former program; (2) a description of possible means by which to best mitigate or resolve the challenges and capability gaps with respect to the current program; (3) a specification of medical equipment or upgrades needed to enhance the current program; (4) a specification of aircraft equipment or upgrades needed to enhance the current program; (5) a description of the advantages and disadvantages of the current program compared to the advantages and disadvantages of the former program; (6) a cost comparison analysis of the current program compared to the former program; and (7) a description of the manner in which customer feedback is obtained and applied to the current program.

The conferees agree that transitioning from a dedicated aircraft aeromedical evacuation (AE) program to a designated aircraft AE program is not without challenges, some of which are annotated in the Senate report accompanying S. 1042 (S. Rept. 109–69) of the National Defense Authorization Act for Fiscal Year 2006. Therefore, the conferees encourage the Secretary to address in the report all challenges and capability gaps related to the designated aircraft AE program and to outline explicitly the manner in which those challenges and capability gaps will be resolved. Furthermore, if the Secretary determines from the results of the report that dedicated AE aircraft are needed to augment the current AE program, the conferees encourage the Air Force to consider basing those aircraft at locations that have previous expertise in performing the dedicated aircraft AE mission.

Subtitle E—Joint and Multiservice Matters

Requirement that tactical unmanned aerial vehicles use specified standard data link (sec. 141)

The House bill contained a provision (sec. 141) that would direct the Secretary of Defense to ensure that all service tactical unmanned aerial vehicles (UAV) be equipped with the standard tactical UAV data link known as the Tactical Common Data Link (TCDL) and configured to data formats consistent with the architectural standard for tactical UAVs, known as STANAG 4586. The provision would not allow the Department of Defense to expend funds on tactical UAVs that do not include the TCDL or STANAG 4586 standards. Finally, the provision would direct the secretary of each military department to submit a report to Congress providing the Secretary's certification as to whether or not all tactical UAVs are in compliance with the standard data link.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would clarify the House provision by providing the Undersecretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) with the authority to waive the standards directed in this provision, if the USD(AT&L) determines and certifies to the congressional defense committees that it would not be technologically feasible or economically acceptable to integrate a tactical data link into a specific tactical UAV.

The conferees understand that there is a class of UAVs, such as the Marine Corps Dragon Eye UAV and the Army Raven UAV, that are not large enough to carry the equipment required to integrate the TCDL standard. The conferees believe that the TCDL standard should be applied to all UAVs to the maximum extent possible.

Limitation on initiation of new unmanned aerial vehicle systems (sec. 142)

The House bill contained a provision (sec. 142) that would preclude procurement of new unmanned aerial vehicle (UAV) systems by the military services without the written approval of the Under Secretary of Defense for Acquisition, Technology and Logistics (USD(AT&L)).

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would exempt UAV programs under contract as of the date of enactment of this Act or for which funds have been appropriated for procurement before the date of enactment of this Act from the requirement to have written approval from the USD(AT&L).

Advanced SEAL Delivery System (sec. 143)

The Senate amendment contained a provision (sec. 151) that would direct no amount of the $71.7 million authorized to be appropriated for advance procurement of the Advanced SEAL Delivery System (ASDS) in fiscal year 2006 be expended until after a favorable Milestone C decision.

The House bill contained no similar provision.

The House recedes with a clarifying amendment that would restructure the program. On 22 November 2005, the U.S. Special Operations Command (SOCOM) announced and briefed the conferee's staff on a decision to restructure the ASDS program. The restructuring would focus on improving the reliability of the first boat, which was delivered to the Navy in June 2003. The ASDS Reliability Action Panel, comprised of government and industry technical experts, recommended restructuring the program.

The conferees commend the decision by SOCOM to focus on developing an operationally reliable first boat. The conferees have expressed their concern about technical challenges, contractor performance, and cost growth that have occurred in the ASDS program for several years, and have urged SOCOM, the Department of the Navy, and the Secretary of Defense to take a stronger management role with regard to the program.

The original program budget request has been reduced by $32.0 million. The restructuring reallocates an additional $21.0 million to research and development, an additional $10.1 million to

operations and maintenance, and a reduction of $63.0 million in procurement. The conferees agree to authorize the restructured program, with some modifications. Although the restructured budget request included $11.0 million to fabricate and test one set of universal pylons for use on the *Virginia*-Class and *Ohio*-Class SSGN submarines, the conferees believe this is premature as the command expects the critical system review of the boat to take at least 1 year.

In addition, the conferees are not confident that the command will be able to conduct the additional field testing for the first boat now planned for fiscal year 2006. Therefore, the conferees direct that no amount of the $10.1 million increase in operation and maintenance funds authorized to be appropriated be obligated or expended until the Secretary revalidates to the congressional defense committees the requirement for the ASDS.

The conferees further direct the Secretary to submit a report on the conclusions of the Quadrennial Defense Review concerning the ASDS; the number of boats required and the manner of their employment; an updated cost estimate for the ASDS program; and a timeline for addressing the technological challenges faced by the program by March 1, 2006. Furthermore, the conferees direct that the Secretary report the conclusions of the ongoing critical systems review being conducted by the command to the congressional defense committees by January 1, 2007.

LEGISLATIVE PROVISIONS NOT ADOPTED

Authorization of two additional Arleigh Burke-class destroyers

The House bill contained a provision (sec. 125) that would authorize $2.5 billion in Shipbuilding and Conversion, Navy, for the construction of two additional *Arleigh Burke*-class destroyers, which would be constructed under a single, competitively awarded contract.

The Senate amendment contained no similar provision.

The House recedes.

The outcome is reflected in the tables of this report in Shipbuilding and Conversion, Navy, line 14.

C–37B aircraft

The Senate amendment contained a provision (sec. 138) that would authorize an increase of $45.0 million for the procurement of one C–37B aircraft for the Air Force.

The House bill contained no similar provision.

The Senate recedes.

The conference outcome is reflected in the tables of this report in Aircraft Procurement, Air Force, line number 36.

Contingent transfer of additional funds for CVN–21 carrier replacement program

The House bill contained a provision (sec. 129) that would direct the transfer of $86.7 million from Operations and Maintenance, Defense-wide, to Shipbuilding and Conversion, Navy, for the purpose of accelerating the CVN–21 aircraft carrier replacement program. The provision would direct this transfer only if the Direc-

tor, Program Analysis and Evaluation, of the Department of Defense, certifies that this addition of $86.7 million would allow the construction of CVN–21 to begin in fiscal year 2007, and would be limited to those amounts appropriated for fiscal year 2006.

The Senate amendment contained no similar provision.

The House recedes.

Contract requirement for Objective Individual Combat Weapon—increment one

The House bill contained a provision (sec. 116) that would require the Secretary of the Army to ensure that the contractor for the Objective Individual Combat Weapon—increment one (OICW–1) is selected through a full and open competition.

The Senate amendment contained no similar provision.

The House recedes.

The conferees understand that the Army has terminated the existing competition and requests for proposal (RFP) for the OICW–1 program until further review by the Joint Requirements Oversight Council (JROC). The conferees are aware the JROC expects to convene to complete the Joint Capabilities Integration and Development System process for the OICW–1 capability development document sometime in fiscal year 2006 to be followed by an RFP that reflects OICW–1 requirements. The conferees expect that any new competition for the OICW program be conducted in a fair and open manner. Upon completion of the review by the JROC, the conferees direct the Secretary of the Army to submit a detailed report, to the congressional defense committees, that would outline the path forward for the OICW program. The report should include: (1) the planned acquisition strategy in meeting any new requirements as set forth by the JROC; (2) the cost and schedule impacts, if any, to the OICW—increment two and three programs based on validated JROC requirements; and (3) the results of analysis of alternatives used in the JROC and Army's decision-making process.

Rapid intravenous infusion pumps

The Senate amendment contained a provision (sec. 125) that would authorize $1.0 million for the procurement of rapid intravenous pumps for the Marine Corps.

The House bill contained no similar provision.

The Senate recedes.

The conference outcome is reflected in the tables elsewhere in this report in Procurement, Marine Corps, line number 78.

Second source for production and supply of tires for the Stryker combat vehicle

The Senate amendment contained a provision (sec. 116) that would require the Secretary of the Army to conduct a study on the feasibility and costs and benefits for the second source for the production and supply of tires for the Stryker combat vehicle.

The House bill contained no similar provision, but did contain funding in Procurement of Weapons and Tracked Combat Vehicles, Army, to qualify a second source for the production and supply of tires for the Stryker combat vehicle.

The Senate recedes.

The conferees recognize that tires are currently the highest sustainment demand item for the Stryker. The majority of tire failures are being caused by wear-out from high operational tempo; from increased pressure due to the weight associated with the addition of Slat add-on armor for protection against rocket propelled grenades; and damage from improvised explosive devices attacks. The conferees direct the Secretary of the Army to submit a report to the congressional defense committees, no later than 90 days after the enactment of this Act, that would evaluate Stryker tire availability and the need, if any, to qualify a second source for the tires of the Stryker vehicle.

UH–60 Black Hawk helicopter procurement in response to attrition

The Senate amendment contained a provision (sec. 105) that would authorize $40.6 million for the procurement of two additional helicopters that were attrited in fiscal year 2006.

The House bill contained no similar provision.

The Senate recedes.

The conference outcome is reflected in the tables of this report in Aircraft Procurement, Army, title XV.

Use of Tanker Replacement Transfer Fund for modernization of aerial refueling tankers

The Senate amendment contained a provision (sec. 132) that would allow funds in the Tanker Replacement Transfer Fund to be used for the modernization of existing aerial refueling tankers, in addition to using the funds for a tanker acquisition program, if the modernization of those aircraft is consistent with the results of the analysis of alternatives for meeting the aerial refueling requirements of the Air Force.

The House bill contained no similar provision.

The Senate recedes.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Research, Development, Test, and Evaluation overview

The budget request for fiscal year 2006 included an authorization of $69,356.0 million in Research and Development for the Department of Defense.

The House bill would authorize $69,469.0 million.

The Senate amendment would authorize $69,840.6 million.

The conferees recommend an authorization of $70,199.9 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

NATIONAL DEFENSE AUTHORIZATION FOR FISCAL YEAR 2006

(Dollars in Thousands)

Title II -- RESEARCH, DEVELOPMENT, TEST & EVALUATION	Authorization Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Research, Development, Test & Evaluation, Army	9,733,824	9,774,372	9,739,824	302,180	10,036,004
Research, Development, Test & Evaluation, Navy	18,037,991	18,022,140	18,410,431	543,450	18,581,441
Research, Development, Test & Evaluation, Air Force	22,612,351	22,418,212	22,653,568	-307,339	22,305,012
Research, Development, Test & Evaluation, Defense-wide	18,803,416	19,095,805	18,868,296	305,528	19,108,944
Operational Test & Evaluation	168,458	168,458	168,458	0	168,458
TOTAL RDT&E	69,356,040	69,478,987	69,840,577	843,819	70,199,859

Army

Research, Development, Test, and Evaluation, Army overview

The budget request for fiscal year 2006 included an authorization of $9,733.8 million in Research, Development, Test, and Evaluation, Army for the Department of Defense.

The House bill would authorize $9,777.4 million.

The Senate amendment would authorize $9,739.8 million.

The conferees recommend an authorization of $10,036.0 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
			RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY					
2040	0601101A	1	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	20,542	20,542	20,542		20,542
2040	0601102A	2	DEFENSE RESEARCH SCIENCES	137,898	150,898	155,398	21,500	159,398
			Advanced ground vehicle reliability research			[1,000]	[1,000]	
			Functionally integrated reactive surface technologies (FIRST)			[2,000]	[2,000]	
			Integrated desert terrain analysis research		[5,000]	[3,000]	[3,000]	
			Brain imaging deception detection			[2,500]	[2,500]	
			Moldable fabric armor			[2,000]	[2,000]	
			Low temperature vehicle research			[2,000]	[2,000]	
			Document exploitation			[5,000]	[5,000]	
			Chemical mechanical planarization		[2,000]			
			Advanced carbon nanotechnology		[6,000]		[4,000]	
2040	0601103A	3	UNIVERSITY RESEARCH INITIATIVES	67,201	69,201	77,201	11,800	79,001
			Smart responsive nanocomposites		[2,000]		[1,800]	
			Program increase (S. Amdt)			[10,000]	[10,000]	
2040	0601104A	4	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	81,953	86,453	88,453	11,000	92,953
			Integrated systems in sensing, imaging and communications			[2,000]	[2,000]	
			NOLES composite materials			[2,500]	[2,500]	
			Strategic defense systems manufacturing			[2,000]	[2,000]	
			Modeling and analysis of the response structures		[1,000]		[1,000]	
			Centers of excellence		[3,500]		[3,500]	
2040	0601105A	5	FORCE HEALTH PROTECTION					

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
2040	0602105A	6	MATERIALS TECHNOLOGY	17,559	26,559	22,559	10,000	27,559
			Mine detection and blast mitigation			[3,000]	[3,000]	
			Lightweight blast containment vessel			[2,000]	[2,000]	
			Advanced lightweight composite armor		[4,000]		[2,000]	
			Ballistic shields technology		[1,000]			
			Cutting tools for aerospace materials		[2,000]		[2,000]	
			Ceramic armor technology		[2,000]		[1,000]	
2040	0602120A	7	SENSORS AND ELECTRONIC SURVIVABILITY	32,147	37,147	37,147	3,000	35,147
			Army small airship			[3,000]	[3,000]	
			Advanced detection of explosives		[5,000]	[2,000]		
2040	0602122A	8	TRACTOR HIP	7,804	7,804	7,804		7,804
2040	0602211A	9	AVIATION TECHNOLOGY	34,295	44,295	34,295	5,000	39,295
			Center for rotorcraft innovation		[10,000]		[5,000]	
2040	0602270A	10	ELECTRONIC WARFARE TECHNOLOGY	19,129	28,129	23,129	12,500	31,629
			Real-time laser threat warning development			[4,000]	[4,000]	
			Silver Fox UAV		[5,000]		[4,500]	
			Xenon light source for non lethal deterrence from small UAVs		[2,000]		[2,000]	
			Unattended ground sensors		[2,000]		[2,000]	
2040	0602303A	11	MISSILE TECHNOLOGY	62,524	68,024	72,524	13,000	75,524
			Tech enhancement for area protection			[5,000]	[5,000]	
			Unmanned systems initiative			[5,000]	[5,000]	
			Missile recycling capability		[1,500]			
			MEMS and nanoscale devices		[4,000]		[3,000]	
2040	0602307A	12	ADVANCED WEAPONS TECHNOLOGY	21,139	31,139	21,139	10,000	31,139
			Applied weapons technology		[10,000]		[10,000]	

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
2040	0602308A	13	ADVANCED CONCEPTS AND SIMULATION	16,013	26,013	19,013	5,000	21,013
			Surveillance and targeting robotics platform (Red Owl)			[3,000]	[3,000]	
			Institute for creative technologies		[10,000]		[2,000]	
2040	0602601A	14	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	64,883	84,383	74,383	18,500	83,383
			Advanced electric drive		[3,500]	[3,500]	[3,500]	
			Defense transportation energy research			[3,000]	[3,000]	
			Unmanned vehicle control technologies			[3,000]	[3,000]	
			Hydrogen proton exchange membrane fuel cell		[10,000]		[4,000]	
			Light utility vehicle		[6,000]		[5,000]	
2040	0602618A	15	BALLISTICS TECHNOLOGY	49,163	49,163	51,163	2,000	51,163
			Gun barrel coatings			[2,000]	[2,000]	
2040	0602622A	16	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOC	2,519	2,519	2,519		2,519
2040	0602623A	17	JOINT SERVICE SMALL ARMS PROGRAM	5,703	5,703	10,703	1,000	6,703
			Additional funding (S. Amdt)			[5,000]	[1,000]	
2040	0602624A	18	WEAPONS AND MUNITIONS TECHNOLOGY	37,824	61,224	46,824	16,000	53,824
			Active coatings technology		[7,400]	[3,500]	[3,500]	
			Ultra wideband sensors			[2,000]	[2,000]	
			Rarefaction wave gun			[2,500]	[2,500]	
			Strategic materials/strategic manufacturing initiative		[8,000]			
			Titanium extraction, mining and process engineering research		[8,000]		[7,000]	
			Warhead/grenade scientific based manufacturing technology (S. Amdt)			[1,000]	[1,000]	

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
2040	0602705A	19	ELECTRONICS AND ELECTRONIC DEVICES	39,554	80,454	51,554	26,300	65,854
			Flexible display initiative		[11,400]	[4,000]	[2,000]	
			Portable solid oxide fuel cell demonstrator			[2,000]	[2,000]	
			Hybrid advanced soldier power			[3,000]	[1,000]	
			Zinc air battery research			[3,000]	[2,000]	
			CO2 heating and cooling		[2,000]		[1,800]	
			E-beam reticle and litho inspection		[10,000]		[4,000]	
			JP-8 soldier fuel cell		[4,000]		[2,000]	
			Nanofluidic electronic bio sensor technology		[3,500]		[1,500]	
			Advanced battery technology initiative		[10,000]		[10,000]	
2040	0602709A	20	NIGHT VISION TECHNOLOGY	23,823	29,823	23,823	2,000	25,823
			UAV MINISENS		[6,000]		[2,000]	
2040	0602712A	21	COUNTERMINE SYSTEMS	19,293	27,293	19,293		19,293
			Explosive and narcotic detection devices		[8,000]			
2040	0602716A	22	HUMAN FACTORS ENGINEERING TECHNOLOGY	17,482	22,982	17,482	5,500	22,982
			MANPRINT		[5,500]		[5,500]	
2040	0602720A	23	ENVIRONMENTAL QUALITY TECHNOLOGY	16,417	16,417	16,417		16,417
2040	0602782A	24	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	21,787	21,787	23,787	2,000	23,787
			Ultra wideband chip set			[2,000]	[2,000]	
2040	0602783A	25	COMPUTER AND SOFTWARE TECHNOLOGY	3,590	3,590	3,590		3,590
2040	0602784A	26	MILITARY ENGINEERING TECHNOLOGY	47,046	47,046	47,046		47,046
2040	0602785A	27	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	15,207	15,207	15,207		15,207

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(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
2040	0602786A	28	WARFIGHTER TECHNOLOGY	21,707	37,307	24,207	6,500	28,207
			Biosecurity research for food safety			[2,500]	[2,500]	
			MRE-neutraceuticals		[3,500]			
			M5 high performance fibers for personnel armor systems		[5,000]			
			Soldier systems center		[4,600]		[1,500]	
			Antimicrobial-nano technology		[2,500]		[2,500]	
2040	0602787A	29	MEDICAL TECHNOLOGY	74,694	99,694	92,494	36,800	111,494
			Bio-foam sealant protein hydrogel			[2,600]	[2,600]	
			Non-linting silver dressing			[1,200]	[1,200]	
			Armor characterization for blast, ballistic and fire protection			[3,000]		
			Hemorrhage control dressing			[2,000]		
			Warfighter face and eye protection			[1,000]	[1,000]	
			Surgical safety system			[2,000]	[2,000]	
			Bio-defense gene knockout technology			[2,000]	[1,000]	
			Colorimetric biosensor			[3,000]	[3,000]	
			Post traumatic stress disorder research			[1,000]	[1,000]	
			Advanced amputee treatment		[10,000]		[10,000]	
			Peer-reviewed applied research initiative		[15,000]		[15,000]	
2040	0603001A	30	WARFIGHTER ADVANCED TECHNOLOGY	63,754	63,754	63,754		63,754

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2040	0603002A	31	MEDICAL ADVANCED TECHNOLOGY	45,160	69,360	76,560	43,600	88,760
			Untethered health care program			[1,000]	[1,000]	
			Expanded diagnosis digital imaging			[2,000]	[2,000]	
			Wireless medical network			[1,400]	[1,400]	
			Tissue engineering development on elastin biomatrices			[3,000]	[3,000]	
			Acute care of blast effects and head injuries			[4,000]	[2,000]	
			Soldier treatment and regeneration			[2,000]	[2,000]	
			Recombinant activated factor VII			[3,000]	[1,000]	
			Composite face and eye protection			[1,000]		
			Fibrogen bandage development			[3,000]	[3,000]	
			Applied emergency hypothermia research			[2,000]	[2,000]	
			Human operator performance research			[3,000]	[3,000]	
			Surgical wound disinfection and biological agents			[2,000]	[2,000]	
			Alternative vaccine delivery methods			[3,000]	[3,000]	
			Peer-reviewed advanced technology development initiative		[15,000]		[15,000]	
			Lightweight patient monitor with defibrillator		[3,500]		[1,000]	
			Patient status monitor		[3,500]			
			Rugged textile electronic garments		[2,200]		[2,200]	
			Telemedicine and advanced technology research center (S. Amdt)			[1,000]		

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2040	0603003A	32	AVIATION ADVANCED TECHNOLOGY	48,318	141,148	63,718	30,300	78,618
			Excalibur UAV			[7,900]	[7,900]	
			Rotorcraft system monitoring			[1,500]	[1,500]	
			Universal control - FADEC			[4,000]	[4,000]	
			Reconfigurable tooling systems		[2,000]	[2,000]	[2,000]	
			Light-weight heavy fuel turbine engines		[6,900]		[5,400]	
			Laser peening rotorcraft transmission gears		[1,200]		[1,000]	
			Helicopter nanocrystaline diamond rotor blades		[2,000]		[2,000]	
			Multilayered sacrificial filament laminates		[1,600]		[1,500]	
			Vectored thrust ducted propeller demonstrator		[9,500]		[5,000]	
			Joint heavy lift		[10,000]			
			Light-weight armored window technology		[1,500]			
			Reconnaissance platforms and sensors (transfer from RDA 93)		[58,130]			
2040	0603004A	33	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	74,927	79,927	83,927	5,000	79,927
			Nanotechnology manufacturing			[3,000]	[3,000]	
			Mid-range munitions			[6,000]	[1,000]	
			Precision molded aspheric optics		[5,000]		[1,000]	

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(Dollars in Thousands)

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2040	0603005A	34	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLC	142,866	161,361	171,866	32,900	175,766
			Abrams track improvement		[4,750]	[3,000]	[4,300]	
			Power electronic systems research			[2,000]		
			Hydraulic hybrid vehicle technology			[5,000]	[5,000]	
			Advanced thermal management controls			[4,000]	[4,000]	
			Solid oxide fuel cell materials and manufacturing			[3,000]	[3,000]	
			Fastening and joining research			[2,000]	[2,000]	
			Next generation non-tactical vehicle propulsion			[2,000]	[2,000]	
			Armored composite cab development program		[5,000]	[3,000]	[4,000]	
			Antiballistic windshield armor			[3,000]		
			Non-line of sight cannon			[2,000]	[2,000]	
			Composite material development		[2,000]		[2,000]	
			Detonation system technology pilot program		[1,700]			
			Logistical fuel processors		[4,100]		[3,700]	
			Soldier weapon detection and location Sensor		[945]		[900]	
2040	0603006A	35	COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHI	12,066	14,066	12,066	1,800	13,866
			CECM		[2,000]		[1,800]	
2040	0603007A	36	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNC	6,783	6,783	9,783	3,000	9,783
			Coordinated training			[3,000]	[3,000]	
2040	0603008A	37	ELECTRONIC WARFARE ADVANCED TECHNOLOGY	45,322	60,422	45,322	12,000	57,322
			Advanced antenna technologies		[2,000]		[2,000]	
			Applied communications and information networking		[7,000]		[7,000]	
			Portable and mobile emergency broadband system		[6,100]		[3,000]	
2040	0603009A	38	TRACTOR HIKE	8,777	8,777	8,777		8,777

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2040	0603015A	39	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	19,982	23,982	26,982	7,500	27,482
			Desert research institute (CAVE)		[4,000]	[3,500]	[4,000]	
			ICT joint fires and effects trainer			[3,500]	[3,500]	
2040	0603020A	40	TRACTOR ROSE	4,956	4,956	4,956		4,956
2040	0603103A	41	EXPLOSIVES DEMILITARIZATION TECHNOLOGY	9,865	15,865	11,865	980	10,845
			Explosive demilitarization			[1,000]	[980]	
			Missile recycling center capability		[6,000]			
2040			Chemical munitions to fertilizer (S. Amdt)			[1,000]		
2040	0603105A	42	MILITARY HIV RESEARCH	6,842	6,842	6,842		6,842
2040	0603125A	43	COMBATING TERRORISM, TECHNOLOGY DEVELOPMENT	6,306	6,306	10,306	4,000	10,306
			Advanced mobile microgrid liquid fueler			[4,000]	[4,000]	
2040	0603238A	44	GLOBAL SURVEILLANCE/AIR DEFENSE/PRECISION STRIKE TEC	12,111	12,111	12,111		12,111
2040	0603270A	45	ELECTRONIC WARFARE TECHNOLOGY	16,801	16,801	16,801		16,801
2040	0603313A	46	MISSILE AND ROCKET ADVANCED TECHNOLOGY	70,066	75,066	82,066		70,066
			Stryker active protection system demonstration			[12,000]		
			UAV gunfire detection system		[5,000]			
2040	0603322A	47	TRACTOR CAGE	15,406	15,406	15,406		15,406
2040	0603606A	48	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOG	25,327	25,327	25,327		25,327
2040	0603607A	49	JOINT SERVICE SMALL ARMS PROGRAM	6,581	6,581	6,581		6,581
2040	0603654A	50	LINE-OF-SIGHT TECHNOLOGY DEMONSTRATION					

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2040	0603710A	51	NIGHT VISION ADVANCED TECHNOLOGY	51,761	102,661	51,761	24,500	76,261
			Cerberus sensor suite		[7,000]		[4,000]	
			HyLITE		[9,200]			
			Low altitude IED detection		[7,500]		[2,000]	
			Enhanced night vision goggle		[12,200]		[10,000]	
			Portable infrared target detection and location reporting system		[1,000]		[1,000]	
			Soldier mobility and rifle tracking system		[4,000]		[1,500]	
			Helo wire detection and obstacle avoidance		[4,000]		[4,000]	
			Unmanned aircraft operational awareness system		[1,000]			
			Personal miniature thermal vision		[5,000]		[2,000]	
2040	0603728A	52	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATION:	12,606	24,106	12,606		12,606
			Army range transformation- start		[10,000]			
			Turboexpander		[1,500]			
2040	0603734A	53	MILITARY ENGINEERING ADVANCED TECHNOLOGY	7,301	14,301	10,301	6,600	13,901
			Advanced structures and composites			[3,000]	[3,000]	
			Gas engine air conditioning		[7,000]		[3,600]	
2040	0603772A	54	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TEC	42,475	52,875	42,475	6,100	48,575
			Bi-directional English-Arabic translation system		[2,900]		[2,600]	
			X-band interferometric radar		[2,500]		[1,000]	
			C4ISR IDESM		[5,000]		[2,500]	
2040	0603024A	55	UNIQUE ITEM IDENTIFICATION (UID)	1,500	1,500	1,500		1,500
2040	0603303A	55a	Reconnaissance Platforms and Sensors (Transfer from RDA 93)		47,203			
2040	0603304A	55b	Robotic Ground Systems (Transfer from RDA 93)		86,445			

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2040	0603305A	56	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION(NON SPACE	14,573	22,073	24,573	6,000	20,573
			Army command and control visualization system			[3,000]		
			Army MD interactive M&S management cap			[2,000]		
			Next generation interceptor materials		[5,000]	[5,000]	[5,000]	
			Technology transfer for improved medical imaging		[2,500]		[1,000]	
2040	0603308A	57	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (SPACE)	9,284	9,284	14,284	5,000	14,284
			Sensor and communications platform			[5,000]	[5,000]	
2040	0603327A	58	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	83,063	95,063	87,063	9,000	92,063
			ASMD architecture analysis program		[5,000]	[2,000]	[2,000]	
			Single integrated space picture			[2,000]	[2,000]	
			GIDS-SIAP		[7,000]		[5,000]	
2040	0603619A	59	LANDMINE WARFARE AND BARRIER - ADV DEV					
2040	0603627A	60	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV	5,733	5,733	5,733		5,733
2040	0603639A	61	TANK AND MEDIUM CALIBER AMMUNITION					
2040	0603645A	61a	Manned Ground Vehicles (Transfer from RDA 93)		100,000			
2040	0603653A	62	ADVANCED TANK ARMAMENT SYSTEM (ATAS)	26,712	41,712	26,712		26,712
			Common remote stabilized sensor system		[15,000]			
2040	0603747A	63	SOLDIER SUPPORT AND SURVIVABILITY	3,393	3,393	3,393		3,393
2040	0603766A	64	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM - ADV DEV	18,907	18,907	18,907		18,907
2040	0603774A	65	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	6,885	6,885	6,885		6,885
2040	0603779A	66	ENVIRONMENTAL QUALITY TECHNOLOGY	5,166	7,666	11,366	8,200	13,366
			Casting emissions reduction program			[6,200]	[6,200]	
			Aberdeen Proving Ground asbestos conversion facility		[2,500]		[2,000]	
2040	0603782A	67	WARFIGHTER INFORMATION NETWORK-TACTICAL	131,081	131,081	131,081		131,081
2040	0603790A	68	NATO RESEARCH AND DEVELOPMENT	4,902	4,902	4,902		4,902
2040	0603801A	69	AVIATION - ADV DEV	6,249	6,249	6,249		6,249

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2040	0603802A	70	WEAPONS AND MUNITIONS - ADV DEV					
2040	0603804A	71	LOGISTICS AND ENGINEER EQUIPMENT - ADV DEV	13,375	13,375	13,375		13,375
2040	0603805A	72	COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION	10,659	10,659	10,659		10,659
2040	0603807A	73	MEDICAL SYSTEMS - ADV DEV	10,134	15,134	14,634	2,000	12,134
			Extended shelf life red blood cells			[1,000]		
			IV fluid warming system			[1,000]		
			Lightweight portable oxygen			[2,500]		
			Leishmaniasis		[1,500]		[1,000]	
			Pseudofollicullitis Barbae		[1,000]		[1,000]	
			Glioblast 13 compound		[2,500]			
2040	0603827A	74	SOLDIER SYSTEMS - ADVANCED DEVELOPMENT	10,595	10,595	10,595		10,595
2040	0603850A	75	INTEGRATED BROADCAST SERVICE (JMIP)	2,762	2,762	2,762		2,762
2040	0603856A	76	SCAMP BLOCK II					
2040	0603869A	77	MEDIUM EXTENDED AIR DEFENSE SYSTEM (MEADS) CONCEP					
2040	0604201A	78	AIRCRAFT AVIONICS	23,451	26,451	23,451		23,451
			Helo situational awareness		[3,000]			
2040	0604220A	79	ARMED, DEPLOYABLE OH-58D	13,964	13,964	13,964		13,964
2040	0604223A	80	COMANCHE					
2040	0604270A	81	ELECTRONIC WARFARE DEVELOPMENT	32,179	32,179	32,179		32,179
2040	0604280A	82	JOINT TACTICAL RADIO	156,665	156,665	117,265		156,665
			JTRS program execution			[-39,400]		
2040	0604321A	83	ALL SOURCE ANALYSIS SYSTEM	7,973	7,973	7,973		7,973
2040	0604328A	84	TRACTOR CAGE	16,099	16,099	16,099		16,099
2040	0604329A	85	COMMON MISSILE					
2040	0604601A	86	INFANTRY SUPPORT WEAPONS	34,627	42,627	34,627	4,000	38,627
			CROWS Light		[8,000]		[4,000]	

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2040	0604604A	87	MEDIUM TACTICAL VEHICLES	1,886	11,886	6,886	15,000	16,886
			Medium tactical vehicle suspension development		[10,000]		[10,000]	
2040			Medium tactical vehicle modifications (S. Amdt)			[5,000]	[5,000]	
2040	0604609A	88	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-SDD					
2040	0604611A	89	JAVELIN					
2040	0604622A	90	FAMILY OF HEAVY TACTICAL VEHICLES	3,415	3,415	13,415	10,000	13,415
			Future tactical truck system advanced concept technology demo			[10,000]	[10,000]	
2040	0604633A	91	AIR TRAFFIC CONTROL	4,508	4,508	4,508		4,508
2040	0604642A	92	LIGHT TACTICAL WHEELED VEHICLES			5,000	5,000	5,000
			HMMWV bloc improvement program			[5,000]	[5,000]	
2040	0604645A	93	ARMORED SYSTEMS MODERNIZATION (ASM)-SDD	3,065,629		3,065,629	-100,000	2,965,629
			Transfer funding to other program elements		[-3,065,629]			
			Program overhead/excess management reserve				[-100,000]	
2040	0604645A	93a	FCS Common Operating Environment (Transfer from RDA 93)		2,322,200			
2040	0604646A	94	NON-LINE OF SIGHT LAUNCH SYSTEM	231,554	231,554	231,554		231,554
2041	0604647A	95	NON-LINE OF SIGHT CANNON	107,587	157,587	107,587	50,000	157,587
			Program increase		[50,000]		[50,000]	
2040	0604710A	96	NIGHT VISION SYSTEMS - SDD	26,449	32,449	26,449		26,449
			Unattended ground sensors		[6,000]			
2040	0604713A	97	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	3,383	3,383	3,383		3,383
2040	0604715A	98	NON-SYSTEM TRAINING DEVICES - SDD	61,090	61,090	61,090		61,090
2040	0604716A	99	TERRAIN INFORMATION - SDD					
2040	0604726A	100	INTEGRATED METEOROLOGICAL SUPPORT SYSTEM					
2040	0604741A	101	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE - SDI	29,012	29,012	29,012		29,012
2040	0604742A	102	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	40,572	40,572	40,572		40,572
2040	0604746A	103	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	54	54	54		54
2040	0604760A	104	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS) - SDD	22,057	22,057	22,057		22,057

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2040	0604766A	105	TACTICAL SURVEILLANCE SYSTEMS - SDD		2,504			
			Unattended sensors (transfer from RDA 93)		[2,504]			
2040	0604768A	106	ARMY TACTICAL MISSILE SYSTEM (ATACMS)					
2040	0604770A	107	JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM (JST/					
2040	0604778A	108	POSITIONING SYSTEMS DEVELOPMENT (SPACE)					
2040	0604780A	109	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	37,471	37,471	37,471		37,471
2040	0604783A	110	JOINT NETWORK MANAGEMENT SYSTEM	5,092	5,092	5,092		5,092
2040	0604801A	111	AVIATION - SDD					
2040	0604802A	112	WEAPONS AND MUNITIONS - SDD	87,034	87,034	87,034		87,034
2040	0604804A	113	LOGISTICS AND ENGINEER EQUIPMENT - SDD	13,353	14,353	13,353		13,353
			Personal water disinfection		[1,000]			
2040	0604805A	114	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS - SDD	393,062	260,062	124,162	-168,000	225,062
			JTRS program execution			[-268,900]	[-168,000]	
			JTRS program reduction		[-133,000]			
2040	0604807A	115	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPM	5,627	9,627	5,627	4,000	9,627
			Battlefield respirator and ventilator		[4,000]		[4,000]	
2040	0604808A	116	LANDMINE WARFARE/BARRIER - SDD	80,560	80,560	80,560		80,560
2040	0604814A	117	ARTILLERY MUNITIONS	113,368	123,368	113,368	2,000	115,368
			Excalibur XM982		[10,000]		[2,000]	
2040	0604817A	118	COMBAT IDENTIFICATION	2,973	2,973	2,973		2,973
2040	0604818A	119	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFT	66,980	66,980	66,980		66,980
2040	0604819A	120	LOSAT					
2040	0604820A	121	RADAR DEVELOPMENT	5,080	5,080	5,080		5,080
2040	0604822A	122	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	71,119	71,119	71,119		71,119
2040	0604823A	123	FIREFINDER	46,061	46,061	46,061		46,061

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2040	0604827A	124	SOLDIER SYSTEMS - WARRIOR DEM/VAL	57,818	61,518	57,818	3,000	60,818
			Nomad C2 display		[3,700]		[3,000]	
2040	0604854A	125	ARTILLERY SYSTEMS	5,476	5,476	5,476		5,476
2040	0604865A	126	PATRIOT PAC-3 THEATER MISSILE DEFENSE ACQUISITION					
2040	0604869A	127	PATRIOT/MEADS COMBINED AGGREGATE PROGRAM (CAP)	288,785	288,785	289,785		288,785
			Patriot/MEADS protected sim and test link			[1,000]		
2040	0605013A	128	INFORMATION TECHNOLOGY DEVELOPMENT	63,662	63,662	63,662		63,662
2040	0604256A	129	THREAT SIMULATOR DEVELOPMENT	23,796	23,796	23,796		23,796
2040	0604258A	130	TARGET SYSTEMS DEVELOPMENT	10,855	10,855	13,855	1,500	12,355
			UAV ice protection			[3,000]	[1,500]	
2040	0604759A	131	MAJOR T&E INVESTMENT	64,498	64,498	64,498		64,498
2040	0605103A	132	RAND ARROYO CENTER	23,800	23,800	23,800		23,800
2040	0605301A	133	ARMY KWAJALEIN ATOLL	154,535	154,535	154,535		154,535
2040	0605326A	134	CONCEPTS EXPERIMENTATION PROGRAM	31,653	31,653	31,653	3,500	35,153
			Automated language translation				[3,500]	
2040	0605502A	135	SMALL BUSINESS INNOVATIVE RESEARCH					
2040	0605601A	136	ARMY TEST RANGES AND FACILITIES	369,943	369,943	369,943		369,943
2040	0605602A	137	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	62,687	69,687	62,687	2,000	64,687
			Mobile optical tracking system		[7,000]		[2,000]	
2040	0605604A	138	SURVIVABILITY/LETHALITY ANALYSIS	38,306	38,306	38,306		38,306
2040	0605605A	139	DOD HIGH ENERGY LASER TEST FACILITY	17,688	17,688	17,688		17,688
2040	0605606A	140	AIRCRAFT CERTIFICATION	2,748	2,748	2,748		2,748
2040	0605702A	141	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	8,829	8,829	8,829		8,829
2040	0605706A	142	MATERIEL SYSTEMS ANALYSIS	15,517	15,517	15,517		15,517
2040	0605709A	143	EXPLOITATION OF FOREIGN ITEMS	4,710	4,710	4,710		4,710
2040	0605712A	144	SUPPORT OF OPERATIONAL TESTING	75,993	75,993	75,993		75,993

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
2040	0605716A	145	ARMY EVALUATION CENTER	57,305	57,305	57,305		57,305
2040	0605718A	146	SIMULATION & MODELING FOR ACQ, RQTS, & TNG (SMART)	9,437	9,437	9,437		9,437
2040	0605801A	147	PROGRAMWIDE ACTIVITIES	54,269	54,269	54,269		54,269
2040	0605803A	148	TECHNICAL INFORMATION ACTIVITIES	32,237	32,237	38,237	6,000	38,237
			High performance computing research			[6,000]	[6,000]	
2040	0605805A	149	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFET	16,922	16,922	16,922		16,922
2040	0605857A	150	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	4,014	4,014	4,014		4,014
2040	0605898A	151	MANAGEMENT HQ - R&D	12,908	12,908	12,908		12,908
2040	0603778A	152	MLRS PRODUCT IMPROVEMENT PROGRAM	114,297	114,297	114,297		114,297
2040	0102419A	153	AEROSTAT JOINT PROJECT OFFICE	106,420	108,420	106,420	1,000	107,420
			MEMS demonstration		[2,000]		[1,000]	
2040	0203610A	154	DOMESTIC PREPAREDNESS AGAINST WMD					
2040	0203726A	155	ADV FIELD ARTILLERY TACTICAL DATA SYSTEM	16,064	21,064	16,064		16,064
			Fire support technology improvement program		[5,000]			
2040	0203735A	156	COMBAT VEHICLE IMPROVEMENT PROGRAMS	12,030	17,030	12,030	4,000	16,030
			Combat vehicle electronics		[5,000]		[4,000]	
2040	0203740A	157	MANEUVER CONTROL SYSTEM	44,903	44,903	44,903		44,903
2040	0203744A	158	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGR.	409,103	413,003	409,103		409,103
			Black Hawk nomad		[3,900]			
2040	0203752A	159	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	2,066	2,066	2,066		2,066
2040	0203758A	160	DIGITIZATION	12,343	12,343	12,343		12,343
2040	0203759A	161	FORCE XXI BATTLE COMMAND, BRIGADE AND BELOW (FBCB2	20,201	20,201	20,201		20,201
2040	0203801A	162	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	16,188	16,188	16,188		16,188
2040	0203802A	163	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	23,560	23,560	23,560		23,560
2040	0203806A	164	TRACTOR RUT					
2040	0203808A	165	TRACTOR CARD	6,797	6,797	6,797		6,797

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
2040	0208010A	166	JOINT TACTICAL COMMUNICATIONS PROGRAM (TRI-TAC)	24,906	24,906	24,906		24,906
2040	0208053A	167	JOINT TACTICAL GROUND SYSTEM	12,854	12,854	12,854		12,854
2040	0208058A	168	JOINT HIGH SPEED VESSEL (JHSV)	3,261	3,261	3,261		3,261
2040	0301359A	169	SPECIAL ARMY PROGRAM	[ ]	[ ]	[ ]	[ ]	[ ]
2040	0301555A	170	CLASSIFIED PROGRAMS	[ ]	[ ]	[ ]	[ ]	[ ]
2040	0301556A	171	SPECIAL PROGRAM	[ ]	[ ]	[ ]	[ ]	[ ]
2040	0303028A	172	SECURITY AND INTELLIGENCE ACTIVITIES	2,992	2,992	2,992		2,992
2040	0303140A	173	INFORMATION SYSTEMS SECURITY PROGRAM	22,903	22,903	23,903	1,000	23,903
			Retinal/iris multimodal biometrics			[1,000]	[1,000]	
2040	0303141A	174	GLOBAL COMBAT SUPPORT SYSTEM	79,752	79,752	79,752	-8,000	71,752
			Funding ahead of need				[-8,000]	
2040	0303142A	175	SATCOM GROUND ENVIRONMENT (SPACE)	58,659	58,659	58,659		58,659
2040	0303150A	176	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	13,647	13,647	13,647		13,647
2040	0303158A	177	JOINT COMMAND AND CONTROL PROGRAM (JC2)	1,696	1,696	1,696		1,696
2040	0305114A	178	TRAFFIC CONTROL, APPROACH AND LANDING SYSTEM					
2040	0305204A	179	TACTICAL UNMANNED AERIAL VEHICLES (JMIP)	139,610	139,610	139,610		139,610
2040	0305206A	180	AIRBORNE RECONNAISSANCE SYSTEMS (JMIP)	5,398	5,398	5,398		5,398
2040	0305208A	181	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS (JMIP)	91,587	73,287	91,587	-10,000	81,587
			Program reduction		[-18,300]		[-10,000]	
2040	0702239A	182	AVIONICS COMPONENT IMPROVEMENT PROGRAM	994	994	994		994

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(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
2040	0708045A	183	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	68,505	82,705	85,505	28,300	96,805
			Advanced modeling technology for titanium machining			[4,500]	[4,500]	
			Manufacturing systems demonstration			[4,000]	[4,000]	
			Super-pulse laser processing technology			[3,500]	[3,500]	
			Packaging and interconnection technology			[3,000]	[3,000]	
			Virtual parts engineering research			[2,000]	[2,000]	
			Smart machine platform		[4,500]		[4,000]	
			Affordable modular manufacturing process		[3,200]		[2,800]	
			Lean munitions		[4,500]		[4,500]	
			Powdered metal compaction initiative		[2,000]			
2040	1001018A	184	NATO JOINT STARS	569	569	569		569
2040	0607XXX	184a	Tactical Wheeled Vehicle Product Improvement Program		50,000		20,000	20,000
2040	XXXXXXX	999	CLASSIFIED PROGRAMS	3,966	3,966	3,966		3,966
			Total, RDT&E Army	**9,733,824**	**9,774,372**	**9,739,824**	**302,180**	**10,036,004**

Navy

Research, Development, Test, and Evaluation, Navy overview

The budget request for fiscal year 2006 included an authorization of $18,038.0 million in Research, Development, Test, and Evaluation, Navy for the Department of Defense.

The House bill would authorize $18,022.1 million.

The Senate amendment would authorize $18,410.4 million.

The conferees recommend an authorization of $18,581.4 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

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(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
			RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY					
1319	0601103N	1	UNIVERSITY RESEARCH INITIATIVES	75,910	75,910	88,910	8,500	84,410
			Blast impact resistant composites			[1,000]		
			Remote sensing research			[2,500]	[2,500]	
			Neural engineering research			[2,000]		
			Multifunctional materials for naval structures			[2,500]	[1,000]	
			Program increase (S. Amdt)			[5,000]	[5,000]	
1319	0601152N	2	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	15,500	15,500	18,500	3,000	18,500
			Navy S&T outreach			[3,000]	[3,000]	
1319	0601153N	3	DEFENSE RESEARCH SCIENCES	356,885	352,885	356,885		356,885
			Ocean sciences		[-4,000]			
1319	0602114N	4	POWER PROJECTION APPLIED RESEARCH	94,148	107,148	99,148	11,000	105,148
			Free electron laser			[5,000]	[5,000]	
			Fire lidar		[2,000]		[2,000]	
			High performance frequency modulated fiber optic link		[5,000]		[2,000]	
			Retroreflecting optical communications for special operations		[6,000]		[2,000]	
1319	0602123N	5	FORCE PROTECTION APPLIED RESEARCH	101,650	111,650	112,950	19,300	120,950
			Nanomagnetic materials			[2,000]	[2,000]	
			Small watercraft propulsion demonstrator			[3,000]	[3,000]	
			High frequency acoustic signal processor			[2,000]	[2,000]	
			Polymeric aircraft components			[2,000]	[2,000]	
			Undersea perimeter security technology			[2,300]	[2,300]	
			Secure infrastructure technology		[6,000]		[6,000]	
			Thin film battery technology		[4,000]		[2,000]	

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
1319	0602131M	6	MARINE CORPS LANDING FORCE TECHNOLOGY	37,590	37,590	38,590		37,590
			Combat headborne system research			[1,000]		
1319	0602233N	7	HUMAN SYSTEMS TECHNOLOGY					
1319	0602234N	8	MATERIALS, ELECTRONICS AND COMPUTER TECHNOLOGY					
1319	0602235N	9	COMMON PICTURE APPLIED RESEARCH	57,693	57,693	64,193	13,000	70,693
			Critical area protection systems			[2,000]	[1,000]	
			SensorNet			[12,000]	[12,000]	
			Space research			[-7,500]		
1319	0602236N	10	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	82,856	93,556	86,856	6,500	89,356
			Multifunction composites for next Navy seaframes			[3,500]	[3,500]	
			Automated video threat recognition			[2,500]	[2,500]	
			Rapid detection of biowarfare agents in water			[3,000]	[3,000]	
			Seabasing research			[-5,000]	[-7,500]	
			Composite ceramic UUV		[2,500]			
			Marine mammal research program		[2,200]			
			Virtual clinical learning laboratory		[3,000]		[3,000]	
			Partnership simulation laboratory		[3,000]		[2,000]	
1319	0602271N	11	RF SYSTEMS APPLIED RESEARCH	47,302	52,102	50,802	3,500	50,802
			Gallium nitride RF power			[2,000]	[2,000]	
			Maritime identification and surveillance technology		[4,800]			
1319			High brightness electron source program (S. Amdt)			[1,500]	[1,500]	
1319	0602435N	12	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	49,793	62,293	52,293	2,500	52,293
			Integrated littoral sensor network			[2,500]	[2,500]	
			Integrated ocean observing system		[12,500]			
1319	0602651M	13	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,000	6,000	6,000		6,000

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(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
1319	0602747N	14	UNDERSEA WARFARE APPLIED RESEARCH	71,362	72,362	71,362	1,000	72,362
			High power and energy storage system		[1,000]		[1,000]	
1319	0602782N	15	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	49,520	49,520	55,520	3,000	52,520
			UAV team coordination			[3,000]	[3,000]	
			Prototype IED detection and neutralization			[3,000]		
1319	0603114N	16	POWER PROJECTION ADVANCED TECHNOLOGY	82,538	113,238	92,538	21,000	103,538
			Information sharing for ISRTE			[3,000]	[3,000]	
			Excalibur UAV			[1,000]	[1,000]	
			DP-2 thrust vectoring system		[8,000]		[7,000]	
			High power free electron laser		[4,700]			
			Laser radar		[6,000]		[1,000]	
			Low cost terminal imaging seeker		[5,000]		[4,000]	
			Low power terascale UAV processing engine		[7,000]			
1319			Long wavelength array low frequency instruments (S. Amdt)			[6,000]	[5,000]	

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
1319	0603123N	17	FORCE PROTECTION ADVANCED TECHNOLOGY	71,488	115,988	101,388	31,000	102,488
			Wireless sensor system			[2,000]	[2,000]	
			Mobile manufacturing repair cell			[5,000]	[5,000]	
			Wide bandgap semiconductor substrate materials			[8,000]	[8,000]	
			Small arms acoustic and infrared flash detection			[3,900]		
			High temperature superconducting generators		[5,000]	[5,000]	[5,000]	
			Ship service fuel cell			[6,000]	[6,000]	
			Advanced material systems for LCS		[8,000]			
			Seapower 21 autonomous technologies		[5,000]		[2,000]	
			Fast ship compact waterjet		[4,000]			
			4th generation permanent magnet motor		[2,000]		[2,000]	
			High temperature superconducting AC synchronous motor		[4,000]			
			Project M		[8,500]		[1,000]	
			Superconducting direct current homopolar motor		[5,000]			
			UAV imagery		[3,000]			
1319	0603235N	18	COMMON PICTURE ADVANCED TECHNOLOGY	60,589	66,589	64,589	7,400	67,989
			Improved shipboard combat information			[4,000]	[4,000]	
			Consolidated undersea situational awareness		[6,000]		[3,400]	
1319	0603236N	19	WARFIGHTER SUSTAINMENT ADVANCED TECHNOLOGY	68,540	77,540	75,540	16,000	84,540
			Full body protective apparel			[3,000]	[3,000]	
			Automated cargo and container handling systems			[4,000]	[4,000]	
			Virtual at-sea training initiative		[3,000]		[3,000]	
			SEAPRINT		[6,000]		[6,000]	

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
1319	0603271N	20	RF SYSTEMS ADVANCED TECHNOLOGY	75,070	87,970	81,070	7,000	82,070
			Joint UAV electronic attack			[3,000]	[3,000]	
			APY-6 real time precision targeting radar			[3,000]	[3,000]	
			Polyimide macro electromechanical systems		[7,400]			
			Remote ocean surveillance system		[3,000]			
			Spectral beam combining fiber lasers		[2,500]		[1,000]	
1319	0603640M	21	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	56,434	65,434	72,634	24,200	80,634
			Armored patrol vehicle			[3,000]	[3,000]	
			Laser integrated target engagement system			[5,200]	[5,200]	
			Expeditionary warfare water purification			[7,000]	[7,000]	
			Advanced combat headborne system			[1,000]		
			Advanced mine detection		[3,000]		[3,000]	
			Common remote operating weapon station (CROWS)		[2,000]		[2,000]	
			Mobile fire support system dragon fire II		[4,000]		[4,000]	
1319	0603651M	22	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	2,394	2,394	2,394		2,394
1319	0603706N	23	MEDICAL DEVELOPMENT					
1319	0603727N	24	NAVY TECHNICAL INFORMATION PRESENTATION SYSTEM	187,943	187,943	197,843	8,000	195,943
			Modeling and simulation for urban operations			[9,900]	[8,000]	
1319	0603729N	25	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	16,068	22,368	16,068	4,000	20,068
			Naval special warfare performance and injury prevention program		[2,600]		[2,000]	
			Anti-oxidant micronutrient program		[3,700]		[2,000]	
1319	0603747N	26	UNDERSEA WARFARE ADVANCED TECHNOLOGY	27,603	27,603	27,603		27,603
1319	0603757N	27	JOINT WARFARE EXPERIMENTS					
1319	0603758N	28	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	49,288	72,288	49,288	15,000	64,288
			Littoral support craft-experimental		[23,000]		[15,000]	
1319	0603782N	29	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOL(	31,897	31,897	31,897		31,897

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(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
1319	0603207N	30	AIR/OCEAN TACTICAL APPLICATIONS	27,094	29,794	27,094	2,500	29,594
			3-D sonar for UUV		[2,700]		[2,500]	
1319	0603216N	31	AVIATION SURVIVABILITY	6,255	11,755	6,255	2,500	8,755
			Ceramic air deployed sensor		[2,500]		[2,500]	
			Reduced risk ordnance		[3,000]			
1319	0603237N	32	DEPLOYABLE JOINT COMMAND AND CONTROL	41,464	41,464	41,464		41,464
1319	0603254N	33	ASW SYSTEMS DEVELOPMENT	7,050	15,050	7,050	5,000	12,050
			Tactical E-field buoy development		[8,000]		[5,000]	
1319	0603261N	34	TACTICAL AIRBORNE RECONNAISSANCE	3,938	3,938	3,938		3,938
1319	0603382N	35	ADVANCED COMBAT SYSTEMS TECHNOLOGY	30,166	30,166	30,166		30,166
1319	0603502N	36	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	122,122	122,122	124,122	2,000	124,122
			Surface Navy integrated undersea tactical technology			[2,000]	[2,000]	
1319	0603506N	37	SURFACE SHIP TORPEDO DEFENSE	47,039	52,039	47,039	4,000	51,039
			AN/WSQ-11 ATT and tripwire		[5,000]		[4,000]	
1319	0603512N	38	CARRIER SYSTEMS DEVELOPMENT	167,823	175,823	167,823		167,823
			Aviation ship integration center		[8,000]			
1319	0603513N	39	SHIPBOARD SYSTEM COMPONENT DEVELOPMENT	22,150	27,050	31,650	12,900	35,050
			Amorphous metal permanent magnet generator		[1,500]	[1,500]	[1,500]	
			High temperature superconductor AC synchronous motor			[8,000]	[8,000]	
			Integrated fight through power		[3,400]		[3,400]	
1319	0603525N	40	PILOT FISH	141,369	141,369	141,369		141,369
1319	0603527N	41	RETRACT LARCH	82,717	82,717	82,717		82,717
1319	0603536N	42	RETRACT JUNIPER	54,887	54,887	54,887		54,887
1319	0603542N	43	RADIOLOGICAL CONTROL	1,845	1,845	1,845		1,845

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(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
1319	0603553N	44	SURFACE ASW	17,343	33,043	21,843	9,500	26,843
			Improved surface vessel torpedo launcher			[4,500]	[4,500]	
			Medium N off-board distributed acoustic sensor		[3,700]		[2,000]	
			Receive-While-Transmit Sonar		[12,000]		[3,000]	
1319	0603559N	45	SSGN CONVERSION	24,020	24,020	44,020	20,000	44,020
			UUV integration with SSGN			[20,000]	[20,000]	
1319	0603561N	46	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	162,953	186,953	122,953		162,953
			Undersea superiority system - undefined			[-40,000]		
			Large aperture bow and low cost conformal arrays		[5,000]			
			Twin-line thin line towed array		[19,000]			
1319	0603562N	47	SUBMARINE TACTICAL WARFARE SYSTEMS	7,125	7,125	7,125		7,125
1319	0603563N	48	SHIP CONCEPT ADVANCED DESIGN	11,899	16,899	11,899	2,000	13,899
			Security video distribution system		[5,000]		[2,000]	
1319	0603564N	49	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	27,021	31,021	27,021		27,021
			AGOR ocean class research ship preliminary design		[4,000]			
1319	0603570N	50	ADVANCED NUCLEAR POWER SYSTEMS	168,373	168,373	168,373		168,373
1319	0603573N	51	ADVANCED SURFACE MACHINERY SYSTEMS					
1319	0603576N	52	CHALK EAGLE	116,230	116,230	116,230		116,230
1319	0603581N	53	LITTORAL COMBAT SHIP (LCS)	576,454	588,454	576,454		576,454
			High strength composite material		[12,000]			
1319	0603582N	54	COMBAT SYSTEM INTEGRATION	76,975	76,975	76,975		76,975
1319	0603609N	55	CONVENTIONAL MUNITIONS	36,940	36,940	36,940		36,940
1319	0603611M	56	MARINE CORPS ASSAULT VEHICLES	253,675	253,675	262,175		253,675
			Regenerative filtration technology			[8,500]		
1319	0603612M	57	USMC MINE COUNTERMEASURES SYSTEMS - ADV DEV	3,265	3,265	3,265		3,265

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
1319	0603635M	58	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	500	8,000	32,900	15,000	15,500
			Follow-on to multipurpose assault weapon (FOTS)			[14,000]		
			Urban operations environment laboratory		[5,500]	[5,500]	[5,500]	
			Clearing facilities with novel technology			[2,900]	[1,500]	
			Non-lethal technology weaponization			[2,600]		
			Anti-sniper infrared targeting system			[7,400]	[6,000]	
			Marine expeditionary rifle squad (MERS)		[2,000]		[2,000]	
1319	0603654N	59	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	34,418	34,418	34,418		34,418
1319	0603658N	60	COOPERATIVE ENGAGEMENT	88,135	88,135	88,135		88,135
1319	0603713N	61	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	24,620	24,620	24,620		24,620
1319	0603721N	62	ENVIRONMENTAL PROTECTION	21,977	21,977	26,977	3,000	24,977
			Marine mammal detection and mitigation			[5,000]	[3,000]	
1319	0603724N	63	NAVY ENERGY PROGRAM	1,595	1,595	1,595		1,595
1319	0603725N	64	FACILITIES IMPROVEMENT	4,158	4,158	4,158		4,158
1319	0603734N	65	CHALK CORAL	52,769	52,769	52,769		52,769
1319	0603739N	66	NAVY LOGISTIC PRODUCTIVITY	8,909	8,909	8,909		8,909
1319	0603746N	67	RETRACT MAPLE	308,708	308,708	308,708		308,708
1319	0603748N	68	LINK PLUMERIA	81,723	81,723	81,723		81,723
1319	0603751N	69	RETRACT ELM	57,036	57,036	57,036		57,036
1319	0603755N	70	SHIP SELF DEFENSE	9,592	9,592	9,592		9,592
1319	0603764N	71	LINK EVERGREEN	58,153	58,153	58,153		58,153
1319	0603787N	72	SPECIAL PROCESSES	47,908	47,908	47,908		47,908
1319	0603790N	73	NATO RESEARCH AND DEVELOPMENT	10,335	10,335	10,335		10,335

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(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
1319	0603795N	74	LAND ATTACK TECHNOLOGY	14,195	80,195	14,195	50,000	64,195
			Affordable weapon system		[60,000]		[50,000]	
			Extended range guided munitions		[5,000]			
			76mm gun testing		[1,000]			
1319	0603851M	75	NONLETHAL WEAPONS	43,981	43,981	43,981		43,981
1319	0603857N	76	ALL SERVICE COMBAT IDENTIFICATION EVALUATION TEAM (	15,696	15,696	15,696		15,696
1319	0603860N	77	JOINT PRECISION APPROACH AND LANDING SYSTEMS	39,260	39,260	39,260		39,260
1319	0603879N	78	SINGLE INTEGRATED AIR PICTURE (SIAP) SYSTEM ENGINEER (	36,721	36,721	36,721		36,721
1319	0603889N	79	COUNTERDRUG RDT&E PROJECTS					
1320	0604272N	80	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES	9,956	9,956	9,956		9,956
1319	0604327N	81	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTI					
1319	0604707N	82	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/EN	44,469	44,469	44,469		44,469
1319	0604787N	83	JOINT WARFARE TRANSFORMATION PROGRAMS	23,385	23,385	23,385		23,385
1319	0604212N	84	OTHER HELO DEVELOPMENT	81,112	91,112	81,112		81,112
			Joint heavy lift		[10,000]			
1319	0604214N	85	AV-8B AIRCRAFT - ENG DEV	15,556	15,556	15,556		15,556
1319	0604215N	86	STANDARDS DEVELOPMENT	84,308	91,108	84,308	4,000	88,308
			Metrology		[6,800]		[4,000]	
1319	0604216N	87	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	48,144	48,144	48,144		48,144
1319	0604218N	88	AIR/OCEAN EQUIPMENT ENGINEERING	4,558	4,558	4,558		4,558
1319	0604221N	89	P-3 MODERNIZATION PROGRAM	7,401	7,401	7,401		7,401
1319	0604230N	90	WARFARE SUPPORT SYSTEM	2,275	2,275	2,275		2,275
1319	0604231N	91	TACTICAL COMMAND SYSTEM	51,177	58,177	53,177	9,000	60,177
			Logistics common operating picture			[2,000]	[2,000]	
			Air combat environment test and evaluation		[3,000]		[3,000]	
			Multi-wavelength aerosolized biologics sensor		[4,000]		[4,000]	

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(Dollars in Thousands)

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1319	0604234N	92	ADVANCED HAWKEYE	629,682	629,682	629,682		629,682
1319	0604245N	93	H-1 UPGRADES	42,012	42,012	42,012		42,012
1319	0604261N	94	ACOUSTIC SEARCH SENSORS	29,522	29,522	32,522	3,000	32,522
			Automatic radar periscope detection and discrimination			[3,000]	[3,000]	
1319	0604262N	95	V-22A	206,376	206,376	206,376		206,376
1319	0604264N	96	AIR CREW SYSTEMS DEVELOPMENT	10,902	10,902	10,902		10,902
1319	0604269N	97	EA-18	409,097	409,097	409,097		409,097
1319	0604270N	98	ELECTRONIC WARFARE DEVELOPMENT	42,667	42,667	42,667		42,667
1319	0604273N	99	VHXX EXECUTIVE HELO DEVELOPMENT	935,932	935,932	935,932		935,932
1319	0604280N	100	JOINT TACTICAL RADIO SYSTEM - NAVY (JTRS-NAVY)	250,766	250,766	250,766	-30,000	220,766
			Program delay and restructure				[-30,000]	
1319	0604300N	101	SC-21 TOTAL SHIP SYSTEM ENGINEERING	1,114,791	699,991	1,124,791	10,000	1,124,791
			DD(X) IPS - permanent magnet motor			[10,000]	[10,000]	
			Program reduction		[-414,800]			
1319	0604307N	102	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	216,313	228,313	216,313		216,313
			Advanced radar technology integrated system testbed		[12,000]			
1319	0604311N	103	LPD-17 CLASS SYSTEMS INTEGRATION	11,443	11,443	11,443		11,443
1319	0604312N	104	TRI-SERVICE STANDOFF ATTACK MISSILE					
1319	0604329N	105	SMALL DIAMETER BOMB (SDB)	9,965	9,965	9,965		9,965
1319	0604366N	106	STANDARD MISSILE IMPROVEMENTS	145,634	145,634	145,634		145,634
1319	0604373N	107	AIRBORNE MCM	54,659	54,659	54,659		54,659
1319	0604503N	108	SSN-688 AND TRIDENT MODERNIZATION	95,499	110,999	106,499	11,000	106,499
			Affordable towed array construction		[6,000]	[6,000]	[3,000]	
			Common submarine radio room		[9,500]		[3,000]	
			Towed array handler (S. Amdt)			[5,000]	[5,000]	
1319	0604504N	109	AIR CONTROL	10,151	10,151	10,151		10,151

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(Dollars in Thousands)

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1319	0604507N	110	ENHANCED MODULAR SIGNAL PROCESSOR	1,079	1,079	1,079		1,079
1319	0604512N	111	SHIPBOARD AVIATION SYSTEMS	33,029	39,529	33,029	6,500	39,529
			Aircraft carrier launch and recovery support equipment		[6,500]		[6,500]	
1319	0604518N	112	COMBAT INFORMATION CENTER CONVERSION	6,908	6,908	6,908		6,908
1319	0604558N	113	NEW DESIGN SSN	155,807	175,807	194,807	37,000	192,807
			VA-class multi mission module		[20,000]	[30,000]	[30,000]	
			VA-class large aperture bow array			[10,000]	[3,000]	
			Network centric capability tech insertion			[4,000]	[4,000]	
			VA-class large aperture bow array (S. Amdt)			[-5,000]		
1319	0604561N	114	SSN-21 DEVELOPMENTS	2,928	2,928	2,928		2,928
1319	0604562N	115	SUBMARINE TACTICAL WARFARE SYSTEM	40,690	40,690	47,690	7,000	47,690
			Submarine common open architecture tech insertion			[3,500]	[3,500]	
			Automated submarine command and control center			[3,500]	[3,500]	
1319	0604567N	116	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	55,672	55,672	55,672		55,672
1319	0604574N	117	NAVY TACTICAL COMPUTER RESOURCES	2,220	2,220	2,220		2,220
1319	0604601N	118	MINE DEVELOPMENT	15,392	15,392	15,392		15,392
1319	0604603N	119	UNGUIDED CONVENTIONAL AIR-LAUNCHED WEAPONS					
1319	0604610N	120	LIGHTWEIGHT TORPEDO DEVELOPMENT	31,826	31,826	31,826		31,826
1319	0604618N	121	JOINT DIRECT ATTACK MUNITION					
1319	0604654N	122	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	8,880	8,880	8,880		8,880
1319	0604703N	123	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	3,097	3,097	3,097		3,097
1319	0604721N	124	BATTLE GROUP PASSIVE HORIZON EXTENSION SYSTEM	18,456	18,456	18,456		18,456
1319	0604727N	125	JOINT STANDOFF WEAPON SYSTEMS	13,517	13,517	13,517		13,517
1319	0604755N	126	SHIP SELF DEFENSE (DETECT & CONTROL)	45,931	45,931	50,971	4,000	49,931
			Autonomous unmanned surface vessel			[5,200]	[4,000]	
			Autonomous unmanned surface vessel (S. Amdt)			[-160]		
1319	0604756N	127	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	46,026	46,026	46,026		46,026

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(Dollars in Thousands)

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1319	0604757N	128	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	24,012	24,012	33,012	4,000	28,012
			NULKA decoy development			[9,000]	[4,000]	
1319	0604761N	129	INTELLIGENCE ENGINEERING	5,002	5,002	5,002		5,002
1319	0604771N	130	MEDICAL DEVELOPMENT	7,202	27,902	19,702	16,500	23,702
			Hemostatic therapy trials			[3,000]	[3,000]	
			Advanced research on QuikClot		[2,700]	[2,000]		
			Hemoglobin-based oxygen carrier research		[8,000]	[4,000]	[4,000]	
			Non-invasive vectored vaccine research			[3,500]	[3,500]	
			Biomedical research imaging		[5,000]		[4,000]	
			Navy cancer vaccine research program		[5,000]		[2,000]	
1319	0604777N	131	NAVIGATION/ID SYSTEM	52,717	52,717	52,717		52,717
1319	0604784N	132	DISTRIBUTED SURVEILLANCE SYSTEM	54,256	80,256	54,256		54,256
			Submarine advanced deployable system		[26,000]			
1319	0604800N	133	JOINT STRIKE FIGHTER (JSF)	2,393,013	2,393,013	2,393,013		2,393,013
1319	0604910N	134	SMART CARD	715	715	715		715
1319	0605013M	135	INFORMATION TECHNOLOGY DEVELOPMENT	19,150	23,150	19,150	3,600	22,750
			Automated manifest system - tactical		[4,000]		[3,600]	
1319	0605013N	136	INFORMATION TECHNOLOGY DEVELOPMENT	60,859	60,859	60,859		60,859
1319	0605014N	137	DEFENSE INTEGRATED MILITARY HUMAN RESOURCES SYSTE					
1319	0605172N	138	MULTINATIONAL INFORMATION SHARING (MNIS)	33,557	33,557	33,557		33,557
1319	0605212N	139	CH-53X RDTE	271,941		271,941		271,941
			Program restructure		[-271,941]			
1319	0605500N	140	MULTI-MISSION MARITIME AIRCRAFT (MMA)	964,067	964,067	964,067		964,067
1319	0508713N	141	NAVY STANDARD INTEGRATED PERSONNEL SYSTEM (NSIPS)					
1319	0604256N	142	THREAT SIMULATOR DEVELOPMENT	23,918	23,918	23,918		23,918
1319	0604258N	143	TARGET SYSTEMS DEVELOPMENT	52,963	52,963	52,963		52,963

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1319	0604759N	144	MAJOR T&E INVESTMENT	39,682	39,682	39,682		39,682
1319	0605152N	145	STUDIES AND ANALYSIS SUPPORT - NAVY	9,629	9,629	9,629		9,629
1319	0605154N	146	CENTER FOR NAVAL ANALYSES	49,891	49,891	49,891		49,891
1319	0605155N	147	FLEET TACTICAL DEVELOPMENT	2,266	2,266	2,266		2,266
1319	0605502N	148	SMALL BUSINESS INNOVATIVE RESEARCH					
1319	0605804N	149	TECHNICAL INFORMATION SERVICES	714	714	714		714
1319	0605853N	150	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	44,847	44,847	44,847		44,847
1319	0605856N	151	STRATEGIC TECHNICAL SUPPORT	3,451	3,451	3,451		3,451
1319	0605861N	152	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	63,508	63,508	63,508		63,508
1319	0605862N	153	RDT&E INSTRUMENTATION MODERNIZATION	1,632	1,632	1,632		1,632
1319	0605863N	154	RDT&E SHIP AND AIRCRAFT SUPPORT	77,131	77,131	77,131		77,131
1319	0605864N	155	TEST AND EVALUATION SUPPORT	320,133	320,133	320,133		320,133
1319	0605865N	156	OPERATIONAL TEST AND EVALUATION CAPABILITY	13,101	13,101	13,101		13,101
1319	0605866N	157	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	2,829	2,829	2,829		2,829
1319	0605867N	158	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	13,030	13,030	13,030		13,030
1319	0605873M	159	MARINE CORPS PROGRAM WIDE SUPPORT	28,224	28,224	28,224		28,224
1319	0804758N	160	SERVICE SUPPORT TO JFCOM, JNTC	10,000	10,000	10,000		10,000
1319	0909999N	161	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS					
1319	0603660N	162	ADVANCED DEVELOPMENT PROJECTS	[ ]	[ ]	[ ]	[ ]	[ ]
1319	0603661N	163	RETRACT VIOLET	[ ]	[ ]	[ ]	[ ]	[ ]
1319	0101221N	164	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	90,022	94,022	90,022		90,022
			Common acoustic sensor initiative		[4,000]			
1319	0101224N	165	SSBN SECURITY TECHNOLOGY PROGRAM	44,063	46,763	44,063		44,063
			Common submarine radio room		[2,700]			
1319	0101226N	166	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	8,527	8,527	8,527		8,527
1319	0101402N	167	NAVY STRATEGIC COMMUNICATIONS	31,443	31,443	31,443		31,443

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(Dollars in Thousands)

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1319	0203761N	168	RAPID TECHNOLOGY TRANSITION (RTT)	24,653	24,653	24,653		24,653
1319	0204136N	169	F/A-18 SQUADRONS	88,720	88,720	91,920		88,720
			Shared reconnaissance pod logistics support			[3,200]		
1319	0204152N	170	E-2 SQUADRONS	2,256	2,256	2,256		2,256
1319	0204163N	171	FLEET TELECOMMUNICATIONS (TACTICAL)	32,694	32,694	32,694		32,694
1319	0204229N	172	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (T	20,342	20,342	20,342		20,342
1319	0204311N	173	INTEGRATED SURVEILLANCE SYSTEM	23,453	29,453	23,453		23,453
			IUSS common processor		[6,000]			
1319	0204413N	174	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CR/	4,768	4,768	4,768		4,768
1319	0204571N	175	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	42,248	42,248	42,248		42,248
1319	0204574N	176	CRYPTOLOGIC DIRECT SUPPORT	1,422	1,422	1,422		1,422
1319	0204575N	177	ELECTRONIC WARFARE (EW) READINESS SUPPORT	13,987	13,987	13,987		13,987
1319	0205601N	178	HARM IMPROVEMENT	90,832	90,832	90,832		90,832
1319	0205604N	179	TACTICAL DATA LINKS	86,364	86,364	86,364		86,364
1319	0205620N	180	SURFACE ASW COMBAT SYSTEM INTEGRATION	4,519	14,519	4,519		4,519
			Acoustic window applications		[10,000]			
1319	0205632N	181	MK-48 ADCAP	21,619	21,619	21,619		21,619
1319	0205633N	182	AVIATION IMPROVEMENTS	81,546	81,546	81,546		81,546
1319	0205658N	183	NAVY SCIENCE ASSISTANCE PROGRAM	3,917	3,917	3,917		3,917
1319	0205675N	184	OPERATIONAL NUCLEAR POWER SYSTEMS	64,054	64,054	64,054		64,054
1319	0206313M	185	MARINE CORPS COMMUNICATIONS SYSTEMS	237,081	241,971	248,881	11,400	248,481
			G/ATOR development			[3,500]	[3,000]	
			USMC DCGS and net centric center			[4,800]	[1,000]	
			Critical infrastructure protection center			[3,500]	[3,500]	
			Reconnaissance, surveillance and targeting vehicle		[9,000]		[8,000]	
			Joint tactical radio system program reduction		[-4,110]		[-4,100]	

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(Dollars in Thousands)

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1319	0206623M	186	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTE	48,409	64,809	72,909	24,500	72,909
			Expeditionary fire support system		[3,500]	[11,000]	[11,000]	
			Multi-role intermediate support craft		[9,500]	[9,500]	[9,500]	
			Ultrasonic consolidation of embedded sensors		[3,400]	[4,000]	[4,000]	
1319	0206624M	187	MARINE CORPS COMBAT SERVICES SUPPORT	10,476	10,476	11,976	1,500	11,976
			Battlefield management system			[1,500]	[1,500]	
1319	0207161N	188	TACTICAL AIM MISSILES	9,384	9,384	9,384		9,384
1319	0207163N	189	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	3,584	3,584	3,584		3,584
1319	0301303N	190	MARITIME INTELLIGENCE	[ ]	[ ]	[ ]	[ ]	[ ]
1319	0301323N	191	COLLECTION MANAGEMENT	[ ]	[ ]	[ ]	[ ]	[ ]
1319	0303217N	192	TECHNICAL RECONNAISSANCE AND SURVEILLANCE	[ ]	[ ]	[ ]	[ ]	[ ]
1319	0303109N	193	SATELLITE COMMUNICATIONS (SPACE)	541,980	551,180	541,980	5,000	546,980
			JIST-NET		[9,200]		[5,000]	
1319	0303140N	194	INFORMATION SYSTEMS SECURITY PROGRAM	28,660	28,660	28,660		28,660
1319	0303158N	195	JOINT COMMAND AND CONTROL PROGRAM (JC2)	5,000	5,000	5,000		5,000
1319	0304111N	196	SPECIAL ACTIVITIES	[ ]	[ ]	[ ]	[ ]	[ ]
1319	0305149N	197	COBRA JUDY	121,261	121,261	121,261		121,261
1319	0305160N	198	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (MET(	9,122	9,122	9,122		9,122
1319	0305188N	199	JOINT C4ISR BATTLE CENTER (JBC)	55,326	55,326	55,326		55,326
1319	0305192N	200	JOINT MILITARY INTELLIGENCE PROGRAM - DEFENSE INTELI	4,290	4,290	4,290		4,290
1319	0305204N	201	TACTICAL UNMANNED AERIAL VEHICLES (JMIP)	99,349	109,849	138,349	24,950	124,299
			Additional six Firescout VTUAVs and sensors			[39,000]	[20,000]	
			Joint operational test bed system		[10,500]		[4,950]	
1319	0305205N	202	ENDURANCE UNMANNED AERIAL VEHICLES					
1319	0305206N	203	AIRBORNE RECONNAISSANCE SYSTEMS (JMIP)	27,918	32,918	27,918		27,918
			Passive collision avoidance and reconnaissance		[5,000]			

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(Dollars in Thousands)

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1319	0305207N	204	MANNED RECONNAISSANCE SYSTEMS (JMIP)	21,322	21,322	21,322	52,000	73,322
			SOCOM ISR				[52,000]	
1319	0305208N	205	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS (JMIP)	12,354	12,354	15,554	3,200	15,554
			DCGS integration with AFATDS			[3,200]	[3,200]	
1319	0307207N	206	AERIAL COMMON SENSOR (ACS) (JMIP)	133,642	133,642	133,642		133,642
1319	0308601N	207	MODELING AND SIMULATION SUPPORT	6,812	6,812	6,812		6,812
1319	0702207N	208	DEPOT MAINTENANCE (NON-IF)	10,012	10,012	10,012		10,012
1319	0708011N	209	INDUSTRIAL PREPAREDNESS	57,753	61,753	57,753	2,000	59,753
			Gas turbine diagnostic system		[2,000]			
			M-65 bismalemide carbon fiber prepreg resin qualification		[2,000]		[2,000]	
1319	0708730N	210	MARITIME TECHNOLOGY (MARITECH)		100,000	10,000		
			National shipbuilding research program - ASE			[10,000]		
			Shipbuilding industrial base investment fund		[100,000]			
1319	XXXXXXX	999	CLASSIFIED PROGRAMS	1,125,515	1,137,515	1,125,515		1,125,515
			Program increase		[12,000]			
			Total, RDT&E Navy	**18,037,991**	**18,022,140**	**18,410,431**	**543,450**	**18,581,441**

Advanced submarine system development

The budget request included $163.0 million in PE 63561N for advanced submarine system development. Of this amount, $50.0 million is for the design of a future undersea superiority system.

The House bill would authorize the budget request.

The Senate amendment would authorize $123.0 million in PE 63561N, a decrease of $40.0 million since no specific plans on the use of these funds had been provided to the committee.

The conferees agree to authorize $163.0 million in PE 63561N, the budget request. The Navy has provided a detailed plan on the use of these funds. The objectives of this plan include: (1) reduce long-term costs in the construction of Virginia-class submarines; (2) perform ship concept studies; (3) perform independent studies of the submarine design and build base; and (4) identify submarine construction cost drivers and develop improved submarine cost models. The conferees would expect that the funds authorized for the undersea superiority system would be used in a manner consistent with the plan that was presented.

Air Force

Research, Development, Test, and Evaluation, Air Force overview

The budget request for fiscal year 2006 included an authorization of $22,612.4 million in Research Development, Test, and Evaluation, Air Force for the Department of Defense.

The House bill would authorize $22,418.2 million.

The Senate amendment would authorize $22,653.6 million.

The conferees recommend an authorization of $22,305.0 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
			RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE					
3600	0601102F	1	DEFENSE RESEARCH SCIENCES	223,894	229,394	230,394	6,500	230,394
			Hypersonics research			[4,000]	[4,000]	
			Nanophotonic components			[2,500]	[2,500]	
			Space education consortium		[5,500]			
3600	0601103F	2	UNIVERSITY RESEARCH INITIATIVES	105,029	105,029	117,529	12,500	117,529
			Secure and assured information sharing research			[2,500]	[2,500]	
			Program increase (S. Amdt)			[10,000]	[10,000]	
3600	0601108F	3	HIGH ENERGY LASER RESEARCH INITIATIVES	11,894	11,894	11,894		11,894
3600	0602102F	4	MATERIALS	74,156	79,156	81,156	7,900	82,056
			Blast resistant barriers			[4,000]	[2,400]	
			Complex structures for manned and unmanned aerial vehicles			[2,000]	[2,000]	
			Nanoparticle materials coatings research			[1,000]	[1,000]	
			High modulus polyacrylonitrile carbon fiber		[5,000]		[2,500]	
3600	0602201F	5	AEROSPACE VEHICLE TECHNOLOGIES	96,679	99,679	96,679	1,000	97,679
			Active feedback flow control		[3,000]		[1,000]	
3600	0602202F	6	HUMAN EFFECTIVENESS APPLIED RESEARCH	79,442	84,442	80,442	4,500	83,942
			Nanoparticle multi-agent detection			[1,000]	[1,000]	
			IMPRINT		[3,500]		[3,500]	
			Satellite threat evaluation environment		[1,500]			
3600	0602203F	7	AEROSPACE PROPULSION	107,523	124,023	119,523	15,500	123,023
			Hypersonics research and engine integration			[12,000]	[2,000]	
			Advanced engine starter/generator prototype		[3,500]		[2,000]	
			Engineering tool improvement program		[6,500]		[5,000]	
			Affordable lightweight power supply development		[2,500]		[2,500]	
			Aerospace propulsion vehicle center		[4,000]		[4,000]	

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3600	0602204F	8	AEROSPACE SENSORS	93,263	96,263	93,263	2,000	95,263
			Compact optical receiver for loitering stand-off weapons		[3,000]		[2,000]	
3600	0602500F	9	MULTI-DISCIPLINARY SPACE TECHNOLOGY	81,339	87,339	81,339	2,000	83,339
			Upper stage engine technology		[6,000]		[2,000]	
3600	0602601F	10	SPACE TECHNOLOGY	84,540	93,540	95,540	13,500	98,040
			Deployable structures experiment			[3,000]	[3,000]	
			Integrated control for autonomous space systems (ICASS)			[3,000]	[3,000]	
			Nano-reinforced and multifunction space structures			[2,000]	[2,000]	
			Elastic memory composites		[4,000]		[2,500]	
			PMEMS		[5,000]			
			Field programmable gate array (S. Amdt)			[3,000]	[3,000]	
3600	0602602F	11	CONVENTIONAL MUNITIONS	58,058	58,058	58,058		58,058
3600	0602605F	12	DIRECTED ENERGY TECHNOLOGY	37,709	37,709	40,709	3,000	40,709
			Adaptive optics laser communications			[3,000]	[3,000]	
3600	0602702F	13	COMMAND CONTROL AND COMMUNICATIONS	93,316	97,216	93,316		93,316
			Joint battlespace infosphere		[3,900]			
3600	0602805F	14	DUAL USE SCIENCE AND TECHNOLOGY PROGRAM					
3600	0602890F	15	HIGH ENERGY LASER RESEARCH	45,678	45,678	45,678		45,678
3600	0603112F	16	ADVANCED MATERIALS FOR WEAPON SYSTEMS	36,714	55,514	47,714	11,000	47,714
			Laser eye protection			[5,000]	[1,000]	
			Metals affordability initiative		[14,000]	[2,000]	[7,000]	
			Lasers for defense applications		[4,800]			
			Aging military aircraft fleet support (S. Amdt)			[4,000]	[3,000]	
3600	0603203F	17	ADVANCED AEROSPACE SENSORS	35,157	35,157	35,157		35,157
3600	0603205F	18	FLIGHT VEHICLE TECHNOLOGY					

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3600	0603211F	19	AEROSPACE TECHNOLOGY DEV/DEMO	25,133	29,133	25,133		25,133
			Fibrous 3D composites		[4,000]			
3600	0603216F	20	AEROSPACE PROPULSION AND POWER TECHNOLOGY	77,268	89,268	92,768	17,500	94,768
			More electric gas turbine			[3,000]	[3,000]	
			Versatile affordable advanced turbine engines			[2,500]	[2,500]	
			Supersonic cruise missile engine			[10,000]	[10,000]	
			Solid boost power technology		[2,000]		[2,000]	
			Supersonic cruise missile engine (H. Amdt)		[10,000]			
3600	0603231F	21	CREW SYSTEMS AND PERSONNEL PROTECTION TECHNOLOGY	29,775	33,275	29,775	3,500	33,275
			Warfighter pocket computer		[3,500]		[3,500]	
3600	0603270F	22	ELECTRONIC COMBAT TECHNOLOGY	23,923	23,923	23,923		23,923
3600	0603311F	23	BALLISTIC MISSILE TECHNOLOGY		10,000		10,000	10,000
			Guidance systems development		[6,000]		[6,000]	
			Range safety upgrade		[4,000]		[4,000]	
3600	0603333F	24	UNMANNED AIR VEHICLE DEV/DEMO					
3600	0603400F	25	JOINT UNMANNED COMBAT AIR SYSTEMS (J-UCAS) ADVANCE	77,800	77,800	77,800		77,800

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3600	0603401F	26	ADVANCED SPACECRAFT TECHNOLOGY	60,915	72,915	88,915	24,500	85,415
			Radially segmented launch vehicle			[4,000]	[2,000]	
			AC coupled interconnect			[3,000]	[3,000]	
			Thin film amorphous solar arrays			[10,000]	[10,000]	
			Beta energy cells for defense and intelligence			[3,000]	[3,000]	
			Integrated spacecraft engineering tool			[3,000]	[1,000]	
			Ballistic missile technology			[5,000]		
			Free space optical communications node		[4,000]		[3,000]	
			Position intelligence networking technology (Pinpoint)		[4,000]		[2,500]	
			Satellite simulation toolkit		[3,000]			
			Streaker SLV		[1,000]			
3600	0603444F	27	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	5,848	10,848	10,848	5,000	10,848
			High accuracy network determination system		[5,000]	[5,000]	[5,000]	
3600	0603500F	28	MULTI-DISCIPLINARY ADVANCED DEVELOPMENT SPACE TEC	53,437	55,937	58,437		53,437
			Laser threat warning attack reporting		[2,500]	[5,000]		
3600	0603601F	29	CONVENTIONAL WEAPONS TECHNOLOGY	18,660	18,660	18,660		18,660
3600	0603605F	30	ADVANCED WEAPONS TECHNOLOGY	26,955	26,955	26,955		26,955
3600	0603723F	31	ENVIRONMENTAL ENGINEERING TECHNOLOGY					
3600	0603789F	32	C3I ADVANCED DEVELOPMENT	30,125	33,925	33,325	5,900	36,025
			Enable network centric warfare			[3,200]	[3,200]	
			Massively parallel optical inter-connects for battlefield info exchange		[3,800]		[2,700]	
3600	0603801F	33	SPECIAL PROGRAMS	280,135	280,135	280,135		280,135
3600	0603850F	34	INTEGRATED BROADCAST SERVICE					
3600	0603924F	35	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	5,801	5,801	5,801		5,801
3600	0207423F	36	ADVANCED COMMUNICATIONS SYSTEMS					
3600	0401840F	37	AMC COMMAND AND CONTROL SYSTEM					

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3600	0804757F	38	JOINT NATIONAL TRAINING CENTER					
3600	0603260F	39	INTELLIGENCE ADVANCED DEVELOPMENT	4,580	4,580	4,580		4,580
3600	0603287F	40	PHYSICAL SECURITY EQUIPMENT	21,937	26,937	21,937		21,937
			X-Ray energy detection system		[5,000]			
3600	0603421F	41	NAVSTAR GLOBAL POSITIONING SYSTEM III	87,364	87,364	87,364		87,364
3600	0603430F	42	ADVANCED EHF MILSATCOM (SPACE)	665,257	665,257	765,257		665,257
			AEHF			[100,000]		
3600	0603432F	43	POLAR MILSATCOM (SPACE)	2,185	2,185	2,185		2,185
3600	0603434F	44	NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAI					
3600	0603438F	45	SPACE CONTROL TECHNOLOGY	14,205	14,205	14,205		14,205
3600	0603742F	46	COMBAT IDENTIFICATION TECHNOLOGY	51,893	51,893	51,893		51,893
3600	0603790F	47	NATO RESEARCH AND DEVELOPMENT	3,973	3,973	3,973		3,973
3600	0603791F	48	INTERNATIONAL SPACE COOPERATIVE R&D	574	574	574		574
3600	0603845F	49	TRANSFORMATIONAL SATCOM (TSAT)	835,769	435,769	635,769	-400,000	435,769
			Delay TSAT		[-400,000]	[-200,000]	[-400,000]	
3600	0603850F	50	INTEGRATED BROADCAST SERVICE	15,344	15,344	15,344		15,344
3600	0603851F	51	INTERCONTINENTAL BALLISTIC MISSILE	44,672	44,672	44,672		44,672
3600	0603854F	52	WIDEBAND GAPFILLER SYSTEM RDT&E (SPACE)	93,858	93,858	93,858		93,858
3600	0603858F	53	SPACE-BASED RADAR	225,839	100,000	150,839	-125,839	100,000
			Delay SBR		[-125,839]	[-75,000]	[-125,839]	
3600	0603859F	54	POLLUTION PREVENTION	2,735	2,735	2,735		2,735
3600	0603860F	55	JOINT PRECISION APPROACH AND LANDING SYSTEMS	11,211	11,211	11,211		11,211
3600	0604015F	56	NEXT GENERATION BOMBER	25,135	25,135	25,135		25,135
3600	0604327F	57	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTI		4,000		4,000	4,000
			Penetrator study		[4,000]		[4,000]	
3600	0604400F	58	JOINT UNMANNED COMBAT AIR SYSTEMS (J-UCAS) ADVANCE	272,300	272,300	272,300		272,300

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3600	0604731F	59	UNMANNED COMBAT AIR VEHICLE (UCAV)					
3600	0604855F	60	OPERATIONALLY RESPONSIVE LAUNCH	23,480	38,980	33,480	13,500	36,980
			Tactical satellite demonstrations		[13,500]	[10,000]	[13,500]	
			Blue MAJIC		[2,000]			
3600	0604856F	61	COMMON AERO VEHICLE (CAV)	27,394	27,394	27,394		27,394
3600	0207423F	62	ADVANCED COMMUNICATIONS SYSTEMS	969	969	969		969
3601	0305178F	63	NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL	323,665	323,665	323,665		323,665
3600	0603840F	64	GLOBAL BROADCAST SERVICE (GBS)	18,283	18,283	18,283		18,283
3600	0604012F	65	JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS)	2,912	2,912	2,912		2,912
3600	0604222F	66	NUCLEAR WEAPONS SUPPORT	15,154	15,154	14,154		15,154
			Robust nuclear earth penetrator			[-1,000]		
3600	0604226F	67	B-1B	132,496	132,496	140,496	5,000	137,496
			B-1B digital communications improvements			[8,000]	[5,000]	
3600	0604233F	68	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	8,593	8,593	8,593		8,593
3600	0604239F	69	F-22	76,203	76,203	76,203		76,203
3600	0604240F	70	B-2 ADVANCED TECHNOLOGY BOMBER	285,205	305,205	285,205	20,000	305,205
			B-2 development		[20,000]		[20,000]	
3600	0604261F	70a	Personnel Recovery System (Transfer from RDAF 137a)		113,825			
3600	0604270F	71	ELECTRONIC WARFARE DEVELOPMENT	82,587	82,587	82,587		82,587
3600	0604280F	72	JOINT TACTICAL RADIO	124,225	124,225	124,225	-25,000	99,225
			Systems development and demonstration				[-25,000]	
3600	0604287F	73	PHYSICAL SECURITY EQUIPMENT	11,153	11,153	11,153		11,153
3600	0604329F	74	SMALL DIAMETER BOMB (SDB)	85,988	85,988	85,988	-20,000	65,988
			Increment II contract award delay				[-20,000]	
3600	0604421F	75	COUNTERSPACE SYSTEMS	24,651	26,651	30,651	6,000	30,651
			Space control test capabilities		[2,000]	[6,000]	[6,000]	

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3600	0604429F	76	AIRBORNE ELECTRONIC ATTACK	120,985	120,985	120,985		120,985
3600	0604441F	77	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	756,630	756,630	756,630		756,630
3600	0604479F	78	MILSTAR LDR/MDR SATELLITE COMMUNICATIONS (SPACE)					
3600	0604600F	79	MUNITIONS DISPENSER DEVELOPMENT	21,738	21,738	21,738		21,738
3600	0604602F	80	ARMAMENT/ORDNANCE DEVELOPMENT	7,786	7,786	7,786		7,786
3600	0604604F	81	SUBMUNITIONS	5,475	5,475	5,475		5,475
3600	0604617F	82	AGILE COMBAT SUPPORT	10,173	13,973	10,173	2,500	12,673
			Biostatic protective clothing		[3,800]		[2,500]	
3600	0604618F	83	JOINT DIRECT ATTACK MUNITION					
3600	0604706F	84	LIFE SUPPORT SYSTEMS	7,315	12,315	7,315	2,700	10,015
			Integrated oxygen mask and goggle system		[5,000]		[2,700]	
3600	0604735F	85	COMBAT TRAINING RANGES	6,122	6,122	6,122		6,122
3600	0604740F	86	INTEGRATED COMMAND & CONTROL APPLICATIONS (IC2A)	161	3,161	161	3,000	3,161
			Distributed mission interoperability toolkit		[3,000]		[3,000]	
3600	0604750F	87	INTELLIGENCE EQUIPMENT	1,369	1,369	1,369		1,369
3600	0604754F	88	TACTICAL DATA LINK INFRASTRUCTURE					
3600	0604762F	89	COMMON LOW OBSERVABLES VERIFICATION SYSTEM (CLOV	8,692	8,692	8,692		8,692
3600	0604800F	90	JOINT STRIKE FIGHTER (JSF)	2,474,763	2,474,763	2,474,763		2,474,763
3600	0604851F	91	INTERCONTINENTAL BALLISTIC MISSILE	32,415	32,415	32,415		32,415
3600	0604853F	92	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE	26,093	26,093	26,093		26,093
3600	0605011F	93	RDT&E FOR AGING AIRCRAFT	24,384	24,384	24,384		24,384
3600	0605807F	94	TEST AND EVALUATION SUPPORT	50,000	50,000	50,000		50,000
3600	0207256F	95	UNMANNED COMBAT AIR VEHICLE JOINT PROGRAM OFFICE					
3600	0207434F	96	LINK-16 SUPPORT AND SUSTAINMENT	157,677	157,677	157,677		157,677
3600	0207443F	97	FAMILY OF INTEROPERABLE OPERATIONAL PICTURES (FIOP)	29,296	29,296	29,296		29,296
3600	0207450F	98	E-10 SQUADRONS	397,011	397,011	397,011		397,011

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3600	0207701F	99	FULL COMBAT MISSION TRAINING	26,423	26,423	26,423		26,423
3600	0305176F	100	COMBAT SURVIVOR EVADER LOCATOR					
3600	0401318F	101	CV-22	39,532	41,532	39,532	2,000	41,532
			Nanocrystalline diamond coating		[2,000]		[2,000]	
3600		101a	KC-135 Tanker Replacement		99,210			
3600	0604256F	102	THREAT SIMULATOR DEVELOPMENT	32,546	32,546	32,546		32,546
3600	0604759F	103	MAJOR T&E INVESTMENT	55,339	55,339	60,339	1,000	56,339
			FPS-16 radar mobilization and upgrade			[5,000]	[1,000]	
3600	0605101F	104	RAND PROJECT AIR FORCE	28,354	28,354	28,354		28,354
3600	0605306F	105	RANCH HAND II EPIDEMIOLOGY STUDY	4,188	4,188	4,188		4,188
3600	0605502F	106	SMALL BUSINESS INNOVATION RESEARCH					
3600	0605712F	107	INITIAL OPERATIONAL TEST & EVALUATION	34,615	34,615	34,615		34,615
3600	0605807F	108	TEST AND EVALUATION SUPPORT	642,665	642,665	642,665		642,665
3600	0605860F	109	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	13,773	18,273	28,773	13,500	27,273
			Ballistic missile range safety technology		[4,500]	[15,000]	[13,500]	
3600	0605864F	110	SPACE TEST PROGRAM (STP)	48,157	48,157	48,157		48,157
3600	0605976F	111	FACILITIES RESTORATION AND MODERNIZATION - TEST AND	60,561	60,561	60,561		60,561
3600	0605978F	112	FACILITIES SUSTAINMENT - TEST AND EVALUATION SUPPORT	26,238	28,238	26,238		26,238
			Low profile arresting gear		[2,000]			
3600	0305193F	113	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)					
3600	0804731F	114	GENERAL SKILL TRAINING	331	331	331		331
3600	0909900F	115	FINANCING FOR EXPIRED ACCOUNT ADJUSTMENTS					
3600	0909980F	116	JUDGMENT FUND REIMBURSEMENT					
3600	1001004F	117	INTERNATIONAL ACTIVITIES	3,739	3,739	3,739		3,739
3600	0605024F	118	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	7,827	7,827	7,827		7,827
3600	0605798F	119	DEFENSE TECHNOLOGY ANALYSIS	[ ]	[ ]	[ ]	[ ]	[ ]

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3600	0101113F	120	B-52 SQUADRONS	22,784	22,784	22,784		22,784
3600	0101120F	121	ADVANCED CRUISE MISSILE	1,989	1,989	1,989		1,989
3600	0101122F	122	AIR-LAUNCHED CRUISE MISSILE (ALCM)	2,250	2,250	2,250		2,250
3600	0101313F	123	STRAT WAR PLANNING SYSTEM - USSTRATCOM	29,134	29,134	29,134		29,134
3600	0101314F	124	NIGHT FIST - USSTRATCOM	5,013	5,013	5,013		5,013
3600	0101815F	125	ADVANCED STRATEGIC PROGRAMS	9,875	9,875	9,875		9,875
3600	0102326F	126	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZA'	18,237	18,237	18,237		18,237
3600	0203761F	127	WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TF	30,093	30,093	30,093		30,093
3600	0207028F	128	JOINT EXPEDITIONARY FORCE EXPERIMENT					
3600	0207131F	129	A-10 SQUADRONS	51,835	51,835	76,835	10,000	61,835
			A-10 propulsion upgrade			[25,000]	[10,000]	
3600	0207133F	130	F-16 SQUADRONS	155,666	163,666	155,666		155,666
			F-16 AN/APG-68(V)10 AFRC		[8,000]			
3600	0207134F	131	F-15E SQUADRONS	124,647	124,647	124,647		124,647
3600	0207136F	132	MANNED DESTRUCTIVE SUPPRESSION	9,394	9,394	9,394		9,394
3600	0207138F	133	F/A-22 SQUADRONS	403,517	403,517	403,517		403,517
3600	0207141F	134	F-117A SQUADRONS	13,600	13,600	13,600		13,600
3600	0207161F	135	TACTICAL AIM MISSILES	15,639	15,639	15,639		15,639
3600	0207163F	136	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	33,262	33,262	33,262		33,262
3600	0207224F	137	COMBAT RESCUE AND RECOVERY	113,825		113,825	-42,000	71,825
			Transfer to RDAF 70a		[-113,825]			
			Contract award delays				[-42,000]	
3600	0207247F	138	AF TENCAP	10,829	10,829	10,829		10,829
3600	0207248F	139	SPECIAL EVALUATION PROGRAM	276,219	319,619	276,219		276,219
			Program increase		[43,400]			
3600	0207253F	140	COMPASS CALL	4,650	4,650	4,650		4,650

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3600	0207268F	141	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	153,265	153,265	153,265		153,265
3600	0207277F	142	CSAF INNOVATION PROGRAM	1,737	1,737	1,737		1,737
3600	0207325F	143	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	66,997	66,997	66,997		66,997
3600	0207410F	144	AIR & SPACE OPERATIONS CENTER (AOC)	68,099	68,099	68,099		68,099
3600	0207412F	145	CONTROL AND REPORTING CENTER (CRC)	9,289	9,289	9,289		9,289
3600	0207417F	146	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	121,565	121,565	121,565		121,565
3600	0207423F	147	ADVANCED COMMUNICATIONS SYSTEMS	28,938	28,938	28,938		28,938
3600	0207424F	148	EVALUATION AND ANALYSIS PROGRAM					
3600	0207433F	149	ADVANCED PROGRAM TECHNOLOGY	300,673	300,673	300,673		300,673
3600	0207438F	150	THEATER BATTLE MANAGEMENT (TBM) C4I	40,472	40,472	40,472		40,472
3600	0207445F	151	FIGHTER TACTICAL DATA LINK	122,160	122,160	122,160		122,160
3600	0207446F	152	BOMBER TACTICAL DATA LINK	144,863	144,863	144,863		144,863
3600	0207448F	153	C2ISR TACTICAL DATA LINK	14,838	14,838	14,838		14,838
3600	0207449F	154	COMMAND AND CONTROL (C2) CONSTELLATION	41,071	41,071	41,071		41,071
3600	0207581F	155	JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM (JST/	78,084	78,084	78,084	13,500	91,584
			E-8C Joint Stars re-engine initiative				[13,500]	
3600	0207590F	156	SEEK EAGLE	19,510	19,510	19,510		19,510
3600	0207591F	157	ADVANCED PROGRAM EVALUATION	290,589	290,589	290,589		290,589
3600	0207601F	158	USAF MODELING AND SIMULATION	30,541	30,541	30,541		30,541
3600	0207605F	159	WARGAMING AND SIMULATION CENTERS	6,369	6,369	6,369		6,369
3600	0207697F	160	DISTRIBUTED TRAINING AND EXERCISES	4,222	4,222	4,222		4,222
3600	0208006F	161	MISSION PLANNING SYSTEMS	138,475	138,475	138,475		138,475
3600	0208021F	162	INFORMATION WARFARE SUPPORT	15,204	15,204	15,204		15,204
3600	0301310F	163	NATIONAL AIR INTELLIGENCE CENTER	[ ]	[ ]	[ ]	[ ]	[ ]
3600	0301314F	164	COBRA BALL	[ ]	[ ]	[ ]	[ ]	[ ]

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3600	0301315F	165	MISSILE AND SPACE TECHNICAL COLLECTION	[ ]	5,000	[ ]	[ ]	[ ]
			MASINT support to DCGS		[5,000]			
3600	0301324F	166	FOREST GREEN	[ ]	[ ]	[ ]	[ ]	[ ]
3600	0301386F	167	GDIP COLLECTION MANAGEMENT	[ ]	[ ]	[ ]	[ ]	[ ]
3600	0301398F	168	MANAGEMENT HQ - GDIP	[ ]	[ ]	[ ]	[ ]	[ ]
3600	0302015F	169	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	18,909	18,909	18,909		18,909
3600	0303131F	170	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETW	57,344	57,344	57,344		57,344
3600	0303140F	171	INFORMATION SYSTEMS SECURITY PROGRAM	109,292	109,292	112,292	3,000	112,292
			Homeland defense civil support threat studies			[1,000]	[1,000]	
			Infrastructure assurance and security research			[2,000]	[2,000]	
3600	0303141F	172	GLOBAL COMBAT SUPPORT SYSTEM	20,555	20,555	20,555		20,555
3600	0303150F	173	GLOBAL COMMAND AND CONTROL SYSTEM	3,541	14,541	3,541	11,000	14,541
			Command and control Service level management		[10,000]		[10,000]	
			Applied research in computing enterprise services		[1,000]		[1,000]	
3600	0303158F	174	JOINT COMMAND AND CONTROL PROGRAM (JC2)	5,200	5,200	5,200		5,200
3600	0303601F	175	MILSATCOM TERMINALS	273,974	273,974	273,974		273,974
3600	0304111F	176	SPECIAL ACTIVITIES	[ ]	[ ]	[ ]	[ ]	[ ]
3600	0304260F	177	AIRBORNE SIGINT ENTERPRISE (JMIP)	78,920	78,920	78,920		78,920
3600	0304311F	178	SELECTED ACTIVITIES	[ ]	[ ]	[ ]	[ ]	[ ]
3600	0305099F	179	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	7,139	7,139	7,139		7,139
3600	0305110F	180	SATELLITE CONTROL NETWORK (SPACE)	29,143	29,143	29,143		29,143
3600	0305111F	181	WEATHER SERVICE	28,675	28,675	28,675		28,675
3600	0305114F	182	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (A					
3600	0305116F	183	AERIAL TARGETS	6,641	6,641	6,641		6,641
3600	0305124F	184	SPECIAL APPLICATIONS PROGRAM	[ ]	[ ]	[ ]	[ ]	[ ]
3600	0305128F	185	SECURITY AND INVESTIGATIVE ACTIVITIES	491	491	491		491

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3600	0305142F	186	APPLIED TECHNOLOGY AND INTEGRATION	[ ]	[ ]	[ ]	[ ]	[ ]
3600	0305148F	187	AIR FORCE TACTICAL MEASUREMENT AND SIGNATURE INTEI					
3600	0305159F	188	DEFENSE RECONNAISSANCE SUPPORT ACTIVITIES (SPACE)	[ ]	[ ]	[ ]	[ ]	[ ]
3600	0305160F	189	DEFENSE METEOROLOGICAL SATELLITE PROGRAM (SPACE)	3,908	3,908	3,908		3,908
3600	0305164F	190	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT)	125,778	130,778	125,778		125,778
			Combat effectiveness tests		[5,000]			
3600	0305165F	191	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTR	188,301	188,301	188,301		188,301
3600	0305172F	192	COMBINED ADVANCED APPLICATIONS	[ ]	[ ]	[ ]	[ ]	[ ]
3600	0305174F	193	SPACE WARFARE CENTER	411	411	411		411
3600	0305182F	194	SPACELIFT RANGE SYSTEM (SPACE)	48,854	48,854	48,854		48,854
3600	0305193F	195	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	3,618	3,618	3,618		3,618
3600	0305202F	196	DRAGON U-2 (JMIP)	10,158	10,158	10,158		10,158
3600	0305205F	197	ENDURANCE UNMANNED AERIAL VEHICLES					
3600	0305206F	198	AIRBORNE RECONNAISSANCE SYSTEMS (JMIP)	51,769	58,769	51,769		51,769
			Project Suter		[7,000]			
3600	0305207F	199	MANNED RECONNAISSANCE SYSTEMS (JMIP)	8,101	12,101	8,101		8,101
			EAN-105E development		[4,000]			
3600	0305208F	200	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS (JMIP)	40,402	32,402	40,402	-3,000	37,402
			Program reduction		[-8,000]		[-3,000]	
3600	0305219F	201	PREDATOR UAV (JMIP)	61,007	61,007	66,007		61,007
			Viper strike munitions for Predator UAV			[5,000]		
3600	0305220F	202	GLOBAL HAWK UAV (JMIP)	308,533	308,533	308,533		308,533
3600	0305221F	203	NETWORK-CENTRIC COLLABORATIVE TARGET (TIARA)	8,647	8,647	8,647		8,647
3600	0305887F	204	INTELLIGENCE SUPPORT TO INFORMATION WARFARE	978	978	978		978
3600	0305906F	205	NCMC - TW/AA SYSTEM	85,222	85,222	85,222		85,222

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3600	0305910F	206	SPACETRACK (SPACE)	151,102	187,102	176,102	25,000	176,102
			S band upgrade		[6,000]	[10,000]	[10,000]	
			Space-based space surveillance		[30,000]	[15,000]	[15,000]	
3600	0305913F	207	NUDET DETECTION SYSTEM (SPACE)	32,783	32,783	32,783		32,783
3600	0305917F	208	SPACE ARCHITECT	12,878	12,878	12,878		12,878
3600	0307141F	209	NASS, IO TECHNOLOGY INTEGRATION & TOOL DEV	15,182	15,182	15,182		15,182
3600	0308699F	210	SHARED EARLY WARNING (SEW)	3,295	3,295	3,295		3,295
3600	0401115F	211	C-130 AIRLIFT SQUADRON	233,028	243,028	233,028	5,500	238,528
			C-130 weight and balance		[5,000]		[2,500]	
			C-130 AIRCAT		[5,000]		[3,000]	
3600	0401119F	212	C-5 AIRLIFT SQUADRONS (IF)	226,479	226,479	226,479		226,479
3600	0401130F	213	C-17 AIRCRAFT (IF)	165,762	165,762	165,762		165,762
3600	0401132F	214	C-130J PROGRAM	6,681	6,681	6,681		6,681
3600	0401133F	215	AEROMEDICAL EVACUATION	2,077	2,077	2,077		2,077
3600	0401134F	216	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	55,743	55,743	55,743		55,743
3600	0401218F	217	KC-135S	1,498	1,498	1,498		1,498
3600	0401219F	218	KC-10S	13,472	13,472	13,472		13,472
3600	0401221F	219	KC-135 TANKER REPLACEMENT	99,210		99,210		99,210
			Transfer to RDAF 101a		[-99,210]			
3600	0408011F	220	SPECIAL TACTICS / COMBAT CONTROL	2,156	2,156	2,156		2,156
3600	0702207F	221	DEPOT MAINTENANCE (NON-IF)	1,408	1,408	1,408		1,408
3600	0702239F	222	AVIONICS COMPONENT IMPROVEMENT PROGRAM					
3600	0702806F	223	ACQUISITION AND MANAGEMENT SUPPORT	3,404	3,404	3,404		3,404
3600	0708011F	224	INDUSTRIAL PREPAREDNESS	36,934	46,934	40,934	12,500	49,434
			Nanomaterials manufacturing			[4,000]	[4,000]	
			RFID rapid adoption collaboration initiative		[10,000]		[8,500]	

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3600	0708012F	225	LOGISTICS SUPPORT ACTIVITIES					
3600	0708026F	226	PRODUCTIVITY, RELIABILITY, AVAILABILITY, MAINTAIN. PRC					
3600	0708610F	227	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	44,503	44,503	44,503		44,503
3600	0708611F	228	SUPPORT SYSTEMS DEVELOPMENT	10,316	15,316	17,216	9,000	19,316
			Aging aircraft logistics management			[3,000]	[3,000]	
			Aircraft systems and support infrastructure			[1,000]	[1,000]	
			Semi-autonomous robot for aircraft maintenance			[2,900]	[1,500]	
			Heavy duty hybrid electric vehicle		[5,000]		[3,500]	
3600	0804757F	229	JOINT NATIONAL TRAINING CENTER	2,924	2,924	2,924		2,924
3600	0808716F	230	OTHER PERSONNEL ACTIVITIES	111	111	111		111
3600	0901202F	231	JOINT PERSONNEL RECOVERY AGENCY	978	978	978		978
3600	0901212F	232	SERVICE-WIDE SUPPORT (NOT OTHERWISE ACCOUNTED FOR)					
3600	0901218F	233	CIVILIAN COMPENSATION PROGRAM	7,445	7,445	7,445		7,445
3600	0901220F	234	PERSONNEL ADMINISTRATION	16,383	16,383			16,383
			Terminate personnel service delivery program			[-16,383]		
3600	0901538F	235	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOF	17,531	17,531	17,531		17,531
3600	XXXXXXX	999	CLASSIFIED PROGRAMS	6,069,810	6,069,810	6,069,810		6,069,810
			Total, RDT&E Air Force	**22,612,351**	**22,418,212**	**22,653,568**	**-307,339**	**22,305,012**

Transformational satellite communications

The budget request included $835.8 million in PE 63845F for transformational military satellite communications (TSAT).

The House bill would authorize $435.8 million in PE 63845F, a decrease of $400.0 million.

The Senate amendment would authorize $635.8 million in PE 63845F, a decrease of $200.0 million.

The conferees agree to authorize $435.8 million in PE 63845F, a decrease of $400.0 million for the TSAT program.

The conferees would like to be clear that the reduction to the amount requested for the TSAT program should not be construed as a lack of support for the program, but rather a reflection of continuing concerns related to the TSAT acquisition approach. Several independent reviews of the TSAT program, some prompted by Congress, provide reason to believe the TSAT program can, with proper attention, avoid the pitfalls of so many prior military space programs including schedule delays, cost overruns, and poor management.

The October 20, 2005 report of the TSAT Program Review Group, chaired by Mr. Tom Young, complimented the TSAT program both for its comprehensive risk reduction program focused on critical technologies, and for efforts to assure that final requirements are executable and consistent with program resources. Of continuing concern to the group, however, was that the TSAT program office was inadequately staffed in terms of the number of experienced people, program cost estimates appeared to be unrealistic, and system requirements needed substantial additional refinement. Similarly, the Government Accountability Office, in its September 7, 2005, briefing to congressional staff on TSAT, found there to be "no fundamental discoveries or breakthroughs required for TSAT, but the level of difficulty in integrating these technologies is an unknown."

According to Air Force estimates, the $400.0 million reduction to the TSAT program recommended by the conferees will result in a delay to the systems design review and authority to proceed by 1 year. The conferees believe this schedule adjustment could help mitigate program risk by allowing time for the integration of critical technologies, refinement of requirements, and allow the TSAT program office time to get fully staffed. The conferees also emphasize the importance of risk reduction and system engineering efforts up front and strongly urge the Air Force to ensure adequate support for these efforts. With these changes, the TSAT program has the opportunity to be the first military space program in a decade to meet mission requirements within budget and on schedule.

The conferees assessed the need to direct the Department of Defense to acquire a fourth Advanced Extremely High Frequency (AEHF) space vehicle, and have decided to continue with the current planned program. The decision resulted from the conclusion that the planned constellation will provide protected communications until 2017. The launch of the first TSAT is expected in 2015 and provides a 2 year margin to mitigate against any additional unexpected delays to TSAT. However, the conferees direct the Secretary of Defense, as required in section 912, to prepare alternatives should the current margin disappear, and to identify when

acquisition of an additional AEHF would have to be initiated to avoid a break in production.

Space Radar

The budget request included $225.8 million in PE 63858F for Space Radar.

The House bill would authorize $100.0 million in PE 63858F, a decrease of $125.8 million.

The Senate amendment would authorize $150.8 million in PE 63858F, a decrease of $75.0 million.

The conferees agree to authorize $100.0 million in PE 63858F, a decrease of $125.8 million.

The conferees direct that fiscal year 2006 program funds be invested in the demonstration of the following:

(1) ground exploitation capability;

(2) horizontal integration;

(3) continued radar technology maturation; and

(4) new technology breakthroughs that will lower the payload weight and cost.

The conferees recommend that the Air Force thoroughly plan a demonstration program maximizing the use of ground, airborne, and existing space assets before committing to the new development of a subscale spacecraft. The conferees direct the Secretary of the Air Force, in coordination with the Director of the National Geospatial Intelligence Agency and the Director of the National Reconnaissance Office, to develop and submit a report to the congressional defense committees and congressional intelligence committees by March 15, 2006. The report should cover fiscal years 2006 through 2010 and include a detailed space radar program plan that would incorporate the above direction and focus on: (1) risk reduction, modeling, and simulation; (2) ground and air demonstrations and tests; and (3) the use of all planned or existing space assets. The Space Radar program plan, as reported to Congress, should provide annual technical and cost milestones that if met will provide confidence in a technically feasible and affordable program plan for space radar.

The nation requires a radar capability, and its users will have little concern about which platform collects the data. The conferees believe that the future success and stability of the space radar program rests in the demonstration, development, and deployment of a national radar capability consisting of fully integrated space, air, and surface components. As such, the conferees direct the Secretary of Defense and the Director of National Intelligence to perform a detailed national utility study; develop a joint concept of operations for a future horizontally integrated radar capability highlighting the use of the suggested components; and submit a report to the congressional defense committees and congressional intelligence committees by November 1, 2006, on the utility study and the concept of operations.

Additional direction is contained in the classified annex to this report.

Penetrator study

The budget request included no funding in PE 64327F for the Hard and Deeply Buried Target Defeat system.

The House bill would authorize an increase of $4.0 million in PE 64327F for a penetrator study.

The Senate amendment contained no similar authorization.

The conferees agree to authorize $4.0 million in PE 64327F to conduct a sled test and a study on the physics of penetrating geologic media, to be completed by the end of fiscal year 2006.

E–8C joint surveillance and target attack radar system reengining

The budget request included $15.5 million in aircraft procurement for E–8C joint surveillance and target radar system (JointSTARS) modifications and $78.1 million for JointSTARS research and development, but included no funding for reengining of the JointSTARS aircraft fleet.

The House bill would authorize the budget request.

The Senate amendment would authorize the budget request for research and development, and an increase of $44.4 million in aircraft procurement to complete the non-recurring engineering (NRE) activities required to initiate a reengining program for the E–8C aircraft fleet.

The conferees agree to authorize the budget request in aircraft procurement, and an increase of $13.5 million in research and development, as included in the Air Force Chief of Staff's unfunded priority list for fiscal year 2006, to begin the NRE activities required to initiate a reengining program for the E–8C aircraft fleet. The conferees encourage the Secretary of the Air Force to complete funding of the NRE in the fiscal year 2007 budget request.

The conferees note that in January 2005 the Under Secretary of Defense for Acquisition, Technology, and Logistics announced the Department of Defense's intent to request quotes from industry on the costs to purchase or lease new engines and understand that the Department has completed evaluation of these quotes. If leasing new engines is the recommended alternative, the conferees expect the Secretary of the Air Force to propose an appropriate leasing arrangement that complies with the Office of Management and Budget guidance to implement this recommendation.

Defense-wide

Research, Development, Test, and Evaluation, Defense-wide overview

The budget request for fiscal year 2006 included an authorization of $18,803.4 million in Research, Development, Test, and Evaluation, Defense-wide for the Department of Defense.

The House bill would authorize $19,092.8 million.

The Senate amendment would authorize $18,868.3 million.

The conferees recommend an authorization of $19,108.9 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
			RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE					
0400	0601101E	1	DEFENSE RESEARCH SCIENCES	130,090	130,090	135,090	5,000	135,090
			Computer science and cybersecurity program (S. Amdt)			[5,000]	[5,000]	
0400	0601111D8Z	2	GOVERNMENT/INDUSTRY COSPONSORSHIP OF UNIVERSITY R			4,000	4,000	4,000
			Focus center research program			[4,000]	[4,000]	
0400	0601114D8Z	3	DEFENSE EXPERIMENTAL PROGRAM TO STIMULATE COMPET	9,164	9,164	9,164		9,164
0400	0601120D8Z	4	NATIONAL DEFENSE EDUCATION PROGRAM	10,282	10,282	20,282	10,000	20,282
			SMART national defense education program (S. Amdt)			[10,000]	[10,000]	
0400	0601384BP	5	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	72,533	82,533	74,383	10,850	83,383
			SPECTRA			[1,850]	[1,850]	
			Chemical/biological defense basic research initiative		[10,000]		[9,000]	
0400	0602000D8Z	6	INSENSITIVE MUNITIONS - EXPLORATORY DEVELOPMENT	5,176	5,176	5,176		5,176
0400	0602227D8Z	7	MEDICAL FREE ELECTRON LASER	9,845	19,845	9,845	10,000	19,845
			Medical free electron laser		[10,000]		[10,000]	
0400	0602228D8Z	8	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU)	13,887	13,887	13,887		13,887
0400	0602234D8Z	9	LINCOLN LABORATORY RESEARCH PROGRAM	29,914	29,914	29,914		29,914
0400	0602301E	10	COMPUTING SYSTEMS AND COMMUNICATIONS TECHNOLOGY					
0400	0602302E	11	EMBEDDED SOFTWARE AND PERVASIVE COMPUTING					
0400	0602303E	12	INFORMATION & COMMUNICATIONS TECHNOLOGY	198,831	198,831	198,831		198,831
0400	0602304E	13	COGNITIVE COMPUTING SYSTEMS	200,799	200,799	200,799		200,799
0400	0602383E	14	BIOLOGICAL WARFARE DEFENSE	145,354	149,354	145,354	2,600	147,954
			Multivalent asymmetric protocols for biological defense		[4,000]		[2,600]	

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
0400	0602384BP	15	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	187,787	207,787	200,987	17,000	204,787
			Portable chemical/biological detection sensor system			[2,000]	[2,000]	
			Automated MIST			[1,200]	[1,000]	
			Next generation chem/bio suit			[2,000]		
			Multi-purpose bio-defense immuno-arrays			[5,000]	[3,000]	
			Mustard gas antidote			[3,000]	[3,000]	
			Chemical/biological defense applied research initiative		[20,000]		[8,000]	
0400	0602702E	16	TACTICAL TECHNOLOGY	361,562	361,562	328,542		361,562
			Agile interceptor			[-3,000]		
			Guided projectiles			[-3,800]		
			Riverine crawler			[-3,420]		
			Program reduction			[-18,000]		
			Pre-conflict anticipation and shaping			[-4,800]		
0400	0602712E	17	MATERIALS AND ELECTRONICS TECHNOLOGY					
0400	0602715E	18	MATERIALS AND BIOLOGICAL TECHNOLOGY	294,188	294,188	294,188		294,188
0400	0602716BR	19	WMD DEFEAT TECHNOLOGY	206,487	206,487	207,487		206,487
			Human performance research			[1,000]		
0400	0602716E	20	ELECTRONICS TECHNOLOGY	241,736	243,136	241,736		241,736
			Scalable active memory processing engines		[1,400]			
0400	0602717BR	21	WMD DEFENSE TECHNOLOGIES	106,708	106,708	106,708		106,708
0400	0602787D8Z	22	MEDICAL TECHNOLOGY					
0400	1160401BB	23	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT	13,595	23,595	13,595	9,000	22,595
			ANGLEFIRE for full spectrum close-in layered shield		[10,000]		[9,000]	
0400	1160407BB	24	SOF MEDICAL TECHNOLOGY DEVELOPMENT	2,215	2,215	2,215		2,215
0400	0603002D8Z	25	MEDICAL ADVANCED TECHNOLOGY					

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Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
0400	0603121D8Z	26	SO/LIC ADVANCED DEVELOPMENT	34,529	34,529	34,529	2,000	36,529
			Laser photo-acoustic spectroscopy				[2,000]	
0400	0603122D8Z	27	COMBATING TERRORISM TECHNOLOGY SUPPORT	55,301	87,301	68,301	7,000	62,301
			Explosive effects			[8,000]		
			Bio-engineered agent assessment tool			[3,000]		
			Fuel cell power for continuity of operations			[2,000]	[2,000]	
			Program increase		[25,000]			
			Portable armor wall system		[3,000]		[3,000]	
			Large vehicle inspection using magnetic quadrupole resonance		[4,000]		[2,000]	
0400	0603160BR	28	COUNTERPROLIFERATION INITIATIVES - PROLIFERATION PRE	96,143	96,143	100,143	4,000	100,143
			Fiber radiation detectors			[3,000]	[3,000]	
			Radiation portal monitors			[1,000]	[1,000]	
0400	0603175C	29	BALLISTIC MISSILE DEFENSE TECHNOLOGY	136,241	131,241	113,241	-22,600	113,641
			Massively parallel optical interconnects			[2,000]	[2,000]	
			BMD technology			[-25,000]	[-25,000]	
			High altitude airship		[-16,800]		[-11,000]	
			Aluminum nitride wide bandgap devices		[4,000]		[3,600]	
			Conceptual study alternative boost phase defense		[7,800]		[7,800]	
0400	0603225D8Z	30	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	25,102	25,102	25,102		25,102
0400	0603285E	31	ADVANCED AEROSPACE SYSTEMS					
0400	0603286E	32	ADVANCED AEROSPACE SYSTEMS	75,866	75,866	69,466	-6,400	69,466
			Long gun			[-6,400]	[-6,400]	
0400	0603287E	33	SPACE PROGRAMS AND TECHNOLOGY	223,811	223,811	223,811		223,811

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0400	0603384BP	34	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM - ADVANCE	164,481	182,481	172,231	15,750	180,231
			Anthrax/plague oral vaccine research			[3,750]	[3,750]	
			Miniaturized chemical detectors		[3,000]	[4,000]	[4,000]	
			Chemical/biological defense development initiative		[15,000]		[8,000]	
0400	0603400D8Z	35	JOINT UNMANNED COMBAT AIR SYSTEMS (J-UCAS) ADVANCE					
0400	0603618D8Z	35a	MANPADS Defense Program (Transfer from RDDW 89)		6,000			
0400	0603648D8Z	36	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	35,000	35,000	35,000		35,000
0400	0603704D8Z	37	SPECIAL TECHNICAL SUPPORT					
0400	0603711BR	38	ARMS CONTROL TECHNOLOGY					
0400	0603712S	39	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	22,360	29,160	36,860	15,820	38,180
			E/CIT program--embedded passives R&D testbed		[4,800]	[3,000]	[4,320]	
			Diminishing manufacturing source (DMS)			[1,500]	[1,500]	
			Manufacturing supply chain			[3,000]	[3,000]	
			Vehicle fuel cell program			[7,000]	[7,000]	
			Connectory for rapid identification of advanced technology		[2,000]			
0400	0603713S	40	DISTRIBUTION PROCESS OWNER TECHNOLOGY DEVELOPMEN	10,000	10,000	10,000		10,000
0400	0603716D8Z	41	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	64,101	64,101	64,101		64,101
0400	0603727D8Z	42	JOINT WARFIGHTING PROGRAM	10,205	10,205	10,205		10,205
0400	0603739E	43	ADVANCED ELECTRONICS TECHNOLOGIES	214,378	214,378	206,378	2,000	216,378
			Small scale systems packaging			[2,000]	[2,000]	
			Combat optical fiber technology			[-3,000]		
			Networked microsystems			[-5,000]		
			Visible/short wave IR-photon counting			[-2,000]		

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0400	0603750D8Z	44	ADVANCED CONCEPT TECHNOLOGY DEMONSTRATIONS	163,649	173,649	188,349	7,600	171,249
			Crossed field radiation technology			[2,000]	[1,000]	
			Communications and control alert framework			[4,700]		
			Certification of flexible JP-8 pilot			[18,000]	[3,600]	
			Event management visualization and data analysis		[1,000]			
			SPIKE missile development and production		[9,000]		[3,000]	
0400	0603755D8Z	45	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRA	189,747	196,847	194,747	7,100	196,847
			Prevent and detect cyber-based threats			[1,500]		
			Simulation center upgrade		[7,100]	[3,500]	[7,100]	
0400	0603760E	46	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	216,408	216,408	216,408		216,408
0400	0603762E	47	SENSOR AND GUIDANCE TECHNOLOGY					
0400	0603763E	48	MARINE TECHNOLOGY					
0400	0603764E	49	LAND WARFARE TECHNOLOGY	139,100	139,100	92,100		139,100
			Future Combat Systems research support			[-15,000]		
			Multi-modal missile			[-6,000]		
			Non-lethal weapons new start			[-6,000]		
			Program reduction			[-14,000]		
			Tactical urban operations			[-6,000]		
0400	0603765E	50	CLASSIFIED DARPA PROGRAMS	162,534	162,534	162,534		162,534
0400	0603766E	51	NETWORK-CENTRIC WARFARE TECHNOLOGY	136,899	136,899	133,899		136,899
			Multi-dimensional robot			[-3,000]		
0400	0603767E	52	SENSOR TECHNOLOGY	189,452	189,452	184,452		189,452
			Program reduction			[-5,000]		
0400	0603768E	53	GUIDANCE TECHNOLOGY	103,272	103,272	103,272		103,272
0400	0603769SE	54	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOI	14,689	14,689	14,689		14,689
0400	0603781D8Z	55	SOFTWARE ENGINEERING INSTITUTE	25,209	25,209	25,209		25,209
0400	0603805S	56	DUAL USE APPLICATION PROGRAMS					

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Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
0400	0603826D8Z	57	QUICK REACTION SPECIAL PROJECTS	110,717	110,717	110,717		110,717
0400	0603832D8Z	58	JOINT WARGAMING SIMULATION MANAGEMENT OFFICE	34,928	34,928	34,928		34,928
0400	0603941D8Z	59	TEST & EVALUATION SCIENCE & TECHNOLOGY	28,614	28,614	28,614		28,614
0400	0603942D8Z	60	TECHNOLOGY LINK	3,435	3,435	3,435		3,435
0400	0605160D8Z	61	COUNTERPROLIFERATION SUPPORT					
0400	1160402BB	62	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMI	104,315	87,815	98,115	-8,200	96,115
			Voice activated handheld translator			[2,300]	[2,300]	
			Special Operations portable power source			[5,000]	[5,000]	
			Mark V replacement			[1,500]	[1,500]	
			Advanced tactical laser reduction		[-20,000]	[-15,000]	[-20,000]	
			Surveillance augmentation vehicle-insertable on request		[3,500]		[3,000]	
0400	0603228D8Z	63	PHYSICAL SECURITY EQUIPMENT					
0400	0603527D8Z	64	RETRACT LARCH	6,683	6,683	6,683		6,683
0400	0603709D8Z	65	JOINT ROBOTICS PROGRAM	11,755	11,755	11,755		11,755
0400	0603714D8Z	66	ADVANCED SENSOR APPLICATIONS PROGRAM	18,275	18,275	18,275		18,275
0400	0603851D8Z	67	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PRC	30,632	30,632	30,632		30,632
0400	0603879C	68	ADVANCED CONCEPTS, EVALUATIONS AND SYSTEMS					
0400	0603881C	69	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	1,143,610	1,168,610	1,143,610	55,000	1,198,610
			THAAD		[25,000]			
			Arrow ballistic missile defense system (non-add) (S. Amdt)			[80,000]		
			Arrow ballistic missile defense system co-production				[55,000]	

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0400	0603882C	70	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	3,266,196	3,436,196	3,441,196	175,000	3,441,196
			GMD enhanced testing			[100,000]	[100,000]	
			Aegis SM-3 development and deployment			[75,000]	[75,000]	
			Test Resources		[50,000]			
			Additional flight test		[100,000]			
			Program reduction block 2008 interceptors 36-40		[-25,000]			
			Ballistic missile defense signal processor		[25,000]			
			Throttleable control system		[10,000]			
			Two color seeker		[10,000]			
0400	0603883C	71	BALLISTIC MISSILE DEFENSE BOOST DEFENSE SEGMENT	483,863	483,863	483,863		483,863
0400	0603884BP	72	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	100,796	125,796	105,096		100,796
			Miniaturized CO oxidation technology			[4,300]		
			Chemical/biological defense program development initiative		[25,000]			
0400	0603884C	73	BALLISTIC MISSILE DEFENSE SENSORS	529,829	529,829	539,829	10,000	539,829
			Airborne infrared surveillance system			[10,000]	[10,000]	
0400	0603886C	74	BALLISTIC MISSILE DEFENSE SYSTEM INTERCEPTOR	229,658	229,658	179,658	-50,000	179,658
			BMD system interceptors			[-50,000]	[-50,000]	
0400	0603888C	75	BALLISTIC MISSILE DEFENSE TEST & TARGETS	617,456	617,456	617,456		617,456
0400	0603889C	76	BALLISTIC MISSILE DEFENSE PRODUCTS	455,152	405,152	425,152	-30,000	425,152
			BMD products			[-30,000]	[-30,000]	
			Program reduction block 2008 C2BMC		[-30,000]			
			Program reduction Hercules block 2010		[-5,000]			
			Program reduction joint warfighter support block 2008		[-15,000]			
0400	0603890C	77	BALLISTIC MISSILE DEFENSE SYSTEMS CORE	447,006	407,006	417,006	-30,000	417,006
			BMD system core			[-30,000]	[-30,000]	
			Program reduction		[-40,000]			

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0400	0603891C	78	SPECIAL PROGRAMS - MDA	349,522	349,522	299,522	-50,000	299,522
			BMD special programs			[-50,000]	[-50,000]	
0400	0603920D8Z	79	HUMANITARIAN DEMINING	14,305	14,305	14,305		14,305
0400	0603923D8Z	80	COALITION WARFARE	5,777	5,777	5,777		5,777
0400	0604016D8Z	81	DEPARTMENT OF DEFENSE CORROSION PROGRAM	5,141	5,141	5,141		5,141
0400	0604400D8Z	82	JOINT UNMANNED COMBAT AIR SYSTEMS (J-UCAS) ADVANCE					
0400	0604648D8Z	83	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	3,000	3,000	3,000		3,000
0400	0604722D8Z	84	JOINT SERVICE EDUCATION AND TRAINING SYSTEMS DEVEL(					
0400	0605017D8Z	85	REDUCTION OF TOTAL OWNERSHIP COST	24,824	24,824	24,824		24,824
0400	0303191D8Z	86	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	3,566	3,566	3,566		3,566
0400	0604051D8Z	87	DEFENSE ACQUISITION CHALLENGE PROGRAM (DACP)	28,975	28,975	28,975		28,975
0400	0604384BP	88	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	280,908	280,908	282,708		280,908
			Military mail screening system development			[1,800]		
0400	0604618D8Z	89	MANPADS DEFENSE PROGRAM	13,349		13,349		13,349
			Program reduction		[-7,349]			
			Transfer to RDDW 35a		[-6,000]			
0400	0604709D8Z	90	JOINT ROBOTICS PROGRAM	13,745	13,745	13,745		13,745
0400	0604764K	91	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	9,325	9,325	9,325		9,325
0400	0604771D8Z	92	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTID	11,075	11,075	11,075		11,075
0400	0605013BL	93	INFORMATION TECHNOLOGY DEVELOPMENT	19,574	9,174	19,574		19,574
			Program reduction		[-10,400]			
0400	0605015BL	94	INFORMATION TECHNOLOGY DEVELOPMENT-STANDARD PRC	5,074	5,074	5,074		5,074
0400	0605016D8Z	95	FINANCIAL MANAGEMENT SYSTEM IMPROVEMENTS	75,987	36,987	75,987		75,987
			Program reduction		[-39,000]			

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0400	0605018SE	96	DEFENSE INTEGRATED MILITARY HUMAN RESOURCES SYSTE	20,322	10,322	20,322	25,000	45,322
			Program reduction		[-10,000]			
			DIMHRS				[25,000]	
0400	0605019D8Z	97	ACQUISITION DOMAIN	3,600	2,100	3,600		3,600
			Program reduction		[-1,500]			
0400	0605140D8Z	98	TRUSTED FOUNDRY	31,655	31,655	31,655		31,655
0400	0605648D8Z	99	DEFENSE ACQUISITION EXECUTIVE (DAE) PILOT PROGRAM	1,000	1,000	1,000		1,000
0400	0303129K	100	DEFENSE MESSAGE SYSTEM	13,367		13,367		13,367
			Program reduction		[-13,367]			
0400	0303140K	101	INFORMATION SYSTEMS SECURITY PROGRAM		3,000			
			Intelligence analyst education and training		[3,000]			
0400	0303141K	102	GLOBAL COMBAT SUPPORT SYSTEM	17,952	17,952	17,952		17,952
0400	0303158K	103	JOINT COMMAND AND CONTROL PROGRAM (JC2)	14,580	14,580	14,580		14,580
0400	0305840K	104	ELECTRONIC COMMERCE	6,698	6,698	6,698		6,698
0400	0305840S	105	ELECTRONIC COMMERCE					
0400	0901200D8Z	106	BMMP DOMAIN MANAGEMENT AND SYSTEMS INTEGRATION	11,802	7,302	11,802		11,802
			Program reduction		[-4,500]			
0400	0603704D8Z	107	SPECIAL TECHNICAL SUPPORT	19,916	19,916	19,916		19,916
0400	0603757D8Z	108	TRAINING TRANSFORMATION (T2)					
0400	0603835D8Z	109	TRANSFORMATION INITIATIVES PROGRAM	10,152	10,152	10,152	-10,152	
			Unjustified program				[-10,152]	
0400	0603858D8Z	110	UNEXPLODED ORDNANCE DETECTION AND CLEARANCE					
0400	0604140D8Z	111	CAPITAL ASSET MANAGEMENT SYSTEM-MILITARY EQUIPMEI	4,812	4,812	4,812		4,812
0400	0604774D8Z	112	DEFENSE READINESS REPORTING SYSTEM (DRRS)	13,475	13,475	13,475		13,475
0400	0604875D8Z	113	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	9,254	9,254	9,254		9,254

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0400	0604940D8Z	114	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPME	128,759	128,759	133,759	5,000	133,759
			UAV systems and operations validation			[5,000]	[5,000]	
0400	0604943D8Z	115	THERMAL VICAR	7,278	7,278	7,278		7,278
0400	0605104D8Z	116	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	31,075	32,075	31,075	1,000	32,075
			National Defense University technology pilot program		[1,000]		[1,000]	
0400	0605110BR	117	CRITICAL TECHNOLOGY SUPPORT					
0400	0605110D8Z	118	USD(A&T)--CRITICAL TECHNOLOGY SUPPORT	1,999	1,999	1,999		1,999
0400	0605114D8Z	119	BLACK LIGHT					
0400	0605116D8Z	120	GENERAL SUPPORT TO C3I					
0400	0605117D8Z	121	FOREIGN MATERIAL ACQUISITION AND EXPLOITATION	36,895	36,895	36,895	20,000	56,895
			Classified adjustment				[20,000]	
0400	0605123D8Z	122	INTERAGENCY EXPORT LICENSE AUTOMATION					
0400	0605124D8Z	123	DEFENSE TRAVEL SYSTEM	20,441	20,441	20,441		20,441
0400	0605126J	124	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	81,504	81,504	81,504		81,504
0400	0605128D8Z	125	CLASSIFIED PROGRAM USD(P)					
0400	0605130D8Z	126	FOREIGN COMPARATIVE TESTING	35,738	36,313	35,738		35,738
			Weather Scout UAV		[575]			
0400	0605161D8Z	127	NUCLEAR MATTERS	12,442	12,442	12,442		12,442
0400	0605170D8Z	128	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	10,706	10,706	10,706		10,706
0400	0605200D8Z	129	GENERAL SUPPORT TO USD (INTELLIGENCE)	5,282	5,282	5,282		5,282
0400	0605384BP	130	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	81,425	81,425	81,425		81,425
0400	0605502BR	131	SMALL BUSINESS INNOVATION RESEARCH					
0400	0605502C	132	SMALL BUSINESS INNOVATIVE RESEARCH - MDA					
0400	0605502D8Z	133	SMALL BUSINESS INNOVATIVE RESEARCH					
0400	0605502E	134	SMALL BUSINESS INNOVATIVE RESEARCH					

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0400	0605710D8Z	135	CLASSIFIED PROGRAMS - C3I			10,000	10,000	10,000
			Foreign supplier assessment center			[10,000]	[10,000]	
0400	0605790D8Z	136	SMALL BUSINESS INNOVATION RESEARCH/CHALLENGE ADMI	1,983	1,983	1,983		1,983
0400	0605798S	137	DEFENSE TECHNOLOGY ANALYSIS	5,393	5,393	5,393		5,393
0400	0605799D8Z	138	FORCE TRANSFORMATION DIRECTORATE	19,927	99,927	49,927	50,000	69,927
			Full spectrum effects platform, Project Sheriff		[10,000]	[10,000]	[5,000]	
			Common bus development		[20,000]	[20,000]	[20,000]	
			Small payloads		[50,000]		[25,000]	
0400	0605801K	139	DEFENSE TECHNICAL INFORMATION SERVICES (DTIC)					
0400	0605801KA	140	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	49,969	42,369	49,969		49,969
			Program reduction		[-7,600]			
0400	0605803SE	141	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALU	8,853	8,853	8,853		8,853
0400	0605804D8Z	142	DEVELOPMENT TEST AND EVALUATION	8,873	8,873	8,873		8,873
0400	0605898E	143	MANAGEMENT HQ - R&D	49,472	49,472	49,472		49,472
0400	0301555G	144	CLASSIFIED PROGRAMS	[ ]	[ ]	[ ]	[ ]	[ ]
0400	0301556G	145	SPECIAL PROGRAM	[ ]	[ ]	[ ]	[ ]	[ ]
0400	0303169D8Z	146	INFORMATION TECHNOLOGY RAPID ACQUISITION	5,580		5,580		5,580
			Program reduction		[-5,580]			
0400	0305193D8Z	147	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	13,940	13,940	13,940		13,940
0400	0305193G	148	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO) (JMIP)					
0400	0901585C	149	PENTAGON RESERVATION	17,386	17,386	17,386		17,386
0400	0901598C	150	MANAGEMENT HQ - MDA	99,327	99,327	99,327		99,327
0400	0901598D8W	151	IT SOFTWARE DEV INITIATIVES	1,694	1,694	1,694		1,694
0400	0604130V	152	DEFENSE INFORMATION SYSTEM FOR SECURITY (DISS)	16,850	16,850	16,850		16,850
0400	0605127T	153	PARTNERSHIP FOR PEACE (PFP) INFORMATION MANAGEMENT	5,660	5,660	5,660		5,660
0400	0607384BP	154	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTE	10,093	10,093	10,093		10,093

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0400	0208043J	155	CLASSIFIED PROGRAMS	1,570	1,570	1,570		1,570
0400	0208045K	156	C4I INTEROPERABILITY	65,517	65,517	65,517		65,517
0400	0208052J	157	JOINT ANALYTICAL MODEL IMPROVEMENT PROGRAM					
0400	0301011G	158	CRYPTOLOGIC ACTIVITIES	[ ]	[ ]	[ ]	[ ]	[ ]
0400	0301301L	159	GENERAL DEFENSE INTELLIGENCE PROGRAM	[ ]	[ ]	[ ]	[ ]	[ ]
0400	0301318BB	160	HUMINT (CONTROLLED)	[ ]	[ ]	[ ]	[ ]	[ ]
0400	0301398L	161	MANAGEMENT HQ - GDIP	[ ]	[ ]	[ ]	[ ]	[ ]
0400	0301555BB	162	CLASSIFIED PROGRAMS	[ ]	[ ]	[ ]	[ ]	[ ]
0400	0301556BB	163	SPECIAL PROGRAM	[ ]	[ ]	[ ]	[ ]	[ ]
0400	0302016K	164	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	659	659	659		659
0400	0302019K	165	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGR	5,466	5,466	5,466		5,466
0400	0303126K	166	LONG-HAUL COMMUNICATIONS - DCS	1,470	1,470	1,470		1,470
0400	0303131K	167	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETW	7,438	7,438	7,438		7,438
0400	0303140D8Z	168	INFORMATION SYSTEMS SECURITY PROGRAM	12,546	12,546	12,546		12,546
0400	0303140G	169	INFORMATION SYSTEMS SECURITY PROGRAM	462,211	467,211	462,211	2,500	464,711
			Pacific Wind		[4,000]		[2,500]	
			Computer science and internet security degree program		[1,000]			
0400	0303148K	170	DISA MISSION SUPPORT OPERATIONS	3,426	3,426	3,426		3,426
0400	0303149J	171	C4I FOR THE WARRIOR	3,549	3,549	3,549		3,549
0400	0303149K	172	C4I FOR THE WARRIOR	6,311	6,311	6,311		6,311
0400	0303150K	173	GLOBAL COMMAND AND CONTROL SYSTEM	52,331	52,331	52,331		52,331
0400	0303153K	174	JOINT SPECTRUM CENTER	14,097	14,097	14,097		14,097
0400	0303165K	175	DEFENSE COLLABORATION TOOL SUITE (DCTS)					
0400	0303170K	176	NET-CENTRIC ENTERPRISE SERVICES (NCES)	79,018	79,018	79,018		79,018
0400	0303610K	177	TELEPORT PROGRAM	12,180	12,180	12,180		12,180
0400	0304210BB	178	SPECIAL APPLICATIONS FOR CONTINGENCIES	21,116	21,116	21,116		21,116

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
0400	0304345BQ	179	NATIONAL IMAGERY AND MAPPING AGENCY	[ ]	[ ]	[ ]	[ ]	[ ]
0400	0305102BQ	180	DEFENSE GEOSPACIAL - INTELLIGENCE PROGRAM	[ ]	19,000	[ ]	[ ]	[ ]
			GeoSAR		[4,000]			
			NGA-NAVAIR experimental activity- tactical sensors		[15,000]			
0400	0305125D8Z	181	CRITICAL INFRASTRUCTURE PROTECTION (CIP)	11,363	11,363	11,363		11,363
0400	0305127BZ	182	FOREIGN COUNTERINTELLIGENCE ACTIVITIES	[ ]	[ ]	[ ]	[ ]	[ ]
0400	0305146BZ	183	DEFENSE JOINT COUNTERINTELLIGENCE PROGRAM (JMIP)	20,406	20,406	20,406		20,406
0400	0305146D8Z	184	DEFENSE JOINT COUNTERINTELLIGENCE PROGRAM (JMIP)					
0400	0305183L	185	DEFENSE HUMAN INTELLIGENCE (HUMINT) PROGRAM (DHIP)	[ ]	[ ]	[ ]	[ ]	[ ]
0400	0305190D8Z	186	C3I INTELLIGENCE PROGRAMS					
0400	0305191D8Z	187	TECHNOLOGY DEVELOPMENT (JMIP)					
0400	0305193L	188	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	[ ]	[ ]	[ ]	[ ]	[ ]
0400	0305199D8Z	189	NET CENTRICITY	8,387	8,387	8,387		8,387
0400	0305202G	190	DRAGON U-2 (JMIP)	[ ]	[ ]	[ ]	[ ]	[ ]
0400	0305206G	191	AIRBORNE RECONNAISSANCE SYSTEMS (JMIP)	[ ]	[ ]	[ ]	[ ]	[ ]
0400	0305207G	192	MANNED RECONNAISSANCE SYSTEMS (JMIP)	[ ]	[ ]	[ ]	[ ]	[ ]
0400	0305208BQ	193	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS (JMIP)	[ ]	[ ]	[ ]	[ ]	[ ]
0400	0305208G	194	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS (JMIP)	[ ]	[ ]	[ ]	[ ]	[ ]
0400	0305208L	195	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS (JMIP)	[ ]	[ ]	[ ]	[ ]	[ ]
0400	0305883L	196	HARD AND DEEPLY BURIED TARGET (HDBT) INTEL SUPPORT	[ ]	[ ]	[ ]	[ ]	[ ]
0400	0305884L	197	INTELLIGENCE PLANNING AND REVIEW ACTIVITIES	[ ]	[ ]	[ ]	[ ]	[ ]
0400	0305885G	198	TACTICAL CRYPOLOGICAL ACTIVITIES	[ ]	14,000	[ ]	[ ]	[ ]
			Guardrail common sensor		[10,000]			
			Project Raincoat		[4,000]			
0400	0305889G	199	COUNTERDRUG INTELLIGENCE SUPPORT	[ ]	[ ]	[ ]	[ ]	[ ]
0400	0307141G	200	NASS, IO TECHNOLOGY INTEGRATION AND TOOL DEV	[ ]	[ ]	[ ]	[ ]	[ ]

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
0400	0307207G	201	AERIAL COMMON SENSOR (ACS) (JMIP)	[ ]	[ ]	[ ]	[ ]	[ ]
0400	0708011S	202	INDUSTRIAL PREPAREDNESS	18,219	23,819	24,719	3,500	21,719
			Advanced manufacturing technologies			[1,500]	[1,500]	
			Laser additive systems manufacturing for titanium and alloy parts			[5,000]		
			Copper-based casting technology		[5,600]		[2,000]	
0400	0708011D8Z	202a	Defense Manufacturing Technology		2,000			
0400	0708012S	203	LOGISTICS SUPPORT ACTIVITIES	2,900	2,900	2,900		2,900
0400	0902298J	204	MANAGEMENT HEADQUARTERS (JCS)	5,762	5,762	5,762		5,762
0400	1001018D8Z	205	NATO JOINT STARS	25,474	25,474	25,474		25,474
0400	1160279BB	206	SMALL BUSINESS INNOVATIVE RESEARCH/SMALL BUS TECH					
0400	1160403BB	207	SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEVEL	104,330	104,330	104,330		104,330
0400	1160404BB	208	SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT	63,513	79,223	63,513	1,000	64,513
			Special Operations combat assault rifle		[8,500]			
			Multi-role, anti-armor, anti-personnel weapons system		[6,800]		[1,000]	
			Ballistic lightweight enabled helmet (ABLE) for armed forces		[410]			
0400	1160405BB	209	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMEN	33,167	33,167	35,667	2,500	35,667
			Wireless management and control system			[2,500]	[2,500]	
0400	1160408BB	210	SOF OPERATIONAL ENHANCEMENTS	66,313	66,313	73,713	1,500	67,813
			Maritime UAV sensor			[4,900]		
			Lightweight solar panels			[2,500]	[1,500]	
0400	1160421BB	211	SPECIAL OPERATIONS CV-22 DEVELOPMENT	29,954	29,954	29,954		29,954
0400	1160425BB	212	SPECIAL OPERATIONS AIRCRAFT DEFENSIVE SYSTEMS	38,824	38,824	38,824		38,824

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
0400	1160426BB	213	OPERATIONS ADVANCED SEAL DELIVERY SYSTEM (ASDS) DE	2,040	2,040	2,040	21,160	23,200
			Program adjustment				[21,160]	
0400	XXXXXXX	999	CLASSIFIED PROGRAMS	3,441,033	3,449,033	3,441,033		3,441,033
			Program increase		[3,000]			
			Classified programs (MASINT)		[5,000]			
			Total, RDT&E Defense-Wide	**18,803,416**	**19,095,805**	**18,868,296**	**305,528**	**19,108,944**

Ballistic missile defense

The budget request included $7.8 billion for the Missile Defense Agency for ballistic missile defense.

The conferees agree to authorize $7.8 billion for ballistic missile defense.

The conferees note that while fully funding the budget request level for missile defense, funds were reallocated from longer-term efforts in order to enhance the testing, fielding, and improvement of the current generation of missile defense capabilities. The conferees believe the most important mission for the Missile Defense Agency (MDA) at this time is to successfully develop, field, and improve those initial capabilities selected for deployment by the President in December 2002, including: ground-based interceptors, sea-based interceptors, additional Patriot (PAC–3) units, and sensors based on land, sea, and in space. The conferees direct the Director of the Missile Defense Agency to provide a report to the congressional defense committees by January 30, 2006, indicating specifically how the increases noted below will be allocated.

Ground-based midcourse defense

The budget request included $2.3 billion in PE 63882C for the ground-based midcourse defense (GMD) segment.

The House bill would authorize an increase of $125.0 million in PE 63882C for the GMD segment.

The Senate amendment would authorize an increase in $100.0 million in PE 63882C for the GMD segment.

The conferees agree to authorize $2.4 billion in PE 63882C for the GMD segment, an increase of $100.0 million.

The conferees direct that this increase be used for implementing the recommendations of the Independent Review Team and the Mission Readiness Task Force to enhance the GMD testing program.

Aegis ballistic missile defense

The budget request included $836.0 million in PE 63882C for Aegis ballistic missile defense (BMD).

The House bill would authorize an increase of $45.0 million in PE 63882C for Aegis BMD.

The Senate amendment would authorize an increase of $75.0 million in PE 63882C for Aegis BMD.

The conferees agree to authorize $911.0 million in PE 63882C for Aegis BMD, an increase of $75.0 million.

The conferees direct this increase be used for the following activities: (1) enhanced development and production of the Aegis BMD signal processor; (2) purchase of additional test equipment necessary to accelerate SM–3 production rates; (3) accelerated integration of the two-color seeker for the SM–3 kill vehicle; (4) long-lead funding for additional SM–3 missiles; (5) development of the throttleable divert and attitude control system; and (6) accelerated implementation of the engage-on-remote and launch-on-remote upgrades.

Ballistic missile defense system interceptor

The budget request included $229.7 million in PE 63886C for the ballistic missile defense (BMD) system interceptor.

The House bill would authorize the budget request.

The Senate amendment would authorize a decrease of $50.0 million in PE 63886C for the BMD system interceptor.

The conferees agree to authorize $179.7 million in PE 63886C, a decrease of $50.0 million for the BMD system interceptor.

The conferees are aware that the Kinetic Energy Interceptor (KEI) program has been restructured by the MDA to serve as risk mitigation for the primary boost-phase missile defense system, the Airborne Laser (ABL). As such, the conferees believe the funding request for KEI to be excessive and recommend remaining funds be directed toward reducing high-risk technology challenges. By continuing to address these technology challenges, the KEI program can remain in a position to become the focus of MDA boost-phase efforts should the ABL program fail to perform as expected.

Tactical exploitation of innovative sensors

The budget request included no funding for a joint program between the Naval Air Systems Command (NAVAIR) and the National Geospatial-Intelligence Agency (NGA) to support experimentation with innovative sensors in a tactical environment. The NAVAIR and the NGA have decided that a partnership to accelerate development and fielding of transformational capabilities to both the NGA and the Navy Department would be beneficial.

The House bill would authorize an increase of $15.0 million in PE 35102BQ to support this program.

The Senate amendment would authorize the budget request.

The conferees agree to authorize the budget request.

However, the conferees view this program as a promising start for accelerating development and fielding on innovative sensors for supporting tactical operations. The conferees support this partnership as part of a broader effort to improve collection, tasking, processing, exploitation, and dissemination activities for enhancing support to such operations. Therefore, the conferees urge the NGA and the NAVAIR to continue this collaboration and expand their efforts to additional concept developments.

Test and Evaluation

Operational Test and Evaluation, Defense overview

The budget request for fiscal year 2006 included an authorization of $168.5 million in Operational Test and Evaluation, Defense for the Department of Defense.

The House bill would authorize $168.5 million.

The Senate amendment would authorize $168.5 million.

The conferees recommend an authorization of $168.5 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title II-RDT and E

(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
			OPERATIONAL TEST & EVALUATION, DEFENSE					
0460	0603941D8Z	1	TEST & EVALUATION SCIENCE & TECHNOLOGY					
0460	0604940D8Z	2	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPME					
0460	0605118D8Z	3	OPERATIONAL TEST AND EVALUATION	43,928	43,928	43,928		43,928
0460	0605131D8Z	4	LIVE FIRE TESTING	10,340	10,340	10,340		10,340
0460	0605804D8Z	5	DEVELOPMENT TEST AND EVALUATION	114,190	114,190	114,190		114,190
			Total, Operational Test & Evaluation, Defense	**168,458**	**168,458**	**168,458**		**168,458**
			TOTAL RDT&E	**69,356,040**	**69,478,987**	**69,840,577**	**843,819**	**70,199,859**

ITEMS OF SPECIAL INTEREST

Fuel Cell Vehicles

The conferees are aware that the Army's National Automotive Center has taken steps to develop and deploy fuel cell powered vehicles as a means to increase fuel efficiency, minimize thermal and noise signature, and provide mobile power on the battlefield. The conferees further understand that the Army is developing fuel cell powered vehicles to support special operations missions. The conferees direct the Army to provide the Committees on Armed Services of the Senate and of the House of Representatives with a progress report on the development and deployment of these vehicles no later than April 1, 2006.

Joint Service Combat Feeding Technology

The conferees note that the Joint Service Combat Feeding Technology Demonstration program matures and demonstrates advanced techniques for the preparation and processing of combat rations. The conferees note that this research effort supports the goals of Army transformation by working to develop combat feeding technology with the potential to reduce logistics burdens, while improving the quality of food service for deployed troops. The conferees urge the Department of Defense to continue to adequately support research efforts in this area.

Report on naval surface fire support

The conferees are concerned about whether sufficient capability for naval surface fire support exists to support joint operations. The conferees direct the Secretary of the Navy to submit a report to the congressional defense committees no later than April 1, 2006, on the Navy's capabilities to meet the joint force requirement for naval surface fire support. The conferees would expect the Secretary to take into account, in the preparation of this report, the views and recommendations of the Chief of Naval Operations and the Commandant of the Marine Corps, and direct the Secretary to include these written views and recommendations as attachments to the report. At a minimum, the report will include: (1) an analysis of the current capability to support expeditionary operations in the littorals with existing naval surface fire support; (2) a discussion of the alternatives available, including known research and development projects, to maintain or increase naval surface fire support capabilities within the future years defense program (FYDP), and within the 10 years following the FYDP; and (3) an estimate of the resources that would be required to accelerate promising near-term technologies that would enhance naval surface fire support.

Slow rotor concept

The conferees are aware of preliminary efforts to develop a heavy-lift, long-range, high-speed aircraft capable of operating from unimproved locations. The conferees encourage the Army to assess the value of slow rotor concepts, which could improve logistics and flexible basing options in support of combat operations.

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Authorization of Appropriations

Authorization of appropriations (sec. 201)

The House bill contained a provision (sec. 201) that would authorize the recommended fiscal year 2006 funding levels for the Research, Development, Test, and Evaluation accounts for the Army, Navy, Marine Corps, Air Force, Defense-wide activities, and the Director of Operational Test and Evaluation.

The Senate amendment contained a similar provision (sec. 201).

The conference agreement includes this provision.

Amount for defense science and technology (sec. 202)

The House bill contained a provision (sec. 202) that would authorize $11,436.6 million for defense science and technology (S&T) programs.

The Senate amendment contained a similar provision (sec. 202) that would authorize $10,990.6 million for defense S&T programs.

The conferees agree to authorize $11,363.0 million for S&T programs, an increase of $840.9 million over the budget request.

The conferees are aware of recent studies on the role of basic science, and particularly defense basic research, in maintaining U.S. competitiveness and national security. The conferees have authorized an increase of over $75.0 million for defense basic research, including an increase of $10.0 million for the Science, Mathematics, and Research for Transformation scholarship program and $30.0 million for competitively-awarded university research programs within the military departments and computer science programs at DARPA.

Subtitle B—Program Requirements, Restrictions, and Limitations

Annual Comptroller General report on Future Combat Systems program (sec. 211)

The House bill contained a provision (sec. 211) that would establish an annual review of the Future Combat Systems program by the Comptroller General to be submitted to the congressional defense committees by March 15 of each year.

The Senate amendment contained no similar provision.

The Senate recedes.

Contract for the procurement of the Future Combat System (FCS) (sec. 212)

The Senate amendment contained a provision (sec. 211) that would direct the Secretary of the Army to procure the Future Combat System through a contract under part 15 of the Federal Acquisition Regulation, rather than through a transaction under section 2371 of title 10, United States Code.

The House bill contained no similar provision.

The House recedes.

Limitations on systems development and demonstration of manned ground vehicles under Armored Systems Modernization program (sec. 213)

The House bill contained a provision (sec. 213) that would require the Secretary of Defense to complete an independent analysis and to submit a report to the congressional defense committees by February 1, 2006, on the Future Combat Systems (FCS) key performance parameter transportability requirement for the manned ground vehicles (MGV). The House bill also contained a provision (sec. 215) that would prohibit the use of any funds for MGV systems development and demonstration (SDD) until the objective requirements for those vehicles with respect to lethality and survivability have been met and demonstrated in a relevant environment to be at least equal to the lethality and survivability for the MGV to be replaced by such ground vehicles.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would limit funds available for the MGV SDD until the following is provided to the congressional defense committees:

(1) The Secretary of Defense certifies that the threshold requirements for MGV variants with respect to lethality and survivability have been met and demonstrated, in accordance with applicable regulations, in a relevant environment to be at least equal to the lethality and survivability for the MGV to be replaced by those variants;

(2) the Secretary of Defense submits the results of an independent analysis carried out with respect to the transportability requirement for the MGV under the FCS program;

(3) the Under Secretary of Defense for Acquisition, Technology, and Logistics submits the results of an independent cost estimate, prepared by the cost analysis improvement group of the Office of the Secretary of Defense, with respect to the FCS program;

(4) the Secretary of the Army submits a report containing the organizational design, quantities, and fielding plans for each of the current force brigade combat teams and FCS brigade combat teams; the research, development, test, and evaluation and procurement plan; and budgets for each of the FCS MGV variants; and

(5) the Secretary of Defense submits a report describing and evaluating the requirements and budgets of the Army technology insertion program for integrating FCS capabilities into the current force.

With regard to the certification of the threshold requirements for the survivability and lethality of the FCS MGV, the conferees believe that the Secretary of Defense should be able to demonstrate those capabilities in accordance with applicable regulations, to include, but not limited to, using modeling and simulation. The conferees expect the Secretary of Defense to include the views of the Chief of Staff of the Army in the report on his certification to Congress.

Separate program elements required for significant systems development and demonstration projects for Armored Systems Modernization program (sec. 214)

The House bill contained a provision (sec. 214) that would specify the amount authorized for appropriation in section 201 for the Armored Systems Modernization program.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would (1) direct the Secretary of Defense to ensure that, beginning with the fiscal year 2008 budget submission, a separate, dedicated program element is assigned to each of the systems development and demonstration (SDD) projects of the Armored Systems Modernization; (2) direct the Secretary of the Army to submit, beginning with the fiscal year 2007 budget submission, budget justification material for the SDD projects of the Armored Systems Modernization program as if the projects were separate program elements; (3) direct the Secretary of the Army to submit to the congressional defense committees not later than June 1, 2006, a report describing the manner in which the costs of integrating Future Combat Systems (FCS) capabilities into the current force could be assigned to a separate program element; and (4) submit budget justification material for the insertion of FCS capabilities into the current force under the Armored Systems Modernization program.

Initiation of program to design and develop next-generation nuclear attack submarine (sec. 215)

The House bill contained a provision (sec. 217) that would require the Secretary of the Navy to carry out a program to design and develop a class of submarines that would serve as a successor to the *Virginia*-class. The objective of the provision would be to develop a submarine with capabilities meeting or exceeding those of the *Virginia*-class at a dramatically lower cost, with procurement commencing in fiscal year 2014. The provision would require the Secretary to submit a report on this program, with the submission of the budget request for fiscal year 2007, that would include: (1) an outline of the management approach to be used in executing the program; (2) the goals for the program; and (3) a schedule for the program.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary to initiate a cost-effective program to improve the capability of the next-generation nuclear attack submarine. The amendment states that the objective of the program may be met either by establishing a separate and independent design and development effort or by incorporating new technologies into the planned fleet of *Virginia*-class submarines. The amendment would also require the Secretary to recommend a schedule for the program, but would remove the requirement for the program to begin procurement in fiscal year 2014.

Extension of requirements relating to management responsibility for naval mine countermeasures programs (sec. 216)

The House bill contained a provision (sec. 218) that would amend section 216 of the National Defense Authorization Act for

Fiscal Years 1992 and 1993 (Public Law 102–190; Public Law 102–484), as most recently amended by section 212 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314). The provision would extend the requirement for the reporting on the naval mine countermeasures programs from 2008 until 2011, and make certain other changes to the management of, and reporting on, the program. The provision would also require the Secretary of Defense to submit a plan for the sustainment of the MHC–51–class mine countermeasures ship and supporting dedicated mine countermeasures systems until the Littoral Combat Ship (LCS) and next generation mine countermeasures systems are deployed.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would remove the requirement for sustainment of the MHC–51 mine countermeasures vessels until the LCS and next generation mine countermeasures systems are deployed. Instead, the amendment would prohibit the Secretary of the Navy from decommissioning any vessel of the MHC–51 mine countermeasures class before the end of its service life, until 30 days after submitting a report on existing capabilities to assume the MHC–51 mission, and certifying that the capabilities of the MHC–51 mine countermeasures class are no longer required.

Single set of requirements for the Army and Marine Corps heavy lift rotorcraft program (sec. 217)

The House bill contained a provision (sec. 219) that would prohibit a new program start for a heavy lift helicopter until the Secretary of the Army and the Secretary of the Navy develop a single, common Joint Heavy Lift (JHL) requirement approved by the Joint Requirements Oversight Council (JROC) and the Secretary of Defense.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would exclude the CH–53X Heavy Lift Replacement (HLR) program from the requirement for a single set of requirements for a heavy lift helicopter. The conferees agree that the Army and Marine Corps should jointly develop any next generation heavy lift helicopter and that the foundation of any such program must focus on a single, joint requirement validated by the JROC and approved by the Secretary of Defense. However, the conferees also understand that the Army's JHL concept is centered on a rotorcraft capable of lifting a Future Combat System platform, while the Marine Corps' HLR program is intended as a CH–53E replacement.

Requirements for development of tactical radio communications systems (sec. 218)

The House bill contained a provision (sec. 220) that would direct the Secretary of Defense to provide a comprehensive report on the immediate requirements for tactical radio communications and whether these requirements may be satisfied with the purchase of legacy radios. The provision would require that the Secretary ensure that Department of Defense (DOD) users rapidly acquire tactical radio communications utilizing existing technologies or ma-

ture systems readily available in the commercial marketplace; and apply DOD Instruction 5000.2 to the Joint Tactical Radio System (JTRS) in a manner that does not permit the Milestone B entrance requirements to be waived. The provision would also give the JTRS Joint Program Executive Officer (JPEO) the authority and control of execution year research and development funding for all the clusters and the waveform developments for JTRS.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary to submit the comprehensive report, as required by the House provision, and apply DOD Instruction 5000.2 to the JTRS program unless the Secretary certifies that the Department is unable to meet critical national security objectives. The amendment would also require the head of the JPEO to certify the JTRS program of each of the services and submit a report, no later than May 1, 2006, through the Secretary, to the congressional defense committees, on the adequacy of the proposed JTRS budget and the actions taken to address any inadequacies in the proposed JTRS budgets.

The conferees have supported the JTRS program in the past, although the conferees have questioned the JTRS program structure and the inability of the Department to deliver a software programmable radio. The conferees endorse the designation of a JPEO for the JTRS program, and believe that the JPEO should have the authority to successfully manage a program of this size and cost, once the JTRS program is reevaluated and restructured by the Secretary. In the interim, the conferees agree that the JTRS JPEO should review and certify the current and proposed service JTRS budgets to ensure the programs can meet the requirements of the combatant commanders. Although the conferees encourage the Department to procure legacy radios, the conferees also believe that interim radio communication capabilities should be evolutionary and be able to transition to the long-term system solution with maximum hardware and software reuse.

Limitation on systems development and demonstration of personnel recovery vehicle (sec. 219)

The House bill contained a provision (sec. 221) that would prevent the expenditure of funds for systems development and demonstration of the Personnel Recovery Vehicle (PRV) until 30 days after the Secretary of Defense submits to the congressional defense committees a certification that the requirements and schedule for the PRV have been validated by the Under Secretary of Defense for Acquisition, Technology, and Logistics. The provision would also require the Secretary to certify that all technologies required for the PRV are mature and demonstrated in a relevant environment, and that no other aircraft, or modification of an aircraft, in the Department of Defense can meet the requirements of the PRV. Finally, the provision would require the Secretary to provide a statement setting forth the independent cost estimate and manpower estimate for the PRV.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would allow the expenditure of no more than 40 percent of the funds made avail-

able for systems development and demonstration of the PRV pending the submission of a certification by the Secretary that the Joint Requirements and Oversight Council has validated the requirement for the PRV program and that the Under Secretary of Defense for Acquisition, Technology, and Logistics has validated the acquisition schedule. The amendment would also require the Secretary to provide an explanation of the reasons why the chosen PRV system would be more effective or less expensive in terms of total life-cycle costs in the event the Department chooses a PRV system not in the Department's inventory.

Limitation on VXX helicopter program (sec. 220)

The House bill contained a provision (sec. 227) that would limit the obligation of research, development, test, and evaluation funds, or procurement funds, for acquisition of pilot production helicopters for the VXX helicopter program until the Secretary of the Navy certifies to the congressional defense committees that the results of the tests conducted by the fleet of test article helicopters for the VXX program demonstrate that VXX helicopters in the VXX mission configuration can be produced without significant further design modification.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would withhold 25 percent of the amount authorized to be appropriated for the system development and demonstration of the VXX helicopter until the Secretary of the Navy submits to the congressional defense committees an event-driven acquisition strategy for increment two of the VXX program that includes the completion of at least one phase of operational testing on production representative test vehicles before the initiation of aircraft production. The provision would require that the acquisition strategy be developed by the Secretary of the Navy in coordination with the Director of Operational Test and Evaluation of the Department of Defense.

The conferees strongly support the VXX program, but believe that the current program schedule for concurrent development and production of both three test articles and pilot production helicopters includes too much risk. The conferees understand that existing EH–101 test vehicles are engaged in flight activities, including engine upgrade certification tests, pilot training, mission profile evaluation, and communications suite test and evaluation. The conferees also understand that increment one pilot-production aircraft will be utilized for specific communications, mission systems, and survivability testing; and the procurement and testing of pilot-production aircraft in 2006 will help reduce the risk in increment two. The conferees believe that it would be prudent for the Department of the Navy to develop an event-driven acquisition strategy that includes (1) a list of the critical technologies required for the production and operation of increment two aircraft for the VXX executive helicopter program; (2) a schedule that accepts no more than moderate risk in either cost or schedule for the demonstration and test of each critical technology listed in the event-driven acquisition strategy; (3) a description of the event-based decision points and associated decision criteria that will occur before the initiation of production of increment two aircraft; (4) a description of a proposed

operational evaluation using production representative test vehicles to occur before the initiation of production of increment two aircraft; and (5) an evaluation of the acquisition strategy provided by the Director of Operational Test and Evaluation of the Department of Defense.

Report on testing of Internet Protocol version 6 (sec. 221)

The House bill contained a provision (sec. 216) that would mandate the testing of Internet Protocol version 6 (IPv6) by the Naval Research Laboratory.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Chairman of the Joint Chiefs of Staff to certify the adequacy of the IPv6 network. The amendment would also require the Director of Operational Test and Evaluation be responsible for the oversight of the test program. The amendment would further require the Department to submit annual reports to the congressional defense committees.

The conferees note that the recently released IPv6 Master Test Plan details a testing plan that consolidates and coordinates all planned IPv6 related testing activities across the Department to ensure that the highest priority testing requirements are addressed. The conferees direct the Department to ensure that this testing is done in an independent, systematic manner and includes rigorous, realistic, end-to-end testing of IPv6. The conferees note that the Naval Research Laboratory's Global Information Grid Evaluation Facility can perform a significant amount of this mandated testing in an effective and independent manner and should be utilized accordingly.

The conferees are also concerned that the Department has not adequately estimated the costs for the transition of Department systems to IPv6 and therefore has not budgeted for these costs. The conferees note that the Department did not include the overall cost estimates required by section 331 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375) in the IPv6 Transition Plan, although the plan did note that "the availability of 'new' dollars to support IPv6 transition is not expected." Therefore, the conferees direct the Director of the Congressional Budget Office to provide a realistic estimate by service and agency for the cost of completing the conversion of Department systems to IPv6, and report the results to the congressional defense committees no later than January 1, 2007.

Subtitle C—Missile Defense Programs

Report on capabilities and costs for operational boost/ascent-phase missile defense systems (sec. 231)

The House bill contained a provision (sec. 231) that would require the Secretary of Defense to conduct an assessment of the missile defense programs, which are designed to protect against boost/ascent-phase ballistic missile attacks, and to submit a report to the congressional defense committees by October 1, 2006.

The Senate amendment contained no similar provision.

The Senate recedes.

One-year extension of Comptroller General assessments of ballistic missile defense programs (sec. 232)

The Senate amendment contained a provision (sec. 221) that would extend until fiscal year 2007 the requirement for the Comptroller General to provide an assessment of ballistic missile defense programs.

The House bill contained no similar provision.

The House recedes.

Fielding of ballistic missile defense capabilities (sec. 233)

The Senate amendment contained a provision (sec. 222) that would authorize the use of funds, authorized to be appropriated for fiscal year 2006 or 2007 for research, development, test, and evaluation for the Missile Defense Agency, for the development and fielding of ballistic missile defense capabilities.

The House contained no similar provision.

The House recedes with a technical amendment.

Plans for test and evaluation of operational capability of the ballistic missile defense system (sec. 234)

The Senate amendment contained a provision (sec. 223) that would direct the appropriate operational test and evaluation components of the Department of Defense, in coordination with the Missile Defense Agency, to prepare a plan to test, evaluate, and characterize the operational capability of each block of the missile defense system.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Subtitle D—High-Performance Defense Manufacturing Technology Research and Development

High-performance defense manufacturing technology research and development (secs. 241–245)

The Senate amendment contained a set of provisions (secs. 231–235) that would direct the Department of Defense to undertake research and development on innovative manufacturing processes and disseminate those processes into the defense industrial base.

The House bill contained no similar provision.

The House recedes with an amendment that would establish a pilot program to develop innovative manufacturing processes and disseminate them into industry.

The conferees believe that rapidly developing technology coupled with an increasingly competitive global economic and security environment makes the importance of maintaining a robust domestic manufacturing base a continuing national security concern. The conferees note that the Defense Manufacturing Technology (ManTech) program is a transformational program intended to keep the defense manufacturing base on the cutting edge of innovative processes and technologies. The conferees believe that a reinvigorated ManTech program could lead to a stronger defense manufacturing base and enhance our national security.

Subtitle E—Other Matters

Comptroller General report on program element structure for research, development, test, and evaluation projects (sec. 251)

The House bill contained a provision (sec. 222) that would require the Department of Defense to assign a separate program element for each research, development, test, and evaluation (RDT&E) project with estimated expenditures and proposed appropriations of $100.0 million or more over the future years defense program.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would direct the Comptroller General to conduct a study of the current program element structure.

The conferees recognize the need for flexibility in planning and managing complex RDT&E programs and projects. The program element (PE) structure used to budget and allocate resources to RDT&E projects was created over 4 decades ago and has not been recently evaluated or updated. Congress has required incremental adjustments to the budget detail presented by the Department to ensure proper oversight, but has become increasingly frustrated with the incorrect application of directives in the classification of programs and projects by budget activity, the addition of large new projects under existing PEs, the resulting lack of transparency in planning and budgeting, and reduced visibility into sub-elements and projects.

The study should include an analysis of the current structure and content and an assessment of the effectiveness of program element and budget justification materials in providing necessary data for congressional oversight and budget transparency. These recommendations should balance the needs of Congress, other governmental organizations, and the public to ensure visibility into the Department's budgets and programs with the need for the Department to retain sufficient management flexibility. The report should include: (1) recommendations on program element size and content; (2) budget justification material content; (3) appropriate reprogramming authorities within and between program elements; and (4) recommendations regarding the structure of program elements as they relate to highly complex research and development programs, particularly those that employ the system of systems concept. The report should be submitted to the congressional defense committees no later than February 1, 2007, with potential implementation in the fiscal year 2009 budget submission.

Research and development efforts for purposes of small business research (sec. 252)

The House bill contained a provision (sec. 223) that would establish a pilot program to expand the role of small business concerns in defense acquisition.

The Senate amendment contained a similar provision (sec. 814) that would revise criteria and procedures for identification of Small Business Innovation Research (SBIR) topic areas and establish a Commercialization Pilot Program to accelerate transition of SBIR programs into the acquisition process.

The House recedes with an amendment that would modify the reporting requirement of this provision.

Revised requirements relating to submission of Joint Warfighting Science and Technology plan (sec. 253)

The House bill contained a provision (sec. 224) that would require submission of the Joint Warfighting Science and Technology plan to Congress every 2 years, rather than annually, and would repeal the requirement for the plan to contain technology area review and assessment summaries.

The Senate amendment contained a similar provision (sec. 1041).

The Senate recedes with an amendment that would require submission of the technology area review and assessment upon completion.

Report on efficiency of naval shipbuilding industry (sec. 254)

The House bill contained a provision (sec. 225) that would require the Secretary of the Navy to establish a program, and to provide funds that are made available to: (1) qualified applicants to facilitate and develop innovative design and production technologies and processes for naval vessels and the development of modernized shipbuilding infrastructure; and (2) private shipyards to facilitate their acquisition of such technologies, processes, and infrastructure. The provision would outline the purpose of the program, how the development funding could be applied for, how the participating entities would be selected, and how the shipyards would incorporate the technologies or processes. The provision would also require the Secretary to conduct an assessment of certain shipbuilding phases at least annually. The provision would provide $100.0 million from the Research, Development, Test, and Evaluation, Navy, account in fiscal year 2006 to establish this program.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary to conduct an assessment of the U.S. naval shipbuilding industry to determine how worldwide shipbuilding industry best practices for innovation, design, and production technologies, processes, and infrastructure could be adopted. The amendment would require the assessment to identify those best practices that have not been adopted by the U.S. naval shipbuilding industry; estimate the costs to adopt and the return on investment by adopting these best practices; and any recommendations the Secretary may have to increase naval shipbuilding efficiencies. The amendment would require this assessment to occur subsequent to, and take into consideration the results of, the study of the cost effectiveness of the Navy shipbuilding program required by section 1014 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375). The amendment would require the Secretary to submit a report to the congressional defense committees by April 1, 2006, which would include the Secretary's findings and conclusions based on this assessment.

Technology transition (sec. 255)

The Senate amendment contained a provision (sec. 242) that would clarify the role of the Technology Transition Council.

The House bill contained no similar provision.

The House recedes with a clarifying amendment that would ensure that the required report includes an assessment of the Department of Defense requirements, budgeting and planning process on technology transition and modify the deadline for submission of the report to not later than 9 months after the enactment of this Act.

Prevention, mitigation, and treatment of blast injuries (sec. 256)

The Senate amendment contained a provision (sec. 243) that would require the Secretary of Defense to designate an executive agent to coordinate and manage a comprehensive blast injury prevention, mitigation, and treatment program. The provision would require review and assessment of a coordinated, department-wide research effort to include: blast characterization; modeling and simulation of safe stand-off distances; explosive detect and defeat capabilities; and armor design and material testing for blast, ballistic, and fire protection. The provision would also require support for emerging military medical technologies, devices, and treatments specific to blast injuries including traumatic brain injury.

The House bill contained no similar provision.

The House recedes with an amendment that would revise the responsibilities of the executive agent required by this section. The amendment would also require the Director, Defense Research and Engineering to work in coordination with the executive agent and the Director, Joint Improvised Explosive Device Task Force on research for the prevention and mitigation of blast injuries.

The conferees intend to ensure a focused effort on providing the best treatment and protection for U.S. soldiers, sailors, airmen, marines, and National Guardsmen as they confront evolving threats in unpredictable environments. The Department of Defense acquisition system should incorporate emerging health hazards data produced by efforts under this section into the human systems integration assessments conducted for all acquisition programs.

Modification of requirements for annual report on DARPA program to award cash prizes for advanced technology achievements (sec. 257)

The Senate amendment contained a provision (sec. 244) that would clarify reporting requirements on utilization of authority granted by the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) to run competitions and award prizes for achievements in research and technology development.

The House bill contained no similar provision.

The House recedes with technical amendments.

Designation of facilities and resources constituting the major range and test facility base (sec. 258)

The Senate amendment contained a provision (sec. 245) that would update the Bob Stump National Defense Authorization Act of Fiscal Year 2003 (Public Law 107–314) to reflect changes in the

Test Resource Management Center oversight of major research and test facilities. The provision would designate the Secretary of Defense, rather than the Director, Operational Test and Evaluation, as the official in charge of major range and test facility designations.

The House bill contained no similar provision.

The House recedes.

Report on cooperation between Department of Defense and National Aeronautics and Space Administration on research, development, test, and evaluation activities (sec. 259)

The Senate amendment contained a provision (sec. 246) that would require a joint Department of Defense and National Aeronautics and Space Administration assessment of research, development, test, and evaluation cooperation.

The House bill contained no similar provision.

The House recedes with an amendment that would ensure that the assessment of space access and operations includes a focus on responsive space launch and small satellite development.

Delayed effective date for limitation on procurement of systems not GPS-equipped (sec. 260)

The Senate amendment contained a provision (sec. 247) that would delay the effective date by which the military services must complete equipping their forces with the global positioning system (GPS) from 2005 to 2007.

The House bill contained no similar provision.

The House recedes with a technical amendment.

The conferees recognize that the Department of Defense is still working toward compliance with section 152(b) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160) with regard to equipping all aircraft, ships, armored vehicles, and indirect fire systems with GPS capability. The current program calls for Army compliance by the end of fiscal year 2007 and for Air Force compliance in fiscal year 2015. The conferees believe there may not be value added to modifying certain platforms currently planned for modification after 2007. Therefore, the conferees direct the Secretary of Defense to perform an assessment of all Department of Defense aircraft, ships, armored vehicles, and indirect fire system that will not be equipped with GPS capability by the end of fiscal year 2007 to determine whether the operational value of modifying each system with GPS is worth the cost of so doing. A report of the results of this assessment is due to the congressional defense committees by February 1, 2007.

Report on development and use of robotics and unmanned ground vehicle systems (sec. 261)

The Senate amendment contained a provision (sec. 248) that would require a report on the development and utilization of robotics and unmanned ground vehicle systems.

The House bill contained no similar provision.

The House recedes with an amendment to expand and clarify the requirements of the report.

The conferees note that the Joint Robotics Program (JRP) produces a Joint Robotics Program Master Plan that details JRP activities, progress, and budgets. The conferees intend for the report required by this provision to expand on the JRP effort to include a detailed description of all the relevant robotics and unmanned ground vehicle efforts undertaken by all of the elements of the Department of Defense, as well as other required elements indicated in the provision.

The conferees continue to support the goal established by the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398) that, by 2015, one-third of operational ground combat vehicles be unmanned. The conferees direct the Secretary of Defense to provide a cost estimate for research, development, testing, and procurement to achieve this goal along with the submission of a report to the congressional defense committees not later than 9 months after the enactment of this Act, as required by this provision.

LEGISLATIVE PROVISIONS NOT ADOPTED

Aging military aircraft fleet support

The Senate amendment contained a provision (sec. 214) that would authorize $4.0 million for technical personnel, facilities, and equipment to support the Department of Defense mission in maintaining the aging fleet of military aircraft.

The House contained no similar provision.

The Senate recedes.

The conference outcome is reflected in the tables of this report in Research, Development, Test, and Evaluation, Air Force, PE 63112F.

Arrow ballistic missile defense system

The Senate amendment contained a provision (sec. 224) that would authorize up to $80.0 million for coproduction of the Arrow ballistic missile defense system.

The House bill contained no similar provision.

The Senate recedes.

The conference outcome is reflected in the tables of this report in Research, Development, Test, and Evaluation, Defense-wide PE 63881C.

Defense basic research programs

The Senate amendment contained a provision (sec. 219) that would authorize $40.0 million for Department of Defense competitively awarded basic research and education programs.

The House contained no similar provision.

The Senate recedes.

The conference outcome is reflected in the tables of this report in Research, Development, Test, and Evaluation, Army PE 61103A, Navy PE 61103N, Air Force PE 61103F, Defense-wide PE 61101E, and Defense-wide PE 61120D8Z.

Field programmable gate array

The Senate amendment contained a provision (sec. 217) that would authorize $3.0 million for Air Force research on field programmable gate arrays, a type of microelectronic circuit designed to perform various functions without requiring physical changes to the chip.

The House bill contained no similar provision.

The Senate recedes.

The conference outcome is reflected in the tables of this report in Research, Development, Test, and Evaluation, Air Force PE 62601F.

Funding for development of distributed generation technologies

The Senate amendment contained a provision (sec. 204) that would authorize $1.0 million for Army research and evaluation of a process for converting propellants into fertilizer.

The House bill contained no similar provision.

The Senate recedes.

The conference outcome is reflected in the tables of this report in Research, Development, Test, and Evaluation, Army, PE 63103A.

Funding for research and technology transition for high-brightness electron source program

The Senate amendment contained a provision (sec. 203) that would authorize $1.5 million for Navy research and transition of the high-brightness electron source program to develop novel electronic materials for Navy applications.

The House bill contained no similar provision.

The Senate recedes.

The conference outcome is reflected in the tables of this report in Research, Development, Test, and Evaluation, Navy PE 62271N.

Funding for supersonic cruise missile engine qualification

The House bill contained a provision (sec. 228) that would authorize $10.0 million for Air Force engine qualification of the supersonic cruise missile.

The Senate amendment contained no similar provision.

The House recedes.

The conference outcome is reflected in the tables of this report in Research, Development, Test, and Evaluation, Air Force, PE 63216F.

Joint service small arms program

The Senate amendment contained a provision (sec. 216) that would authorize $5.0 million for Army applied research on gun recoil reduction as part of the joint service small arms program.

The House bill contained no similar provision.

The Senate recedes.

The conference outcome is reflected in the tables of this report in Research, Development, Test, and Evaluation, Army, PE 62623A.

Long wavelength array low frequency radio astronomy instruments

The Senate amendment contained a provision (sec. 218) that would authorize $6.0 million for Navy research on the long wavelength array low frequency radio astronomy instrument.

The House bill contained no similar provision.

The Senate recedes.

The conference outcome is reflected in the tables of this report in Research, Development, Test, and Evaluation, Navy PE 63114N.

Medium tactical vehicle modifications

The Senate amendment contained a provision (sec. 219B) that would authorize an additional $5.0 million for the development and prototyping of technologies including off-road active suspension, increased payload capacity, and reduced logistics footprint.

The House bill contained no similar provision.

The Senate recedes.

The conference outcome is reflected in the tables of this report in Research, Development, Test, and Evaluation, Army, PE 64604A.

Objective requirements for Non-Line-of-Sight Cannon system not to be diminished to meet weight requirements

The House bill contained a provision (sec. 212) that would require the Secretary of Defense to ensure that the objective requirements established for the Non-Line-of-Sight Cannon not be diminished in order to achieve the weight requirements in existence as of April 14, 2003.

The Senate amendment contained no similar provision.

The House recedes.

Project Sheriff

The Senate amendment contained a provision (sec. 219A) that would authorize $10.0 million for the Office of Force Transformation to continue development and testing of Project Sheriff on additional Army Stryker vehicles.

The House bill contained no similar provision.

The Senate recedes.

The conference outcome is reflected in the tables of this report in Research, Development, Test, and Evaluation, Defense-wide PE 65799D8Z.

Renewal of University National Oceanographic Laboratory System fleet

The House bill contained a provision (sec. 226) that would require the Secretary of the Navy to develop a plan for a program to construct ships for the University National Oceanographic Laboratory System (UNOLS) fleet.

The Senate amendment contained no similar provision.

The House recedes.

The conferees are concerned with the Navy's plans to fund the construction of academic research vessels in the basic research account in fiscal year 2007. While the *Ocean*-class research vessel provides the Navy with a robust understanding of its battlespace, diversion of fundamental science funds to design and construct

such ships would adversely affect the goals of the innovative research account and is an inappropriate use for scarce Navy basic research funds. The conferees direct the Navy to fund design work for future ships in PE 63564N, the Ship Preliminary Design and Feasibility Studies program.

Released with the fiscal year 2006 budget request, the fiscal year 2007 budget projection included $25.0 million for UNOLS ship construction. The conferees direct the Navy to request ship construction funds in the Shipbuilding and Conversion, Navy (SCN) account. The committee expects that the Navy will continue to use the SCN account to provide for the recapitalization of *Ocean*-class research vessels in the future-years defense program.

Finally, the conferees direct the Navy to update its plan for renewal of the UNOLS fleet to reflect current fiscal realities, schedules, missions, and research priorities. The updated plan should be submitted to the congressional defense committees no later than 6 months after the date of enactment of this Act.

Required flight-intercept test of ballistic missile defense ground-based midcourse system

The House bill contained a provision (sec. 232) that would authorize $100.0 million above the budget request for the midcourse defense segment for one additional flight-intercept test of the ground-based midcourse defense system.

The Senate amendment contained no similar provision.

The House recedes.

The conference outcome is reflected in the tables of this report in Research, Development, Test, and Evaluation, Defense-wide, PE 63882C.

Telemedicine and advanced technology research center

The Senate amendment contained a provision (sec. 114) that would authorize $1.0 million for the Army to ensure that medical records of injured personnel are accurately kept and to enable reliable transfer of records from main triage facilities to local care centers.

The House bill contained no similar provision.

The Senate recedes.

The conference outcome is reflected in the tables of this report in Research, Development, Test, and Evaluation, Army PE 63002A.

Towed array handler

The Senate amendment contained a provision (sec. 115) that would authorize $5.0 million in PE 64503N for the design, development, and test of improvements to the towed array handler.

The House bill contained no similar provision.

The Senate recedes.

The outcome is reflected in the tables of this report in Research, Development, Test, and Evaluation, Navy PE 64503N.

Warhead/Grenade Scientific Based Manufacturing Technology

The Senate amendment contained a provision (sec. 215) that would authorize $1.0 million for Army investigation of technologies in metals forming and machining applications, which could be ap-

plied to manufacturing of medium caliber warheads, cartridge cases, and grenades for artillery rounds.

The House bill contained no similar provision.

The Senate recedes.

The conference outcome is reflected in the tables of this report in Research, Development, Test, and Evaluation, Army PE 62624A.

TITLE III—OPERATION AND MAINTENANCE

Operation and Maintenance overview

The budget request for fiscal year 2006 included an authorization of $126,902.5 million for Operation and Maintenance, $22,302.9 million for Other Programs, and $3,119.8 million for Working Capital Fund Accounts in the Department of Defense.

The House bill would authorize $124,342.1 million for Operation and Maintenance, $22,232.2 million for Other Programs, and $3,168.4 million for Working Capital Fund Accounts.

The Senate amendment would authorize $126,442.8 million for Operation and Maintenance, $22,432.1 million for Other Programs, and $2,482.6 million for Working Capital Fund Accounts.

The conferees agree to authorize $125,715.2 million for Operation and Maintenance, $22,429.8 million for Other Programs, and $3,129.1 million for Working Capital Fund Accounts.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

NATIONAL DEFENSE AUTHORIZATION FOR FISCAL YEAR 2006

(Dollars in Thousands)

	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Title III – OPERATION AND MAINTENANCE & OTHER PROGRAMS					
OPERATION AND MAINTENANCE					
Operation and Maintenance, Army	25,316,595	24,383,873	24,890,960	-630,300	24,686,295
Operation and Maintenance, Navy	30,759,889	30,312,736	30,497,489	-221,800	30,538,089
Operation and Maintenance, MC	3,804,926	3,631,277	3,842,026	4,600	3,809,526
Operation and Maintenance, AF	31,521,136	30,559,135	31,370,819	-404,000	31,117,136
Operation and Maintenance, Defense-wide	18,453,469	18,375,781	18,627,569	96,700	18,550,169
Operation and Maintenance, Army Reserve	1,987,382	1,998,282	1,989,542	5,160	1,992,542
Operation and Maintenance, Navy Reserve	1,245,695	1,245,695	1,245,695	-8,400	1,237,295
Operation and Maintenance, Marine Corps Reserve	199,934	207,434	199,934	-1,900	198,034
Operation and Maintenance, Air Force Reserve	2,501,686	2,501,686	2,559,686	-13,900	2,487,786
Operation and Maintenance, Army National Guard	4,509,719	4,521,119	4,528,019	-31,400	4,478,319
Operation and Maintenance, Air National Guard	4,724,091	4,727,091	4,772,991	-22,100	4,701,991
Transfer Accounts	1,369,689	1,369,689	1,409,689	40,000	1,409,689
Miscellaneous Appropriations	508,331	508,331	508,331		508,331
SUBTOTAL OPERATION AND MAINTENANCE	**126,902,542**	**124,342,129**	**126,442,750**	**-1,187,340**	**125,715,202**

(Dollars in Thousands)

	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
OTHER PROGRAMS					
DEFENSE HEALTH PROGRAM					
Defense Health Program, O&M	19,247,137	19,204,219	19,351,337	100,982	19,348,119
Blast injury prevention, mitigation and treatment initiative			[20,000]	[18,000]	
Extension of TRICARE Prime for Survivors			[2,000]	[2,000]	
Physical exams for Reservists			[82,200]		
GAO estimate annual DHP unobligated funds		[-99,900]			
Perinatal information center		[982]		[982]	
Madigan Army Medical Center trauma program		[2,000]		[2,000]	
TRICARE Prime remote exceptional eligibility		[4,000]		[4,000]	
Modifications to TRICARE Reserve Select		[50,000]		[74,000]	
Defense Health Program, RDTE	169,156	176,656	174,156		169,156
Enhanced vision lenses			[5,000]		
Ex-rad radiation protection program		[7,500]			
Defense Health Program, Procurement	375,319	375,319	375,319		375,319
Subtotal Defense Health Program	**19,791,612**	**19,756,194**	**19,900,812**	**100,982**	**19,892,594**

NATIONAL DEFENSE AUTHORIZATION FOR FISCAL YEAR 2006

(Dollars in Thousands)

	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES					
Drug Enforcement and Policy Support	895,741	895,741	895,741	6,000	901,741
PACOM operations support		[-4,000]			
Air Force tanker study		[-3,000]			
Naval Reserve support		[-4,000]			
International support		[-10,000]			
Southwest border fence		[7,000]		[6,000]	
Joint Task Force North		[6,000]			
Participating nation support		[2,000]			
Support to National Security Agency		[6,000]			
Subtotal Drug Interdiction and Counter-Drug Activities	**895,741**	**895,741**	**895,741**	**6,000**	**901,741**
OFFICE OF THE INSPECTOR GENERAL					
Office of the Inspector General, O&M	208,687	173,487	208,687		208,687
Mid-Range Financial Improvement Plan		[-35,200]			
Office of the Inspector General, RDTE					
Office of the Inspector General, Procurement	1,000	1,000	1,000		1,000
Subtotal Office of the Inspection General	**209,687**	**174,487**	**209,687**		**209,687**

NATIONAL DEFENSE AUTHORIZATION FOR FISCAL YEAR 2006

(Dollars in Thousands)

	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
CHEMICAL AGENTS AND MUNITIONS DESTRUCTION					
Chemical Agents and Munitions Destruction, O&M	1,241,514	1,241,514	1,241,514		1,241,514
Chemical Agents and Munitions Destruction, RDTE	47,786	47,786	67,786	20,000	67,786
Assembled chemical weapons alternatives			[20,000]	[20,000]	
Chemical Agents and Munitions Destruction, Procurement	116,527	106,527	116,527		116,527
Program reduction		[-10,000]			
Subtotal Chemical Agents and Munitions Destruction	**1,405,827**	**1,395,827**	**1,425,827**	**20,000**	**1,425,827**
SUBTOTAL OTHER PROGRAMS	**22,302,867**	**22,222,249**	**22,432,067**	**126,982**	**22,429,849**
REVOLVING AND MANAGEMENT FUNDS					
Defense Working Capital Funds	316,340	316,340	316,340		316,340
Defense Working Capital Funds - DeCA	1,155,000	1,155,000	1,155,000		1,155,000
National Defense Sealift Fund	1,648,504	1,697,023	1,011,304	9,213	1,657,717
Lease buyout for only three MPS ships			[-637,200]	[-374,787]	
Additional T-AKE		[384,419]		[384,000]	
Program adjustment		[-335,900]			
SUBTOTAL REVOLVING AND MANAGEMENT FUNDS	**3,119,844**	**3,168,363**	**2,482,644**	**9,213**	**3,129,057**
TOTAL O&M AND OTHER PROGRAMS	**152,325,253**	**149,732,741**	**151,357,461**	**-1,051,145**	**151,274,108**

Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
		Operation and Maintenance, Army					
		BUDGET ACTIVITY 01: OPERATING FORCES					
		LAND FORCES					
2020a	010	DIVISIONS	866,129	830,229	866,129	5,500	871,629
		Bio/chem resistant canteens		[1,000]		[1,000]	
		Advanced technology batteries		[2,500]		[2,500]	
		Fleece insulated liners for ECWCS		[2,000]		[2,000]	
		Repair parts - transfer to Title XV		[-42,400]			
		Tank sonic dry clean filter system		[1,000]			
2020a	020	CORPS COMBAT FORCES	430,353	417,853	430,353		430,353
		Repair parts - Transfer to Title XV		[-12,500]			
2020a	030	CORPS SUPPORT FORCES	351,673	353,673	351,673		351,673
		M Gators		[2,000]			
2020a	040	EAC SUPPORT FORCES	951,681	848,881	951,681	-103,000	848,681
		Rapid fielding initiative - Transfer to Title XV		[-102,800]			
		RFI sustainment peace time offset				[-103,000]	
2020a	050	LAND FORCES OPERATIONS SUPPORT	1,260,976	1,260,976	1,260,976		1,260,976

Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
		LAND FORCES READINESS					
2020a	060	FORCE READINESS OPERATIONS SUPPORT	1,870,382	1,870,382	1,981,182	7,900	1,878,282
		Virtual combat convoy trainer			[7,700]		
		Battle command training capability			[3,900]	[3,900]	
		Home station range operations			[73,700]		
		Cognitive air defense simulators			[3,000]	[3,000]	
		Grenade range improvements			[1,000]	[1,000]	
		Range fiber optic LAN installation			[1,500]		
		Advanced combat helmet with modular integrated communications headset			[20,000]		
2020a	070	LAND FORCES SYSTEMS READINESS	615,063	577,863	623,063	2,000	617,063
		Corrosion prevention and control program			[8,000]	[2,000]	
		Unit of action experimentation - Transfer to Title XV		[-37,200]			
2020a	080	LAND FORCES DEPOT MAINTENANCE	1,229,926	970,126	1,229,926	-213,000	1,016,926
		Arsenal/Depot AIT Initiative		[10,000]			
		Depot maintenance - transfer to Title XV		[-269.800]			
		Depot maintenance peace time work load adjustment				[-213,000]	
		LAND FORCES READINESS SUPPORT					
2020a	090	BASE OPERATIONS SUPPORT	5,347,826	5,332,826	5,347,826		5,347,826
		Utilities privatization		[-15,000]			
2020a	100	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	1,825,518	1,825,518	1,791,718		1,825,518
		Program under execution			[-33,800]		
2020a	110	MANAGEMENT AND OPERATIONAL HQ	220,288	220,288	220,288		220,288
2020a	120	UNIFIED COMMANDS	102,343	102,343	102,343		102,343
2020a	130	MISCELLANEOUS ACTIVITIES	230,202	230,202	230,202		230,202

Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
2020a	xx	Operating tempo - transfer to Title XV		-115,700			
		TOTAL, BA 01: OPERATING FORCES	**15,302,360**	**14,725,460**	**15,387,360**	**-300,600**	**15,001,760**
		BUDGET ACTIVITY 02: MOBILIZATION					
		MOBILITY OPERATIONS					
2020a	140	STRATEGIC MOBILITY	248,241	248,241	254,241	6,000	254,241
		Quadruple specialty containers			[6,000]	[6,000]	
2020a	150	ARMY PREPOSITIONING STOCKS	99,917	99,917	99,917		99,917
2020a	160	INDUSTRIAL PREPAREDNESS	8,833	8,833	8,833		8,833
		TOTAL, BA 02: MOBILIZATION	**356,991**	**356,991**	**362,991**	**6,000**	**362,991**
		BUDGET ACTIVITY 03: TRAINING AND RECRUITING					
		ACCESSION TRAINING					
2020a	170	OFFICER ACQUISITION	103,722	103,722	103,722		103,722
2020a	180	RECRUIT TRAINING	32,125	32,125	32,125		32,125
2020a	190	ONE STATION UNIT TRAINING	36,538	36,538	36,538		36,538
2020a	200	SENIOR RESERVE OFFICERS TRAINING CORPS	270,351	270,351	270,351		270,351
		BASIC SKILL/ ADVANCE TRAINING					
2020a	210	SPECIALIZED SKILL TRAINING	510,526	521,526	516,526	5,500	516,026
		Satellite communications for learning (SCOLA)		[6,000]	[6,000]	[3,000]	
		Defense Language Institute		[5,000]		[2,500]	

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(Dollars in Thousands)

Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
2020a	220	FLIGHT TRAINING	635,105	635,105	635,105		635,105
2020a	230	PROFESSIONAL DEVELOPMENT EDUCATION	114,854	115,854	114,854		114,854
		Leadership for leaders program		[1,000]			
2020a	240	TRAINING SUPPORT	668,981	673,981	668,981	3,000	671,981
		Live training instrumentation for air & missile defense units		[5,000]		[3,000]	
		RECRUITING/OTHER TRAINING					
2020a	250	RECRUITING AND ADVERTISING	481,868	481,868	481,868		481,868
2020a	260	EXAMINING	121,937	121,937	121,937		121,937
2020a	270	OFF-DUTY AND VOLUNTARY EDUCATION	262,410	262,410	262,410		262,410
2020a	280	CIVILIAN EDUCATION AND TRAINING	154,232	122,232	102,532	-32,000	122,232
		Army civilian intern program		[-32,000]	[-51,700]	[-32,000]	
2020a	290	JUNIOR ROTC	141,416	141,416	141,416		141,416
		TOTAL, BA 03: TRAINING AND RECRUITING	**3,534,065**	**3,519,065**	**3,488,365**	**-23,500**	**3,510,565**
		BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
		SECURITY PROGRAMS					
2020a	300	SECURITY PROGRAMS	919,796	919,796	924,796	2,000	921,796
		Unattended ground sensors			[5,000]	[2,000]	
		LOGISTICS OPERATIONS					
2020a	310	SERVICEWIDE TRANSPORTATION	581,060	646,060	581,060		581,060
		AAFES-second destination transportation		[65,000]			

Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
2020a	320	CENTRAL SUPPLY ACTIVITIES	570,178	454,178	570,178		570,178
		Sustainment system technical support - transfer to Title XV		[-116,000]			
2020a	330	LOGISTIC SUPPORT ACTIVITIES	389,696	389,696	392,696	3,000	392,696
		Information assurance vulnerability alert cell			[3,000]	[3,000]	
2020a	340	AMMUNITION MANAGEMENT	354,162	354,162	354,162		354,162
		SERVICEWIDE SUPPORT					
2020a	350	ADMINISTRATION	606,588	606,588	609,588		606,588
		Aviation and missile life cycle management pilot program			[3,000]		
2020a	360	SERVICEWIDE COMMUNICATIONS	850,053	828,653	850,053	-11,000	839,053
		GFEBS		[-24,900]		[-11,000]	
		Army Knowledge Online disaster recovery system		[3,500]			
2020a	370	MANPOWER MANAGEMENT	238,344	238,344	238,344		238,344
2020a	380	OTHER PERSONNEL SUPPORT	189,720	189,720	189,720		189,720
2020a	390	OTHER SERVICE SUPPORT	850,059	850,059	850,059		850,059
2020a	400	ARMY CLAIMS ACTIVITIES	197,361	197,361	197,361		197,361
2020a	410	REAL ESTATE MANAGEMENT	45,451	45,451	45,451		45,451
		SUPPORT OF OTHER NATIONS					
2020a	420	SUPPORT OF NATO OPERATIONS	289,447	277,647	289,447		289,447
		NATO support - transfer to Title XV		[-11,800]			
2020a	430	MISC. SUPPORT OF OTHER NATIONS	41,264	41,264	41,264		41,264

Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
		JUDGMENT FUND					
2020a	440	JUDGMENT FUND					
		TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**6,123,179**	**6,038,979**	**6,134,179**	**-6,000**	**6,117,179**
		Military to civilian conversions			-90,000	-47,000	-47,000
		Audits of DOD financial statements			-70,000	-45,000	-45,000
		Civilian personnel under execution		-17,000	-17,000	-17,000	-17,000
		Working Capital Fund excess balances			-124,735		
		Working Capital Fund excess carryover			-94,700	-94,700	-94,700
		Defense Information System Network costs			-25,000	-25,000	-25,000
		Unobligated balances		-239,622		-87,500	-87,500
		Unobligated balances (S. Amdt)			-85,000		
		Diagnosis and treatment of post traumatic stress disorder (S. Amdt)			10,000	10,000	10,000
		Point of maintenance/arsenal/depot AIT initiative (S. Amdt)			10,000		
		Long arm high-intensity arc metal halide handheld searchlight (S. Amdt)			4,500		
		Total Operation and Maintenance, Army	**25,316,595**	**24,383,873**	**24,890,960**	**-630,300**	**24,686,295**
		Operation and Maintenance, Navy					
		BUDGET ACTIVITY 01: OPERATING FORCES					
		AIR OPERATIONS					
1804n	010	MISSION AND OTHER FLIGHT OPERATIONS	3,574,529	3,574,529	3,574,529		3,574,529
1804n	020	FLEET AIR TRAINING	857,918	857,918	857,918		857,918

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(Dollars in Thousands)

Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
1804n	030	INTERMEDIATE MAINTENANCE	58,661	58,661	58,661		58,661
1804n	040	AIR OPERATIONS AND SAFETY SUPPORT	114,331	114,331	114,331		114,331
1804n	050	AIR SYSTEMS SUPPORT	473,514	473,514	473,514		473,514
1804n	060	AIRCRAFT DEPOT MAINTENANCE	961,921	961,921	961,921		961,921
1804n	070	AIRCRAFT DEPOT OPERATIONS SUPPORT	124,133	124,133	124,133	-15,000	109,133
		Unjustified growth in converged ERP				[-15,000]	
		SHIP OPERATIONS					
1804n	080	MISSION AND OTHER SHIP OPERATIONS	2,999,986	3,059,986	2,999,986		2,999,986
		USS Kennedy		[60,000]			
1804n	090	SHIP OPERATIONS SUPPORT & TRAINING	588,395	592,395	588,395	1,000	589,395
		Man overboard ID system		[4,000]		[1,000]	
1804n	100	SHIP DEPOT MAINTENANCE	3,967,408	3,973,408	3,970,108	1,800	3,969,208
		Stainless steel sanitary spaces		[4,000]			
		NULKA decoy cartridge		[2,000]	[2,700]	[1,800]	
1804n	110	SHIP DEPOT OPERATIONS SUPPORT	833,251	833,251	837,751	1,500	834,751
		Stainless steel sanitary spaces			[4,500]	[1,500]	
		COMBAT OPERATIONS/SUPPORT					
1804n	120	COMBAT COMMUNICATIONS	298,100	298,100	298,100		298,100
1804n	130	ELECTRONIC WARFARE	18,422	18,422	22,422		18,422
		Manufacturing technical assistance and production program			[4,000]		
1804n	140	SPACE SYSTEMS AND SURVEILLANCE	156,814	156,814	156,814		156,814
1804n	150	WARFARE TACTICS	367,830	367,830	367,830		367,830
1804n	160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	259,807	259,807	259,807		259,807

Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
1804n	170	COMBAT SUPPORT FORCES	1,321,953	1,309,053	1,321,953	-13,000	1,308,953
		JFCOM joint training		[-12,900]		[-13,000]	
1804n	180	EQUIPMENT MAINTENANCE	172,958	172,958	172,958		172,958
1804n	190	DEPOT OPERATIONS SUPPORT	3,703	3,703	14,703	6,000	9,703
		Electric start system			[8,000]	[5,000]	
		Marine gas turbine photonic sensor			[3,000]	[1,000]	
		WEAPONS SUPPORT					
1804n	200	CRUISE MISSILE	181,294	181,294	181,294		181,294
1804n	210	FLEET BALLISTIC MISSILE	830,094	830,094	830,094		830,094
1804n	220	IN-SERVICE WEAPONS SYSTEMS SUPPORT	69,722	69,722	69,722		69,722
1804n	230	WEAPONS MAINTENANCE	473,584	473,584	489,584	16,000	489,584
		Mk 45 gun system overhauls			[16,000]	[16,000]	
		WORKING CAPITAL FUND SUPPORT					
1804n	240	NWCF SUPPORT					
		BASE SUPPORT					
1804n	250	SUSTAINMENT, RESTORATION AND MODERNIZATION	1,344,971	1,344,971	1,318,771		1,344,971
		Program under execution			[-26,200]		
1804n	260	BASE OPERATING SUPPORT	3,417,244	3,360,244	3,417,244	-25,000	3,392,244
		Utilities privatization		[-57,000]			
		Base operating support unjustified growth				[-25,000]	
1804n	xx	Operating Tempo - transfer to Title XV		-180,000			
		TOTAL, BA 01: OPERATING FORCES	**23,470,543**	**23,290,643**	**23,482,543**	**-26,700**	**23,443,843**

Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
		BUDGET ACTIVITY 02: MOBILIZATION					
		READY RESERVE AND PREPOSITIONING FORCES					
1804n	270	SHIP PREPOSITIONING AND SURGE	533,527	533,527	661,127	143,400	676,927
		Restore lease payments for ten MPS ships				[143,400]	
		ACTIVATIONS/INACTIVATIONS					
1804n	280	AIRCRAFT ACTIVATIONS/INACTIVATIONS	3,158	3,158	3,158		3,158
1804n	290	SHIP ACTIVATIONS/INACTIVATIONS	125,629	133,629	125,629		125,629
		Acceleration of disposal		[8,000]			
		MOBILIZATION PREPAREDNESS					
1804n	300	FLEET HOSPITAL PROGRAM	28,245	28,245	28,245		28,245
1804n	310	INDUSTRIAL READINESS	1,653	1,653	1,653		1,653
1804n	320	COAST GUARD SUPPORT	19,879	19,879	19,879		19,879
		TOTAL, BA 02: MOBILIZATION	**712,091**	**720,091**	**839,691**	**143,400**	**855,491**
		BUDGET ACTIVITY 03: TRAINING AND RECRUITING					
		ACCESSION TRAINING					
1804n	330	OFFICER ACQUISITION	123,975	123,975	123,975		123,975
1804n	340	RECRUIT TRAINING	10,153	10,153	10,153		10,153
1804n	350	RESERVE OFFICERS TRAINING CORPS	103,539	103,539	103,539		103,539

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(Dollars in Thousands)

Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
		BASIC SKILLS AND ADVANCED TRAINING					
1804n	360	SPECIALIZED SKILL TRAINING	494,195	494,195	494,195		494,195
1804n	370	FLIGHT TRAINING	364,692	364,692	364,692		364,692
1804n	380	PROFESSIONAL DEVELOPMENT EDUCATION	134,935	134,935	134,935		134,935
1804n	390	TRAINING SUPPORT	243,596	243,596	243,596		243,596
		RECRUITING, AND OTHER TRAINING AND EDUCATION					
1804n	400	RECRUITING AND ADVERTISING	282,293	282,593	282,293	300	282,593
		Naval Sea Cadet Corps		[300]		[300]	
1804n	410	OFF-DUTY AND VOLUNTARY EDUCATION	155,646	155,646	155,646		155,646
1804n	420	CIVILIAN EDUCATION AND TRAINING	70,983	70,983	70,983		70,983
1804n	430	JUNIOR ROTC	42,875	42,875	42,875		42,875
		TOTAL, BA 03: TRAINING AND RECRUITING	**2,026,882**	**2,027,182**	**2,026,882**	**300**	**2,027,182**
		BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
		SERVICEWIDE SUPPORT					
1804n	440	ADMINISTRATION	739,521	723,521	739,521		739,521
		Mid-Range Financial Improvement Plan		[-16,000]			
1804n	450	EXTERNAL RELATIONS	3,517	3,517	3,517		3,517
1804n	460	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	100,751	100,751	100,751		100,751
1804n	470	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	212,813	212,813	212,813		212,813
1804n	480	OTHER PERSONNEL SUPPORT	250,278	250,278	250,278		250,278
1804n	490	SERVICEWIDE COMMUNICATIONS	773,261	773,261	773,261		773,261
1804n	500	MEDICAL ACTIVITIES					

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(Dollars in Thousands)

Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
		LOGISTICS OPERATIONS AND TECHNICAL SUPPORT					
1804n	510	SERVICEWIDE TRANSPORTATION	188,257	188,257	188,257		188,257
1804n	520	ENVIRONMENTAL PROGRAMS		1,000			
		Ford Island environmental clean up		[1,000]			
1804n	530	PLANNING, ENGINEERING AND DESIGN	306,919	306,919	306,919		306,919
1804n	540	ACQUISITION AND PROGRAM MANAGEMENT	841,706	841,706	841,706		841,706
1804n	550	AIR SYSTEMS SUPPORT					
1804n	560	HULL, MECHANICAL AND ELECTRICAL SUPPORT	46,373	46,373	46,373		46,373
1804n	570	COMBAT/WEAPONS SYSTEMS	46,334	46,334	46,334		46,334
1804n	580	SPACE AND ELECTRONIC WARFARE SYSTEMS	75,132	75,132	75,132		75,132
		INVESTIGATIONS AND SECURITY PROGRAMS					
1804n	590	NAVAL INVESTIGATIVE SERVICE	374,329	374,329	374,329		374,329
		SUPPORT OF OTHER NATIONS					
1804n	640	INTERNATIONAL HEADQUARTERS AND AGENCIES	10,663	10,663	10,663		10,663
1804n	650	PRESIDENTIAL DRAWDOWN AUTHORITY					
		CANCELLED ACCOUNTS					
1804n	660	CANCELLED ACCOUNT ADJUSTMENTS					
1804n	670	JUDGMENT FUND					

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(Dollars in Thousands)

Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
		OTHER PROGRAMS					
1804n	999	OTHER PROGRAMS	580,519	580,519	580,519		580,519
		TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**4,550,373**	**4,535,373**	**4,550,373**		**4,550,373**
		Military to civilian conversions			-90,000	-55,000	-55,000
		Audits of DOD financial statements			-65,000	-32,800	-32,800
		Defense Information System Network costs			-25,000	-25,000	-25,000
		Civilian personnel under execution		-172,000	-172,000	-172,000	-172,000
		Lease buy outs		103,000			
		Unobligated balances		-191,553		-54,000	-54,000
		Navy Human Resources Benefit Call Center (non-add) (S. Amdt)			[1,500]		
		Unobligated balances (S. Amdt)			-50,000		
		Total Operation and Maintenance, Navy	**30,759,889**	**30,312,736**	**30,497,489**	**-221,800**	**30,538,089**

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(Dollars in Thousands)

Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
		Operation and Maintenance, Marine Corps					
		BUDGET ACTIVITY 01: OPERATING FORCES					
		EXPEDITIONARY FORCES					
1106n	010	OPERATIONAL FORCES	479,482	490,982	505,182	22,000	501,482
		Acclimate high performance undergarments			[2,500]	[2,500]	
		Ultra-light camouflage net system			[8,000]	[4,000]	
		Cold weather clothing and equipment		[6,000]	[8,000]	[8,000]	
		Combat casualty care equipment upgrade			[5,200]	[4,000]	
		Portable tent lighting			[2,000]		
		Hyper-realistic MOUT Training		[2,000]			
		Bio/chem resistant canteens		[1,000]		[1,000]	
		Advanced technology batteries		[2,500]		[2,500]	
1106n	020	FIELD LOGISTICS	416,501	416,501	425,801	5,500	422,001
		Corrosion prevention and control programs			[2,000]	[2,000]	
		Advanced vapor corrosion inhibitor delivery system			[2,500]	[1,500]	
		Corrosion assessment teams			[4,800]	[2,000]	
1106n	030	DEPOT MAINTENANCE	113,791	61,991	113,791		113,791
		Depot maintenance- transfer to Title XV		[-51,800]			
		USMC PREPOSITIONING					
1106n	040	MARITIME PREPOSITIONING	69,343	69,343	69,343		69,343
1106n	050	NORWAY PREPOSITIONING	5,081	5,081	5,081		5,081

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(Dollars in Thousands)

Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
		BASE SUPPORT					
1106n	060	SUSTAINMENT, RESTORATION, & MODERNIZATION	483,005	483,005	483,005		483,005
1106n	070	BASE OPERATING SUPPORT	1,344,113	1,344,113	1,346,213	2,100	1,346,213
		Communications support for USMC NOC			[2,100]	[2,100]	
1106n	xx	Operating Tempo - transfer to Title XV		-95,900			
		TOTAL, BA 01: OPERATING FORCES	**2,911,316**	**2,775,116**	**2,948,416**	**29,600**	**2,940,916**
		BUDGET ACTIVITY 03: TRAINING AND RECRUITING					
		ACCESSION TRAINING					
1106n	080	RECRUIT TRAINING	10,885	10,885	10,885		10,885
1106n	090	OFFICER ACQUISITION	374	374	374		374
		BASIC SKILLS AND ADVANCED TRAINING					
1106n	100	SPECIALIZED SKILL TRAINING	40,259	40,259	40,259		40,259
1106n	110	FLIGHT TRAINING	178	178	178		178
1106n	120	PROFESSIONAL DEVELOPMENT EDUCATION	10,687	10,687	10,687		10,687
1106n	130	TRAINING SUPPORT	134,048	134,048	134,048		134,048
		RECRUITING AND OTHER TRAINING EDUCATION					
1106n	140	RECRUITING AND ADVERTISING	115,498	115,498	115,498		115,498
1106n	150	OFF-DUTY AND VOLUNTARY EDUCATION	51,221	51,221	51,221		51,221
1106n	160	JUNIOR ROTC	16,905	16,905	16,905		16,905

Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
		BASE SUPPORT					
1106n	170	SUSTAINMENT, RESTORATION AND MODERNIZATION	67,804	67,804	67,804		67,804
1106n	180	BASE OPERATING SUPPORT	120,369	120,369	120,369		120,369
		TOTAL, BA 03: TRAINING AND RECRUITING	**568,228**	**568,228**	**568,228**		**568,228**
		BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
		SERVICEWIDE SUPPORT					
1106n	190	SPECIAL SUPPORT	243,195	243,195	243,195		243,195
1106n	200	SERVICE-WIDE TRANSPORTATION	38,352	38,352	38,352		38,352
1106n	210	ADMINISTRATION	27,737	27,737	27,737		27,737
1106n	220	BASE SUPPORT					
		CANCELLED ACCOUNT					
1106n	230	CANCELLED ACCOUNT ADJUSTMENT					
		BASE SUPPORT					
1106n	240	SUSTAINMENT, RESTORATION, AND MODERNIZATION	3,151	3,151	3,151		3,151
1106n	250	BASE OPERATING SUPPORT	12,947	12,947	12,947		12,947
		TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**325,382**	**325,382**	**325,382**		**325,382**

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Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
		Unobligated balances		-37,449		-5,000	-5,000
		Military to civilian conversions				-20,000	-20,000
		Total Operation and Maintenance, Marine Corps	**3,804,926**	**3,631,277**	**3,842,026**	**4,600**	**3,809,526**
		Operation and Maintenance, Air Force					
		BUDGET ACTIVITY 01: OPERATING FORCES					
		AIR OPERATIONS					
3400f	010	PRIMARY COMBAT FORCES	4,043,366	4,045,366	4,129,366	2,000	4,045,366
		B-1 deployable phase maintenance kit			[34,000]		
		B-52 deployable phase maintenance kit			[52,000]		
		Oxygen mask and visor		[2,000]		[2,000]	
3400f	020	PRIMARY COMBAT WEAPONS	287,173	287,173	283,673		287,173
		Robust nuclear earth penetrator			[-3,500]		
3400f	030	COMBAT ENHANCEMENT FORCES	607,049	607,049	607,049		607,049
3400f	040	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,401,092	1,359,892	1,401,092	-21,000	1,380,092
		Distributed missions operations		[-41,200]			
		Efficiencies in air operations training support				[-21,000]	
3400f	050	COMBAT COMMUNICATIONS	1,479,650	1,482,250	1,479,650		1,479,650
		Eagle Vision		[2,600]			
3400f	060	DEPOT MAINTENANCE	2,057,399	2,057,399	2,057,399		2,057,399
3400f	070	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,027,414	1,027,414	1,027,414		1,027,414

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Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3400f	080	BASE SUPPORT	2,286,473	2,203,873	2,286,473	-80,000	2,206,473
		Base services-gymnasiums		[-65,000]			
		Utilities privatization		[-17,600]			
		Unjustified base support cost growth				[-80,000]	
		COMBAT RELATED OPERATIONS					
3400f	090	GLOBAL C3I AND EARLY WARNING	1,201,149	1,201,149	1,201,149		1,201,149
3400f	100	NAVIGATION/WEATHER SUPPORT	242,433	242,433	242,433		242,433
3400f	110	OTHER COMBAT OPS SPT PROGRAMS	701,889	701,889	711,489		701,889
		Joint Protection Enterprise Network (JPEN)			[3,600]		
		Joint Task Force-North (JTF-N)			[6,000]		
3400f	120	JCS EXERCISES	29,130	29,130	29,130		29,130
3400f	130	MANAGEMENT/OPERATIONAL HQ	255,866	255,866	255,866		255,866
3400f	140	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	340,755	340,755	346,955		340,755
		Mobile consolidated command center (MCCC)			[6,200]		
		SPACE OPERATIONS					
3400f	150	LAUNCH FACILITIES	349,313	349,313	349,313		349,313
3400f	160	LAUNCH VEHICLES	94,113	94,113	94,113		94,113
3400f	170	SPACE CONTROL SYSTEMS	253,670	253,670	253,670		253,670
3400f	180	SATELLITE SYSTEMS	73,610	73,610	73,610		73,610
3400f	190	OTHER SPACE OPERATIONS	277,926	277,926	277,926		277,926
3400f	200	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	180,604	180,604	180,604		180,604

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Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3400f	210	BASE SUPPORT	554,727	554,727	554,727		554,727
3400f	xx	Operating tempo - transfer to Title XV		-476,000			
		TOTAL, BA 01: OPERATING FORCES	**17,744,801**	**17,149,601**	**17,843,101**	**-99,000**	**17,645,801**
		BUDGET ACTIVITY 02: MOBILIZATION					
		MOBILITY OPERATIONS					
3400f	220	AIRLIFT OPERATIONS	2,660,080	2,660,080	2,660,080		2,660,080
3400f	230	AIRLIFT OPERATIONS C3I	51,326	51,326	51,326		51,326
3400f	240	MOBILIZATION PREPAREDNESS	176,764	176,764	176,764		176,764
3400f	250	DEPOT MAINTENANCE	393,248	393,248	489,848		393,248
		KC-135 depot maintenance			[59,000]		
		C-130 depot maintenance			[37,600]		
3400f	260	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	154,650	154,650	154,650		154,650
3400f	270	BASE SUPPORT	526,338	526,338	526,338		526,338
		TOTAL, BA 02: MOBILIZATION	**3,962,406**	**3,962,406**	**4,059,006**		**3,962,406**
		BUDGET ACTIVITY 03: TRAINING AND RECRUITING					
		ACCESSION TRAINING					
3400f	280	OFFICER ACQUISITION	79,026	79,026	79,026		79,026
3400f	290	RECRUIT TRAINING	6,411	6,411	6,411		6,411
3400f	300	RESERVE OFFICERS TRAINING CORPS (ROTC)	99,856	99,856	99,856		99,856
3400f	310	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	34,304	34,304	34,304		34,304

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Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3400f	320	BASE SUPPORT	75,128	75,128	75,128		75,128
		BASIC SKILLS AND ADVANCED TRAINING					
3400f	330	SPECIALIZED SKILL TRAINING	360,192	360,192	360,192		360,192
3400f	340	FLIGHT TRAINING	809,154	809,154	809,154		809,154
3400f	350	PROFESSIONAL DEVELOPMENT EDUCATION	178,515	178,515	178,515		178,515
3400f	360	TRAINING SUPPORT	112,980	112,980	112,980		112,980
3400f	370	DEPOT MAINTENANCE	14,095	14,095	14,095		14,095
3400f	380	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	157,248	157,248	157,248		157,248
3400f	390	BASE SUPPORT	588,784	588,784	588,784		588,784
		RECRUITING, AND OTHER TRAINING AND EDUCATION					
3400f	400	RECRUITING AND ADVERTISING	136,567	136,567	136,567		136,567
3400f	410	EXAMINING	3,435	3,435	3,435		3,435
3400f	420	OFF-DUTY AND VOLUNTARY EDUCATION	187,656	187,656	187,656		187,656
3400f	430	CIVILIAN EDUCATION AND TRAINING	148,557	148,557	148,557		148,557
3400f	440	JUNIOR ROTC	57,573	57,573	57,573		57,573
		TOTAL, BA 03: TRAINING AND RECRUITING	**3,049,481**	**3,049,481**	**3,049,481**		**3,049,481**
		BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
		LOGISTICS OPERATIONS					
3400f	450	LOGISTICS OPERATIONS	881,829	881,829	881,829		881,829
3400f	460	TECHNICAL SUPPORT ACTIVITIES	651,796	651,796	651,796		651,796
3400f	470	SERVICEWIDE TRANSPORTATION	192,354	192,354	192,354		192,354

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Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3400f	480	DEPOT MAINTENANCE	48,627	48,627	48,627		48,627
3400f	490	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	248,043	248,043	248,043		248,043
3400f	500	BASE SUPPORT	1,079,261	1,079,261	1,079,261		1,079,261
		SERVICEWIDE ACTIVITIES					
3400f	510	ADMINISTRATION	348,301	348,301	348,301		348,301
3400f	520	SERVICE-WIDE COMMUNICATIONS	533,574	399,174	533,574		533,574
		Base level communications structure		[-103,000]			
		Medical qualification tracking visualization and data analysis project		[600]			
		Combat information transport system		[-32,000]			
3400f	530	PERSONNEL PROGRAMS	244,970	244,970	219,353		244,970
		Terminate personnel service delivery program			[-25,617]		
3400f	540	RESCUE AND RECOVERY SERVICES					
3400f	550	ARMS CONTROL	48,071	48,071	48,071		48,071
3400f	560	OTHER SERVICEWIDE ACTIVITIES	709,368	709,368	709,368		709,368
3400f	570	OTHER PERSONNEL SUPPORT	42,852	42,852	42,852		42,852
3400f	580	CIVIL AIR PATROL	24,288	24,288	24,288		24,288
3400f	590	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	13,438	13,438	13,438		13,438
3400f	600	BASE SUPPORT	311,498	311,498	311,498		311,498
		SECURITY PROGRAMS					
3400f	610	SECURITY PROGRAMS	1,365,179	1,365,179	1,365,179		1,365,179

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Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
		SUPPORT TO OTHER NATIONS					
3400f	620	INTERNATIONAL SUPPORT	20,999	20,999	20,999		20,999
		TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**6,764,448**	**6,630,048**	**6,738,831**		**6,764,448**
		Military to civilian conversions		-37,000	-90,000	-160,000	-160,000
		Homeland Defense Education Consortium			1,000	1,000	1,000
		Defense Information System Network costs			-25,000	-25,000	-25,000
		Working Capital Fund excess balances			-85,500		
		Audits of DOD financial statements			-65,000	-55,000	-55,000
		Unobligated balances		-195,401		-66,000	-66,000
		Unobligated balances (S. Amdt)			-55,100		
		Total Operation and Maintenance, Air Force	**31,521,136**	**30,559,135**	**31,370,819**	**-404,000**	**31,117,136**
		Operation and Maintenance, Defense-wide					
		BUDGET ACTIVITY 1: OPERATING FORCES					
		DEFENSEWIDE ACTIVITIES					
0100d	010	JOINT CHIEFS OF STAFF	580,883	571,983	580,883	-5,000	575,883
		Management headquarters training transformation		[-8,900]			
		TJS—CoCom Initiative Fund				[-5,000]	

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Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
0100d	020	SPECIAL OPERATIONS COMMAND	2,205,693	2,206,693	2,205,693	10,100	2,215,793
		Bio/chem resistant canteens		[1,000]			
		Advanced seal delivery system				[10,100]	
		TOTAL, BUDGET ACTIVITY 1:	**2,786,576**	**2,778,676**	**2,786,576**	**5,100**	**2,791,676**
		BUDGET ACTIVITY 3: TRAINING AND RECRUITING					
		DEFENSEWIDE ACTIVITIES					
0100d	030	DEFENSE ACQUISITION UNIVERSITY	105,601	105,601	105,601		105,601
		RECRUITING AND OTHER TRAINING EDUCATION					
0100d	040	NATIONAL DEFENSE UNIVERSITY	67,158	69,558	67,158		67,158
		Joint Forces Staff College		[2,400]			
		TOTAL, BUDGET ACTIVITY 3:	**172,759**	**175,159**	**172,759**		**172,759**
		BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES					
		DEFENSEWIDE ACTIVITIES					
0100d	050	AMERICAN FORCES INFORMATION SERVICE	147,992	137,992	147,992		147,992
		Excessive growth		[-10,000]			
0100d	060	CIVIL MILITARY PROGRAMS	100,468	100,468	115,468	15,000	115,468
		Nation Guard Youth Challenge			[15,000]	[15,000]	
0100d	090	DEFENSE CONTRACT AUDIT AGENCY	379,947	379,947	379,947		379,947
0100d	100	DEFENSE FINANCE AND ACCOUNTING SERVICE	5,481	5,481	5,481		5,481

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Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
0100d	120	DEFENSE LEGAL SERVICES	38,412	38,412	38,412		38,412
0100d	130	DEFENSE LOGISTICS AGENCY	305,835	323,835	305,835	12,000	317,835
		CTMA		[15,000]		[12,000]	
		Beryllium industrial base		[3,000]			
0100d	140	DEFENSE POW/MIA OFFICE	16,105	16,105	16,105		16,105
0100d	150	DEFENSE TECHNOLOGY SECURITY AGENCY	21,697	21,697	21,697		21,697
0100d	160	DEFENSE THREAT REDUCTION AGENCY	320,099	321,399	320,099		320,099
		Export control database		[1,300]			
0100d	170	DEPARTMENT OF DEFENSE EDUCATION AGENCY	1,769,628	1,779,128	1,899,628	60,000	1,829,628
		Counseling and assistance to military families			[30,000]		
		Child care			[40,000]		
		Family wounded and injured support programs		[8,500]			
		Internet safety education programs		[1,000]			
		Childcare services (S. Amdt)			[50,000]	[50,000]	
		Family assistance benefits (S. Amdt)			[10,000]	[10,000]	
0100d	180	DOD HUMAN RESOURCES ACTIVITY	402,798	390,698	451,798	300	403,098
		Increase DIMHRS funding			[49,000]	[7,000]	
		DLAMP		[-7,300]		[-1,900]	
		Defense business fellow program		[-4,800]		[-4,800]	
0100d	190	DEFENSE CONTRACT MANAGEMENT AGENCY	1,044,322	1,044,322	1,044,322		1,044,322
0100d	200	DEFENSE INFORMATION SERVICES AGENCY	1,045,125	1,045,125	1,045,125		1,045,125
0100d	210	DEFENSE SECURITY COOPERATION AGENCY	143,966	143,966	143,966		143,966
0100d	220	DEFENSE SECURITY SERVICE	282,468	282,468	282,468	-10,000	272,468
		DSS—PSI for industry unjustified growth				[-10,000]	
0100d	240	OFFICE OF ECONOMIC ADJUSTMENT	30,463	30,463	90,463	60,000	90,463
		Increase planning assistance to local communities			[60,000]	[60,000]	

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Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
0100d	250	OFFICE OF THE SECRETARY OF DEFENSE	758,858	707,558	700,558	-58,300	700,558
		Information assurance scholarships			[3,000]	[3,000]	
		Capital cost sharing-eliminate subsidy		[-61,300]	[-61,300]	[-61,300]	
		Fort Carson conservation		[10,000]			
0100d	250a	READINESS AND ENVIRONMENTAL PROTECTION INITIATIVE	20,000	40,000	40,000	20,000	40,000
		Readiness environment protection initiative		[20,000]	[20,000]	[20,000]	
0100d	260	WASHINGTON HEADQUARTERS SERVICE	473,483	473,483	473,483	-10,900	462,583
		WHS—eGov program growth				[-6,500]	
		WHS—Child care center planning: budget justification error				[-4,400]	
		OTHER PROGRAMS					
0100d	999	OTHER PROGRAMS	8,186,987	8,186,987	8,186,987		8,186,987
		TOTAL, BUDGET ACTIVITY 4:	**15,494,134**	**15,469,534**	**15,709,834**	**88,100**	**15,582,234**
		Impact aid		50,000	30,000	30,000	30,000
		Impact aid for children with disabilities			5,000	5,000	5,000
		Special assistance to local education agencies		10,000	15,000	10,000	10,000
		Parents as Teachers			1,000	1,000	1,000
		Citizen soldier support program			2,000	2,000	2,000
		Military to civilian conversions			-15,000		
		Defense Information System Network costs			-20,000	-20,000	-20,000
		DISA Working Capital Fund excess balances			-42,700		
		OSD Defense business modernization program (BMPP) and domains		-12,600			
		DLA BMMP logistics modernization		-1,800			
		Joint advertising and market research		10,000			

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Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
		Unobligated balances		-103,188		-26,000	-26,000
		Pediatric early literacy pilot program (non-add) (S. Amdt)			[2,000]	[2,000]	
		Civilian linguist reserve corps (S. Amdt)			3,100		
		Unobligated balances (S. Amdt)			-20,000		
		Rest and recuperation leave programs (non-add) (S. Amdt)			[7,000]	[7,000]	
		Civilian linguist reserve corps (SAC Amdt)				1500	1,500
		Total Operation and Maintenance, Defense-Wide	**18,453,469**	**18,375,781**	**18,627,569**	**96,700**	**18,550,169**
		Operation and Maintenance, Army Reserve					
		BUDGET ACTIVITY 01: OPERATING FORCES					
		LAND FORCES					
2080a	010	DIVISIONS	25,875	32,875	27,875	2,000	27,875
		Extended cold weather clothing system		[7,000]	[2,000]	[2,000]	
2080a	020	CORPS COMBAT FORCES	19,133	19,133	19,133		19,133
2080a	030	CORPS SUPPORT FORCES	248,116	248,116	248,116		248,116
2080a	040	EAC SUPPORT FORCES	129,191	129,191	129,191		129,191
2080a	050	LAND FORCES OPERATIONS SUPPORT	372,625	372,625	372,625		372,625
		LAND FORCES READINESS					
2080a	060	FORCE READINESS OPERATIONS SUPPORT	177,121	177,121	177,121		177,121
2080a	070	LAND FORCES SYSTEMS READINESS	81,562	81,562	81,562		81,562
2080a	080	LAND FORCES DEPOT MAINTENANCE	97,309	97,309	97,309		97,309

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Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
		LAND FORCES READINESS SUPPORT					
2080a	090	BASE OPERATIONS SUPPORT	462,716	462,716	462,716		462,716
2080a	100	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	204,370	204,370	204,370		204,370
2080a	110	MISCELLANEOUS ACTIVITIES	5,763	5,763	5,763		5,763
		TOTAL, BA 01: OPERATING FORCES	**1,823,781**	**1,830,781**	**1,825,781**	**2,000**	**1,825,781**
		BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
		SERVICEWIDE SUPPORT					
2080a	120	ADMINISTRATION	58,298	58,298	58,298		58,298
2080a	130	SERVICEWIDE COMMUNICATIONS	9,293	9,293	9,293		9,293
2080a	140	MANPOWER MANAGEMENT	7,577	7,577	7,577		7,577
2080a	150	RECRUITING AND ADVERTISING	88,433	89,333	88,433		88,433
		Citizen soldier support		[900]			
		TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**163,601**	**164,501**	**163,601**		**163,601**
		Authority to present recognition items to returning soldiers		3,000		3,000	3,000
		Pilot program on enhancing quality of life (S. Amdt)			160	160	160
		Total Operation and Maintenance, Army Reserve	**1,987,382**	**1,998,282**	**1,989,542**	**5,160**	**1,992,542**

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Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
		Operation and Maintenance, Navy Reserve					
		BUDGET ACTIVITY 01: OPERATING FORCES					
		AIR OPERATIONS					
1806n	010	MISSION AND OTHER FLIGHT OPERATIONS	518,962	518,962	518,962		518,962
1806n	020	INTERMEDIATE MAINTENANCE	16,250	16,250	16,250		16,250
1806n	030	AIR OPERATIONS AND SAFETY SUPPORT	2,179	2,179	2,179		2,179
1806n	040	AIRCRAFT DEPOT MAINTENANCE	141,907	141,907	141,907		141,907
1806n	050	AIRCRAFT DEPOT OPERATIONS SUPPORT	374	374	374		374
		SHIP OPERATIONS					
1806n	060	MISSION AND OTHER SHIP OPERATIONS	61,711	61,711	61,711		61,711
1806n	070	SHIP OPERATIONS SUPPORT & TRAINING	537	537	537		537
1806n	080	SHIP DEPOT MAINTENANCE	71,895	71,895	71,895		71,895
1806n	090	SHIP DEPOT OPERATIONS SUPPORT	631	631	631		631
		COMBAT OPERATIONS SUPPORT					
1806n	100	COMBAT COMMUNICATIONS	7,613	7,613	7,613		7,613
1806n	110	COMBAT SUPPORT FORCES	217,255	217,255	217,255		217,255
		WEAPONS SUPPORT					
1806n	120	WEAPONS MAINTENANCE	5,070	5,070	5,070		5,070
		BASE SUPPORT					
1806n	130	SUSTAINMENT, RESTORATION AND MODERNIZATION	62,788	62,788	62,788		62,788

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Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
1806n	140	BASE OPERATING SUPPORT	109,878	109,878	109,878		109,878
		TOTAL, BA 01: OPERATING FORCES	**1,217,050**	**1,217,050**	**1,217,050**		**1,217,050**
		BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
		SERVICEWIDE SUPPORT					
1806n	150	ADMINISTRATION	4,871	4,871	4,871		4,871
1806n	160	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT					
1806n	170	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	9,037	9,037	9,037		9,037
1806n	180	SERVICEWIDE COMMUNICATIONS	3,907	3,907	3,907		3,907
1806n	190	COMBAT/WEAPONS SYSTEMS	5,385	5,385	5,385		5,385
1806n	200	OTHER SERVICE-WIDE SUPPORT	5,445	5,445	5,445		5,445
		CANCELLED ACCOUNTS					
1806n	210	CANCELLED ACCOUNT ADJUSTMENTS					
		OTHER PROGRAMS					
1806n	999	OTHER PROGRAMS					
		TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**28,645**	**28,645**	**28,645**		**28,645**
		Unobligated balances				-8,400	-8,400
		Total Operation and Maintenance, Navy Reserve	**1,245,695**	**1,245,695**	**1,245,695**	**-8,400**	**1,237,295**

Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
		Operation and Maintenance, Marine Corps Reserve					
		BUDGET ACTIVITY 01: OPERATING FORCES					
		EXPEDITIONARY FORCES					
1107n	010	OPERATING FORCES	45,812	53,312	45,812		45,812
		All purpose environmental clothing system		[7,500]			
1107n	020	DEPOT MAINTENANCE	13,964	13,964	13,964		13,964
1107n	030	TRAINING SUPPORT	26,079	26,079	26,079		26,079
		BASE SUPPORT					
1107n	040	SUSTAINMENT, RESTORATION AND MODERNIZATION	10,105	10,105	10,105		10,105
1107n	050	BASE OPERATING SUPPORT	70,729	70,729	70,729		70,729
		TOTAL, BA 01: OPERATING FORCES	**166,689**	**174,189**	**166,689**		**166,689**
		BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
		SERVICEWIDE ACTIVITIES					
1107n	060	SPECIAL SUPPORT	11,975	11,975	11,975		11,975
1107n	070	SERVICE-WIDE TRANSPORTATION	815	815	815		815
1107n	080	ADMINISTRATION	7,898	7,898	7,898		7,898
1107n	090	RECRUITING AND ADVERTISING	8,066	8,066	8,066		8,066

Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
		BASE SUPPORT					
1107n	100	BASE OPERATING SUPPORT	4,491	4,491	4,491		4,491
		TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**33,245**	**33,245**	**33,245**		**33,245**
		Unobligated balances				-1,900	-1,900
		Total Operation and Maintenance, Marine Corps Reserve	**199,934**	**207,434**	**199,934**	**-1,900**	**198,034**
		Operation and Maintenance, Air Force Reserve					
		BUDGET ACTIVITY 01: OPERATING FORCES					
		AIR OPERATIONS					
3740f	010	PRIMARY COMBAT FORCES	1,585,504	1,585,504	1,585,504		1,585,504
3740f	020	MISSION SUPPORT OPERATIONS	85,545	85,545	85,545		85,545
3740f	030	DEPOT MAINTENANCE	377,817	377,817	435,817		377,817
		KC-135 depot maintenance			[53,700]		
		C-130 depot maintenance			[4,300]		
3740f	040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	55,764	55,764	55,764		55,764
3740f	050	BASE SUPPORT	288,387	288,387	288,387		288,387
		TOTAL, BA 01: OPERATING FORCES	**2,393,017**	**2,393,017**	**2,451,017**		**2,393,017**

Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
		BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
		SERVICEWIDE ACTIVITIES					
3740f	060	ADMINISTRATION	64,017	64,017	64,017		64,017
3740f	070	RECRUITING AND ADVERTISING	15,854	15,854	15,854		15,854
3740f	080	MILITARY MANPOWER AND PERS MGMT (ARPC)	21,095	21,095	21,095		21,095
3740f	090	OTHER PERS SUPPORT (DISABILITY COMP)	7,052	7,052	7,052		7,052
3740f	100	AUDIOVISUAL	651	651	651		651
		TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**108,669**	**108,669**	**108,669**		**108,669**
		Unobligated balances				-13,900	-13,900
		Total Operation and Maintenance, Air Force Reserve	**2,501,686**	**2,501,686**	**2,559,686**	**-13,900**	**2,487,786**
		Operation and Maintenance, Army National Guard					
		BUDGET ACTIVITY 01: OPERATING FORCES					
		LAND FORCES					
2065a	010	DIVISIONS	600,818	604,318	600,818		600,818
		Advanced solar covers		[3,500]			
2065a	020	CORPS COMBAT FORCES	530,869	530,869	530,869		530,869
2065a	030	CORPS SUPPORT FORCES	322,856	322,856	322,856		322,856
2065a	040	EAC SUPPORT FORCES	606,026	606,026	606,026		606,026
2065a	050	LAND FORCES OPERATIONS SUPPORT	26,077	26,077	26,077		26,077

Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
		LAND FORCES READINESS					
2065a	060	FORCE READINESS OPERATIONS SUPPORT	227,670	234,670	240,170	4,500	232,170
		Communicator automated emergency notification system			[2,500]	[2,500]	
		Extended cold weather clothing system		[7,000]	[2,000]	[2,000]	
		Virtual battlefield system one			[8,000]		
2065a	070	LAND FORCES SYSTEMS READINESS	126,496	126,496	126,496		126,496
2065a	080	LAND FORCES DEPOT MAINTENANCE	255,367	255,367	255,367		255,367
		LAND FORCES READINESS SUPPORT					
2065a	090	BASE OPERATIONS SUPPORT	610,219	610,219	610,219		610,219
2065a	100	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	391,544	391,544	391,544		391,544
2065a	110	MANAGEMENT AND OPERATIONAL HQ	406,794	406,794	406,794		406,794
2065a	120	MISCELLANEOUS ACTIVITIES	65,363	65,363	65,363		65,363
		TOTAL, BA 01: OPERATING FORCES	**4,170,099**	**4,180,599**	**4,182,599**	**4,500**	**4,174,599**
		BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
		SERVICEWIDE SUPPORT					
2065a	130	ADMINISTRATION	111,552	111,552	111,552		111,552
2065a	140	SERVICEWIDE COMMUNICATIONS	52,814	52,814	52,814		52,814
2065a	150	MANPOWER MANAGEMENT	50,653	50,653	50,653		50,653

Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
2065a	160	RECRUITING AND ADVERTISING	124,601	125,501	124,601		124,601
		Citizen soldier support		[900]			
		TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**339,620**	**340,520**	**339,620**		**339,620**
		New National Guard CERFP teams			4,000		
		Sustainment of National Guard CERFP teams			1,800		
		Unobligated balances				-35,900	-35,900
		Total Operation and Maintenance, Army National Guard	**4,509,719**	**4,521,119**	**4,528,019**	**-31,400**	**4,478,319**
		Operation and Maintenance, Air National Guard					
		BUDGET ACTIVITY 01: OPERATING FORCES					
		AIR OPERATIONS					
3840f	010	AIRCRAFT OPERATIONS	2,938,127	2,938,127	2,938,127		2,938,127
3840f	020	MISSION SUPPORT OPERATIONS	497,447	500,447	497,447		497,447
		Senior scouts		[3,000]			
3840f	030	DEPOT MAINTENANCE	612,807	612,807	612,807		612,807
3840f	040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	169,791	169,791	169,791		169,791
3840f	050	BASE SUPPORT	467,517	467,517	513,017		467,517
		KC-135 depot maintenance			[35,800]		
		C-130 depot maintenance			[9,700]		
		TOTAL, BA 01: OPERATING FORCES	**4,685,689**	**4,688,689**	**4,731,189**		**4,685,689**

Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
		BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
		SERVICEWIDE ACTIVITIES					
3840f	060	ADMINISTRATION	28,949	28,949	28,949		28,949
3840f	070	RECRUITING AND ADVERTISING	9,453	9,453	9,453		9,453
		TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**38,402**	**38,402**	**38,402**		**38,402**
		New National Guard CERFP teams			2,300		
		Sustainment of National Guard CERFP teams			1,100		
		Unobligated balances				-22,100	-22,100
		Total Operation and Maintenance, Air National Guard	**4,724,091**	**4,727,091**	**4,772,991**	**-22,100**	**4,701,991**
		TRANSFER ACCOUNTS					
0810a	010	ENVIRONMENTAL RESTORATION FUND, ARMY	407,865	407,865	407,865		407,865
0810n	020	ENVIRONMENTAL RESTORATION FUND, NAVY	305,275	305,275	305,275		305,275
0810f	030	ENVIRONMENTAL RESTORATION FUND, AIR FORCE	406,461	406,461	406,461		406,461
0810d	040	ENVIRONMENTAL RESTORATION FUND, DEFENSE	28,167	28,167	28,167		28,167
0811d	050	ENVIRONMENTAL RESTORATION USED SITES	221,921	221,921	261,921	40,000	261,921
		TOTAL, O&M, TRANSFER ACCOUNTS	**1,369,689**	**1,369,689**	**1,409,689**	**40,000**	**1,409,689**

Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
		MISCELLANEOUS APPROPRIATIONS					
0104d	060	US COURT OF APPEALS FOR THE ARMED FORCES	11,236	11,236	11,236		11,236
0838d	070	SUPPORT OF INTERNATIONAL SPORTING COMPETITIONS					
0118d	080	OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND	20,000	20,000	20,000		20,000
4965d	090	EMERGENCY RESPONSE FUND, DEFENSE					
0833d	100	EMERGENCY RESPONSE FUND, DEFENSE					
0833d	110	EMERGENCY RESPONSE FUND, DEFENSE					
0833d	120	EMERGENCY RESPONSE FUND, DEFENSE					
0141d	130	IRAQ FREEDOM FUND, DEF					
0819d	140	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	61,546	61,546	61,546		61,546
1236d	150	KAHO'OLAWE					
0134d	160	FORMER SOVIET UNION (FSU) THREAT REDUCTION	415,549	415,549	415,549		415,549
		TOTAL, MISCELLANEOUS	**508,331**	**508,331**	**508,331**		**508,331**
		TOTAL OPERATION AND MAINTENANCE TITLE:	**126,902,542**	**124,342,129**	**126,442,750**	**-1,187,340**	**125,715,202**

ITEMS OF SPECIAL INTEREST

Unjustified base support cost growth

The budget request included $2,286.5 million for Air Force base support programs.

The House bill would authorize a decrease of $82.6 million from Air Force base support programs, including a $65.0 million decrease in base services related supplies and materials.

The Senate amendment would authorize the budget request.

The conferees agree to authorize a decrease of $80.0 million for Air Force base support programs.

The conferees acknowledge the need for force enablers such as mess attendants, gymnasiums, and libraries and are aware of the impact these services have on quality of life. However, the conferees believe that tripling funding in order to replace gym equipment such as cardio machines and food service items such as silverware and cooking utensils is unjustified.

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Authorization of Appropriations

Authorization of appropriations (secs. 301–303)

The House bill contained provisions (secs. 301–303) that would authorize fiscal year 2006 funding levels for all operation and maintenance accounts, working capital funds, and other Department of Defense programs, including the Defense Inspector General, the Chemical Demilitarization Program, and the Defense Health Program.

The Senate amendment contained similar provisions (secs. 301–303).

The conference agreement includes these provisions.

Subtitle B—Environmental Provisions

Elimination and simplification of certain items required in the annual report on environmental quality programs and other environmental activities (sec. 311)

The House bill contained a provision (sec. 311) that would eliminate and simplify certain items required to be included in the annual report on environmental quality programs and other environmental activities.

The Senate amendment contained a similar provision (sec. 311).

The House recedes with an amendment that would require the Department of Defense to provide in the report a list of environmental fines or penalties that exceed $1.0 million.

Payment of certain private cleanup costs in connection with Defense environmental restoration program (sec. 312)

The House bill contained a provision (sec. 314) that would amend section 2701 of title 10, United States Code, to authorize the Secretary of Defense to reimburse a private landowner for costs incurred assisting the Department of Defense in meeting its covenant responsibilities pursuant to section 120(h) of the Comprehen-

sive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980 (42 U.S.C. 9620(h)). This section would not affect, alter, or diminish the responsibility and legal obligation of the Department to conduct cleanup under section 120(h) of CERCLA.

The Senate amendment contained a similar provision (sec. 312).

The Senate recedes with an amendment that would clarify that in those instances where the property is disposed of pursuant to a base closure law, the sole source of funds for environmental restoration services under section 2701(d)(1), title 10, United States Code, would be the base closure account until the closure of the applicable base closure account. Other Department environmental remediation accounts would become the source of funding for such cleanups after the base closure account has been closed.

Subtitle C—Workplace and Depot Issues

Modification of authority of Army working-capital funded facilities to engage in cooperative activities with non-Army entities (sec. 321)

The House bill contained a provision (sec. 321) that would authorize Army industrial facilities to retain the working capital funds received from the sale of unique goods or services.

The Senate amendment contained a similar provision (sec. 330).

The House recedes with a technical amendment.

Limitation on transition of funding for east coast shipyards from funding through Navy Working Capital Fund to direct funding (sec. 322)

The Senate amendment contained a provision (sec. 322) that would prohibit the Secretary of the Navy from using direct funding for east coast Naval shipyards. The Navy would be required to continue funding these shipyards until the later of 6 months after providing a complete report to the congressional defense committees on the use of direct funding at the Puget Sound Naval Shipyard, or October 1, 2006.

The House bill contained no similar provision.

The House recedes with an amendment that would prohibit the Secretary from using direct funding for the east coast Naval Shipyards until October 1, 2006. The conferees direct the Secretary to provide an assessment of the conversion of the Puget Sound Naval Shipyard from funding through the working capital fund of the Navy to funding on a direct basis by March 1, 2006. The conferees also direct the Secretary to provide a report on proposed congressional budget exhibits for Navy mission-funded shipyards by March 1, 2006.

The conferees direct the Comptroller General and the Director of the Congressional Budget Office to review the reports required of the Navy and report back detailed findings no later than 60 days after receipt of the reports to the congressional defense committees.

Armament Retooling and Manufacturing Support Initiative matters (sec. 323)

The Senate amendment contained a provision (sec. 340) that would add government-owned, contractor-operated depots that store, maintain, renovate, or demilitarize ammunition, as eligible facilities for the purposes of participating in the Armament Retooling and Manufacturing Support Initiative. The provision would also make such facilities eligible for the initiative's loan guarantee program.

The House bill contained no similar provision.

The House recedes with an amendment that would include encouragement of the commercial use of government-owned, contractor-operated ammunition storage, maintenance, renovation, and demilitarization facilities as additional policy objectives under the Armament Retooling and Manufacturing Support Initiative. The amendment would also broaden the purpose of the initiative with respect to work force skills.

Sense of Congress regarding depot maintenance (sec. 324)

The Senate amendment contained a provision (sec. 331) that would make several findings regarding the effectiveness of the Air Force's Depot Maintenance Strategy and Master Plan and the importance of its efforts to modernize its depots. The provision also commends the Air Force for its implementation of the Depot Maintenance Strategy and Master Plan, particularly the commitment to invest $150.0 million per year for 6 years to modernize its depots. Finally, the provision encourages the Air Force to maintain that commitment throughout the 6–year period, which ends in 2009.

The House bill contained no similar provision.

The House recedes with an amendment that would delete reference to specific funding figures, and instead encourage the Air Force to remain committed to the process improvement initiatives and the investment and recapitalization projects contained in the Depot Maintenance Strategy and Master Plan.

Subtitle D—Extension of Program Authorities

Extension of authority to provide logistics support and services for weapon systems contractors (sec. 331)

The House bill contained a provision (sec. 331) that would extend, for an additional 3 years, a program by which the Defense Logistics Agency could provide logistics support and services to a contractor in support of its performance on a contract for the construction, modification, or maintenance of a weapons system. The Secretary of Defense has not finalized the required program regulations. The current authority expires on September 30, 2007. Moving the expiration date to 2010 would correspond to the originally envisioned 5–year pilot period.

The Senate amendment contained an identical provision (sec. 326).

The conference agreement includes this provision.

Extension of period for reimbursement for certain protective, safety, or health equipment purchased by or for members of the Armed Forces deployed in contingency operations (sec. 332)

The Senate amendment contained a provision (sec. 333) that would repeal the requirement in section 351 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375) that the Secretary of Defense establish a program to reimburse members of the Armed Forces for personal protection equipment purchased by or for members when such equipment was not issued to the member, under rules to be promulgated by the Secretary, and replace it with a requirement to reimburse such members on the determination of their unit commander that such equipment was critical. The provision would also establish a fund for such reimbursements, specify equipment that would be covered, including vehicle armor, and extend the date for which eligible purchases could be made until September 30, 2006.

The House bill contained no similar provision.

The House recedes with an amendment that would extend the period during which equipment eligible for reimbursement could be purchased from July 31, 2004, until April 1, 2006.

The conferees urge the Department of Defense to expand the list of eligible items published on October 4, 2005, to include deltoid or side plate body armor, gloves, and knee or elbow pads, to the extent those items meet the requirements of this Act.

Subtitle E—Outsourcing

Public-private competition (sec. 341)

The House bill contained a provision (sec. 322) that would: (1) codify the existing prohibition on converting a function to private sector performance unless the conversion would result in savings of at least 10 percent or $10.0 million; (2) prohibit the Secretary of Defense from breaking up a function to avoid applicable thresholds for conducting a public-private competition; and (3) require the Secretary to conduct a competition, including an agency tender, a most efficient organization plan, and a formal cost comparison for any function performed by 10 or more civilian employees.

The Senate amendment contained a similar provision (sec. 809F).

The Senate recedes with an amendment that would: (1) incorporate the requirements of the House and Senate provisions into the text of section 2461 of title 10, United States Code; and (2) revise sections 2461, 2461a, 2462, and 2463 of title 10, United States Code to streamline and update the text of these provisions.

Contracting for procurement of certain supplies and services (sec. 342)

The Senate amendment contained a provision (sec. 809H) that would amend section 8014 of the Department of Defense Appropriations Act for Fiscal Year 2005 (Public Law 108–287) to clarify the treatment of health care costs in public-private competitions under such Act.

The House bill contained no similar provision.

The House recedes.

Performance of certain work by federal government employees (sec. 343)

The House bill contained a provision (sec. 323) that would establish a pilot program for public-private competition for work that is currently performed by contractors.

The Senate amendment contained a provision (sec. 809G) that would require the Secretary of Defense to prescribe guidelines and procedures to ensure that consideration is given to using federal government employees for work that is currently performed under Department of Defense contracts and new requirements.

The House recedes with an amendment that would require the Secretary to prescribe guidelines and procedures to ensure that consideration is given to using federal government employees for work that would otherwise be performed under Department of Defense contracts, but could be performed by federal government employees. The conferees expect these guidelines to provide for the assignment of work to federal government employees (and for hiring new federal government employees) in appropriate circumstances, without the requirement to perform public-private competition under Office of Management and Budget Circular A–76 or any other provision of law or regulation.

Extension of temporary authority for contractor performance of security guard functions (sec. 344)

The House bill contained a provision (sec. 332) that would extend by 2 years the authority for contractor performance of security guard functions under section 332 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314), and require the Secretary of Defense and the secretaries of the military departments to conduct new full and open competitions pursuant to section 2304 of title 10, United States Code, for security guard requirements under this section.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would provide for a 1-year extension of section 332 of the Bob Stump National Defense Authorization Act.

Subtitle F—Analysis, Strategies, and Reports

Report on Department of Army programs for prepositioning of equipment and other materiel (sec. 351)

The House bill contained a provision (sec. 355) that would require the Secretary of the Army to conduct an assessment of Department of the Army programs for the prepositioning of equipment and other materiel stocks. The assessment would focus on how those programs are configured to support the evolving goals of the Department of the Army and their ability to support wartime requirements. The Secretary would submit to Congress, not later than January 1, 2006, a report on this assessment. The provision would also require the Comptroller General to submit to Congress a review of the Secretary of the Army's assessment not later than 120 days after receipt of the Secretary of the Army's report.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would change the date of the Secretary of the Army's report to March 1, 2006, and make a clarification to the legislative text.

Reports on budget models used for base operations support, sustainment, and facilities recapitalization (sec. 352)

The House bill contained a provision (sec. 354) that would require a report during each of the next 5 fiscal years from the Secretary of Defense on the Department of Defense's models for base operations support, sustainment, and facilities recapitalization budgets.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Army training strategy for brigade-based combat teams and functional supporting brigades (sec. 353)

The Senate amendment contained a provision (sec. 327) that would direct the Secretary of the Army to develop and implement a training strategy, including performance goals and metrics, for the Army's new modular force. The provision would also require the Secretary to submit a report to the congressional defense committees within 1 year after the enactment of this Act on the elements necessary to implement this training strategy, including funding. The provision would also direct the Comptroller General to monitor the implementation of the strategy and to submit a report to the congressional defense committees within 18 months after the enactment of this Act. The report would contain an assessment of the Army's progress in implementing the training strategy.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary to develop and implement this training strategy as soon as practicable, and change the date of the Comptroller General's report to the congressional defense committees to 180 days after the Secretary's report is submitted.

Report regarding effect on military readiness of undocumented immigrants trespassing upon operational ranges (sec. 354)

The House bill contained a provision (sec. 356) that would require the Secretary of Defense and the Secretary of Homeland Security to submit a report to Congress by March 15, 2006, on a joint plan to eliminate incursions of undocumented immigrants into military training areas near international borders. The report would also include an assessment of the impact on military readiness caused by such incursions. This provision would also require the Secretary of Defense to submit to Congress semi-annual reports on mitigation measures implemented since the previous report.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the assessment of the impact of undocumented immigrant incursions into training areas on military readiness to be made only by the Secretary of Defense, not the Secretary of Defense and the Secretary of Homeland Security jointly. The amendment would also

change the date the initial report is due to Congress to April 15, 2006.

Report regarding Management of Army Lodging (sec. 355)

The House bill contained a provision (sec. 358) that would require the Secretary of Defense to report to Congress on the results of a study evaluating the merits of allowing the Army and Air Force Exchange System (AAFES) to manage Army lodging. The Army would also be prohibited from soliciting qualifications that would privatize Army lodging beyond Group A until the Secretary's report was submitted to Congress.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require two reports, one by the Secretary of the Army evaluating the merits of privatization of Army lodging, and one by the Army and Air Force Exchange Service commenting on the feasibility of its participation in privatization of Army lodging. The amendment requires two additional elements in each report: the potential costs and benefits of each approach, and the number of Army lodging personnel that would be impacted and the total personnel-related costs which would occur as a result of either approach.

The conferees believe that AAFES should be allowed fair consideration in any competitive procurement of lodging management and services within the Department of Defense.

Comptroller General report on corrosion prevention and mitigation programs of the Department of Defense (sec. 356)

The Senate amendment contained a provision (sec. 1043) that would direct the Comptroller General to conduct a report on the effectiveness of the corrosion prevention and mitigation programs of the Department of Defense. The report would include assessments of the following: (1) the Department's November 2004 'Long-Term Strategy to Reduce Corrosion and the Effects of Corrosion on the Military Equipment and Infrastructure of the Department of Defense'; (2) the adequacy of the funding requested in the budget proposal for fiscal year 2006; (3) the adequacy and effectiveness of the Department's organizational structure in implementing that strategy; (4) the progress made to date in establishing common corrosion-related metrics, definitions, and procedures throughout the Department; (5) the progress made to date in establishing a baseline estimate of the scope of the Department's corrosion problem; (6) the extent to which the Department's strategy has been revised to incorporate the recommendations of the October 2004 Defense Science Board report on corrosion control; (7) the implementation of the Department's corrosion prevention and mitigation programs during fiscal year 2006; and (8) the Comptroller General's recommendations for addressing any shortfalls or areas of potential improvement identified in the course of preparing the report. The provision would require the Comptroller General to submit the report to the congressional defense committees not later than April 1, 2007.

The House bill contained no similar provision.

The House recedes with an amendment that would add a requirement for an assessment of the adequacy of the funding requested in the budget proposal for fiscal year 2007 to the report.

Study on use of biodiesel and ethanol fuel (sec. 357)

The House bill contained a provision (sec. 315) that would require a study by the Secretary of Defense on the use of biodiesel and ethanol fuel by the Armed Forces and the defense agencies and any measures that can be taken to increase such use. The study would include a review of potential future requirements for biodiesel and ethanol; an assessment of commercial availability of the fuels; a review of Department of Defense efforts to coordinate with nonfederal entities for the expansion and use of alternative fuel refueling stations; and an assessment of military fueling infrastructure that could be converted for use of biodiesel and ethanol fuel. The provision would also require a report on this study to the congressional defense committees not later than February 1, 2006.

The Senate amendment contained a similar provision (sec. 329), but did not address biodiesel.

The Senate recedes with an amendment that would change the date of the report to the Committees on Armed Services of the Senate and the House of Representatives to 270 days after the date of enactment of this Act. The amendment would also require an assessment of the cost and the feasibility of adapting defense fueling infrastructure to handle biodiesel and ethanol.

The conferees encourage the Secretary to make use of previously available reports and data, where feasible, to complete the assessment of commercial biodiesel and ethanol fuel availability and other appropriate elements of this study.

Report on effects of windmill farms on military readiness (sec. 358)

The Senate amendment contained a provision (sec. 346) that would make a congressional finding regarding a report from the Ministry of Defence of the United Kingdom on the effect of windmill farms on military readiness. The provision would also require the Secretary of Defense to submit to the Committees on Armed Services of the Senate and the House of Representatives, within 180 days, a report on the effects of windmill farms on military readiness and of technologies that could mitigate any adverse effects on military operations identified.

The House bill contained no similar provision.

The House recedes with an amendment that would strike the congressional finding and change the requirement for submission of the report to 120 days after the enactment of this Act.

Report on space-available travel for certain disabled veterans and gray-area retirees (sec. 359)

The House bill contained a provision (sec. 678) that would require the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, to submit a report on the feasibility of providing transportation on military aircraft on a space-available basis for veterans with a service-connected disability rating of 50 percent or higher.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the report to also address the feasibility of authorizing space-available travel for gray-area retirees, i.e., members or former members of a reserve component under 60 years of age who, but for age, would be eligible for retired pay, and to the dependents of specified veterans and gray-area reservists.

Report on joint field training and experimentation on stability, security, transition, and reconstruction operations (sec. 360)

The Senate amendment contained a provision (sec. 212) that would direct the Secretary of Defense to execute a joint field experiment to address matters relating to stability and security operations in fiscal year 2006.

The House bill contained no similar provision.

The House recedes with an amendment that would recognize that the Department of Defense has developed and is already executing a program to improve its joint and interagency stability operations planning, exercises, and operational capabilities. As a result, a single field experiment in fiscal year 2006 does not appear to be required. The conferees urge the Department to more fully incorporate other federal departments and agencies, as well as allies and coalition partners. The amendment would require that the Department report on the progress and findings of the joint field training and experimentation conducted in fiscal years 2005 and 2006 not later than February 1, 2007.

Reports on budgeting relating to sustainment of key military equipment (sec. 361)

The Senate amendment contained a provision (sec. 1049) that would require the Secretary of Defense to submit to Congress each year, near the time of the submission of the President's budget request, a report on the Department of Defense funding for key military equipment. This report would contain a description of the Department's strategy and funding requirements necessary to sustain and modernize key military equipment. In those instances where the Department does not request full funding for the above strategy, the Department would identify the risks that would be taken and actions necessary to mitigate such risks.

The House bill contained no similar provision.

The House recedes with an amendment that would require this report only in 2006, 2007, and 2008.

Repeal of Air Force report on military installation encroachment issues (sec. 362)

The House bill contained a provision (sec. 313) that would repeal a reporting requirement in section 315 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375).

The Senate amendment contained no similar provision.

The Senate recedes.

Subtitle G—Other Matters

Supervision and management of Defense Business Transformation Agency (sec. 371)

The Senate amendment contained a provision (sec. 339) that would require the Business Transformation Agency be cooperatively managed by the Deputy Under Secretary of Defense for Business Transformation and the Deputy Under Secretary of Defense for Financial Management.

The House bill contained no similar provision.

The House recedes.

Codification and revision of limitation on modification of major items of equipment scheduled for retirement or disposal (sec. 372)

The House bill contained a provision (sec. 351) that would prohibit annual expenditures greater than $1.0 million to modify an aircraft, weapon, ship, or other item of equipment that will be retired or otherwise disposed of within 5 years after completion of the modification. The secretary of a military department may waive this restriction if the waiver is necessary on the basis of national security, and he so notifies the congressional defense committees in writing. Safety modifications will not require waivers.

The Senate amendment contained a similar provision (sec. 842).

The Senate recedes with an amendment that would prohibit expenditures greater than $100,000 for equipment modifications or greater than $1.0 million if the equipment will be removed, refurbished, and installed on another platform prior to the disposal of an aircraft, weapon, ship, or other item of equipment, unless the requirement is waived.

Limitation on purchase of investment items with operation and maintenance funds (sec. 373)

The House bill contained a provision (sec. 352) that would prohibit the use of operation and maintenance funds for the purchase or replacement of an investment item which costs more than $250,000.

The Senate amendment contained no similar provision.

The Senate recedes.

Operation and use of general gift funds of the Department of Defense and Coast Guard (sec. 374)

The Senate amendment contained a provision (sec. 343) that would amend section 2601 of title 10, United States Code, to authorize the Secretary of Defense under certain conditions to accept gifts that are given for the benefit of members of the Armed Forces, civilian employees of the U.S. Government (or their dependents or survivors), who are wounded or killed while serving in Operation Iraqi Freedom, Operation Enduring Freedom, or any other military operation, activity, or geographic area designated by the Secretary of Defense. The provision would authorize periodic Comptroller General audits of gifts accepted under this authority. The authority would expire on December 31, 2007.

The House bill contained no similar provision.

The House recedes with an amendment that, in addition to gifts of real and personal property and money, would authorize the Secretary to accept gifts of services made on the condition that they be used for the benefit of members of the Armed Forces and civilian employees of the Department of Defense (and their dependents or survivors). Gifts from foreign governments or international organizations could only be accepted if they are not designated for a specific individual and could not include services. The amendment would authorize the establishment of a Department of Defense General Gift Fund.

The conferees, by adding authority to accept gifts to benefit certain members, dependents, and civilian employees, do not intend to limit the existing general gift authority.

Inclusion of packet based telephony in Department of Defense telecommunications benefits (sec. 375)

The Senate amendment contained a provision (sec. 345) that would include technology that allows the use of a broadband Internet connection for making telephone calls within the Department of Defense telecommunications benefit.

The House bill contained no similar provision.

The House recedes.

Limitation on financial management improvement and audit initiatives within the Department of Defense (sec. 376)

The Senate amendment contained a provision (sec. 328) that would prohibit the Secretary of Defense from obligating any funds for activities related to the Department of Defense financial management improvement effort until the Secretary submits to the congressional defense committees an integrated and comprehensive financial management plan and a determination that each activity proposed to be funded would likely result in real and sustainable improvements in the Department's financial management systems and controls.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify that the Department may continue to fund activities directed exclusively at assessing the adequacy of internal controls and remediating any inadequacies identified pursuant to such assessments.

Provision of welfare of special category residents at Naval Station Guantanamo Bay, Cuba (sec. 377)

The Senate amendment contained a provision (sec. 334) that would authorize the Secretary of the Navy to provide for the general welfare, including subsistence, housing, and health care, of any person at Naval Station Guantanamo Bay, Cuba, who is designated by the Secretary as a "special category resident" within 90 days of the enactment of this Act. The provision would not authorize the construction of new housing or medical treatment facilities. The provisions of chapter 13 of title 31, United States Code, would not apply to the obligation or expenditure of funds for the general welfare of such persons prior to the date of enactment of this Act.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Commemoration of success of the Armed Forces in Operation Enduring Freedom and Operation Iraqi Freedom (sec. 378)

The Senate amendment contained a provision (sec. 344) that would authorize the President to designate a day of celebration to honor the soldiers, sailors, marines, and airmen of the Armed Forces who have served in Operation Enduring Freedom (OEF) or Operation Iraqi Freedom (OIF). It would also authorize the issuance of a proclamation calling on the people of the United States to observe that day with appropriate ceremonies and activities. The provision would authorize the use of appropriated funds up to $20.0 million and the acceptance of gifts to pay the costs of the day of celebration. It would also authorize the presentation of recognition items under section 2261 of title 10, United States Code, to individuals who served honorably as a member of the Armed Forces in OEF and OIF.

The House bill contained no similar provision.

The House recedes with an amendment that would make the provision effective through fiscal year 2006.

Subtitle H—Utah Test and Training Range

Definitions (sec. 381)

The House bill contained a provision (sec. 341) that would define certain terms relating to the Utah Test and Training Range.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Military operations and overflights, Utah Test and Training Range (sec. 382)

The House bill contained a provision (sec. 342) that would explain the importance of the Utah Test and Training Range and define the intent of the Utah Test and Training Range provisions.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Analysis of military readiness and operational impacts in planning process for federal lands in Utah Test and Training Range (sec. 383)

The House bill contained a provision (sec. 343) that would require the Secretary of the Interior, in consultation with the Secretary of Defense, to develop land use plans for federal lands in the Utah Test and Training Range. The provision would also prohibit the Secretary of the Interior from granting rights-of-way under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761) upon certain federal lands.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would eliminate the limitation on the authority of the Secretary of the Interior to grant or issue authorizations for rights-of-way under the Federal Land Policy and Management Act of 1976 upon certain federal lands.

Designation and management of Cedar Mountain Wilderness, Utah (sec. 384)

The House bill contained a provision (sec. 344) that would designate certain federal land in Tooele County, Utah as wilderness and therefore a component of the National Wilderness Preservation System.

The Senate amendment contained no similar provision.

The Senate recedes.

Relation to other lands (sec. 385)

The House bill contained a provision (sec. 346) that would make clarifying and technical corrections.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

LEGISLATIVE PROVISIONS NOT ADOPTED

Child and family assistance benefits for members of the Armed Forces

The Senate amendment contained a provision (sec. 332) that would authorize an additional $60.0 million for Operation and Maintenance, Defense-wide activities, for child and family assistance benefits for members of the Armed Forces. Of the total amount authorized, $50.0 million would be available for child care services, and $10.0 million would be available for family assistance.

The House bill contained no similar provision.

The Senate recedes.

The increased amounts for child care and family assistance are reflected in the tables of this report in Operation and Maintenance, Defense-wide.

The conferees applaud the significant increases in child care services and family assistance provided by supplemental appropriations, and urge the Department of Defense to make the additional funding available immediately to the families of members on active duty who require such services.

Congressional notification requirements regarding placement of liquefied natural gas facilities, pipelines, and related structures on defense lands

The House bill contained a provision (sec. 357) that would require, that not less than 30 days before the Secretary of Defense or the secretary of a military department issues a final decision regarding the placement of any liquefied natural gas facility, pipeline, or related structure on or in the vicinity of a military installation, range, or other lands under the jurisdiction of the Department of Defense, the secretary concerned to submit to Congress a report detailing the justification for the decision, including the potential long-term effects on military readiness.

The Senate amendment contained no similar provision.

The House recedes. This matter was addressed in section 311(c) of the Energy Policy Act of 2005 (Public Law 109–58), and the provision is no longer required.

Grants for local workforce investment boards for services for certain spouses of members of the Armed Forces

The Senate amendment contained a provision (sec. 341) that would authorize the Secretary of Defense to make grants to local workforce investment boards established under section 117 of the Workforce Investment Act of 1998 (29 U.S.C. 2832) for the purpose of providing employment assistance to certain military spouses.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that the Department of Defense and the Department of Labor entered into a Memorandum of Understanding in 2003 that provides a framework for a broad range of continuing and new partnership efforts to help military spouses establish careers, despite having to transition among job markets due to frequent relocations. The conferees applaud this effort and encourage the Department of Labor and the Department of Defense to continue such collaboration in order to leverage their individual and combined resources to strengthen the quality of life for members of the Armed Forces and their families.

Identification of additional Bureau of Land Management land in Utah as trust land for Skull Valley Band of Goshutes

The House bill contained a provision (sec. 345) that would identify approximately 640 acres of Bureau of Land Management land in Utah to be administered in trust for the benefit of the Skull Valley Band of Goshutes.

The Senate amendment contained no similar amendment.

The House recedes.

Legal standing and bid protests by federal employees in actions under Office of Management and Budget Circular A–76

The House bill contained a provision (sec. 324) that would express the sense of Congress on equitable legal standing for civilian employees in public-private competitions.

The Senate amendment contained a provision (sec. 1109) that would provide legal standing for certain representatives of civilian employees in public-private competitions.

The conference report does not include either provision.

The conferees believe that to ensure public-private competitions are conducted as fairly, effectively, and efficiently as possible, both Department of Defense civilian employees (or their representatives) and contractors (or their representatives) should receive fair treatment throughout the competition regarding access to relevant information and legal standing to challenge the way a competition has been conducted.

The conferees note that this issue was specifically addressed in section 326 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375). The conferees believe that there is insufficient data on the implementation of section 326 to determine whether changes to that provision are needed, or would be appropriate.

Long Arm High-Intensity Arc Metal Halide Handheld Searchlight

The Senate amendment contained a provision (sec. 336) that would authorize $4.5 million for the Long Arm High-Intensity Arc Metal Halide Handheld Searchlight.

The House bill contained no similar provision.

The Senate recedes.

The conference outcome is reflected in the tables of this report in Operation and Maintenance, Army.

Navy human resources benefits call center

The Senate amendment contained a provision (sec. 304) that would authorize $1.5 million from Navy operation and maintenance funds for civilian manpower and personnel for a human resources benefit call center.

The House bill contained no similar provision.

The Senate recedes.

The conference outcome is reflected in the tables of this report in Operation and Maintenance, Navy.

The conferees note that the Navy currently is conducting a human resources benefit call center pilot program in Machias, Maine. Navy officials have stated that the pilot program is "very successful" in delivering high customer satisfaction. Because of this success, the Navy intends to transition this call center to a permanent program. This is largely due to the hard work and commitment to excellence of the personnel who work at the call center in Machias.

Pilot project on compatible use buffers on real property bordering Fort Carson, Colorado

The House bill contained a provision (sec. 312) that would require the Secretary of Defense to carry out a pilot project at Fort Carson, Colorado, to evaluate the effectiveness of conservation easements and leases entered into with willing entities to limit property development that would be incompatible with Fort Carson's mission. Conservation easements and leases are currently authorized under section 2684a of title 10, United States Code.

The Senate amendment contained no similar provision.

The House recedes.

The conferees have added $20.0 million to the Readiness and Environmental Protection Initiative to support the Department of Defense's highest priority buffer zone projects. The conferees expect the Secretary of Defense to enter into agreements with willing entities to prevent or limit the use of property in the vicinity of a military installation that would impede the mission of that military installation. The conferees believe that the Secretary of Defense, in coordination with the Secretary of the Army, should utilize available authority and funding to ensure that conservation easements and leases are entered into as quickly as possible at the high-priority sites identified as part of the Army's Compatible Use Buffer Program, including Fort Campbell; Fort Carson; Fort A. P. Hill; Fort Hood; Fort Sill; and Camp Ripley. With respect to Fort Carson, Colorado, the conferees understand that Fort Carson is one of the Army's highest priority sites for implementation of compatible use buffer zones.

Point of Maintenance/Arsenal/Depot AIT Initiative

The Senate amendment contained a provision (sec. 335) that would authorize $10.0 million for the Point of Maintenance/Arsenal/Depot AIT (AD–AIT) Initiative.

The House bill contained no similar provision.

The Senate recedes.

The conference outcome is reflected in the tables of this report in Operation and Maintenance, Army.

Provision of Department of Defense support for certain paralympic sporting events

The House bill contained a provision (sec. 353) that would amend section 2564 of title 10, United States Code, to exempt certain paralympic sporting events conducted in the United States, its territories, or commonwealths, from prescribed conditions for Department of Defense-provided security and safety assistance. These conditions would include determinations that such security and safety needs cannot reasonably be met by other sources and, if provided, would not adversely affect military preparedness of the Armed Forces. Additionally, requesting organizations must agree to provide reimbursement. Under the provision, up to $1.0 million could be expended in any fiscal year to provide support for qualifying paralympic sporting events.

The Senate amendment contained a similar provision (sec. 338) that would provide funding from the Support for International Sporting Competitions (SISC) Defense account, which was established by section 5802 of the Omnibus Consolidated Appropriations Act, 1997 (Public Law 104–208).

The conference agreement does not include these provisions.

The conferees support Department-provided security and safety assistance to qualifying sporting events and endorse participation by eligible military personnel and veterans in paralympic sporting events. A separate provision in this Act amends section 717 of title 10, United States Code, to specifically authorize members of the Armed Forces to train for, attend, and participate in the Paralympic Games. The conferees note that the quadrennial Paralympic Games are already exempted from certification and reimbursement requirements in connection with the use of the SISC account funds. However, the need for, and impact of, expansion of Department support for events of this type are not clear. The average annual number of events of this type, the anticipated size of events of this type, and the associated scope of assistance requested from the Department under this expanded authority could not be determined. Consequently, no assessment of the resulting increase to the personnel tempo of both active and reserve component forces could be made.

The conferees, therefore, direct the Secretary of Defense, in consultation with the U.S. Olympic Committee, to identify and submit a report to the congressional defense committees by August 31, 2006, detailing the effect of amending section 2564 of title 10, United States Code, to include the Paralympic Military Program and paralympic sporting events, at various participation levels, in the category of events that would qualify for Department support

without having to meet the conditions in subsections (a) and (b) of that section.

This report shall include an analysis of: (1) the estimated number of events that would qualify for nonreimbursable assistance; (2) the impact of such increased Department support on the operational or personnel tempo of active duty, guard, and reserve forces; (3) the type and scope of assistance that is likely to be needed or requested outside the realm of security and safety; (4) the estimated annual cost to the Department for such assistance; (5) whether support for such events would constitute appropriate inactive duty training; (6) whether Department support for such events should be contingent on the participation of current or former military personnel as athletes; and (7) whether Department support for such events should be contingent on the size of the event based on a minimum level of participation.

Report on aircraft to perform High-Altitude Aviation Training Site

The Senate amendment contained a provision (sec. 337) that would require the Secretary of the Army to submit a report to the congressional defense committees that contains an evaluation on the type of aircraft available in the Army inventory that is most suited to perform the High-Altitude Aviation Training Site (HAATS) mission, and a determination of when such aircraft may be available for assignment to the HAATS.

The House bill contained no similar provision.

The Senate recedes.

The conferees are aware that the HAATS at Eagle, Colorado is the primary site for training military aviators on operations in all season weather conditions in hostile, high altitude, power limited environments. The training site currently uses UH–1 Huey and OH–58 Kiowa aircraft that are being phased out of the inventory within the future-years defense program. The conferees are aware that the Secretary of the Army has begun an evaluation of the Army inventory and aircraft availability to determine the most appropriate schedule for assigning suitable aircraft to HAATS. The conferees look forward to delivery of the report of this evaluation to the congressional defense committees no later than December 15, 2005.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Active Forces

End strengths for active forces (sec. 401)

The House bill contained a provision (sec. 401) that would authorize the following end strengths for active forces as of September 30, 2006: Army, 482,400; Navy, 352,700; Marine Corps, 175,000; and Air Force, 357,400.

The House bill also contained a provision (sec. 1521(a) and (c)) that would increase the end strengths authorized by section 401 for the Army by 30,000 and for the Marine Corps by 4,000, respectively, for fiscal year 2006.

The Senate amendment contained a similar provision (sec. 401) that would authorize an active-duty end strength for the Army of 522,400, and an active-duty end strength of the Marine Corps of 178,000, with end strengths for the other services identical to those in the House provision.

The Senate recedes with an amendment that would authorize an end strength as of September 30, 2006, of 512,400 for the Army and 179,000 for the Marine Corps, subject to the condition that costs for end strength in excess of 482,400 for the Army, and in excess of 175,000 for the Marine Corps, shall be paid out of funds authorized to be appropriated for fiscal year 2006 for a contingent emergency reserve fund or as an emergency supplemental appropriation.

The conferees recommend end strength levels for active forces for fiscal year 2006 as set forth in the following table:

Service	FY 2005 authorized	FY 2006		Change from	
		Request	Conferee recommendation	FY 2006 request	FY 2005 authorized
Army	502,400	482,400	512,400	30,000	10,000
Navy	365,900	352,700	352,700	0	−13,200
Marine Corps	178,000	175,000	179,000	4,000	1,000
Air Force	359,700	357,400	357,400	0	−2,300
DoD Total	1,406,000	1,367,500	1,401,500	34,000	−4,500

Revision in permanent active-duty end strength minimum levels (sec. 402)

The House bill contained a provision (sec. 402) that would establish the following new minimum active-duty end strengths: for the Army, 482,400; Navy, 352,700; Marine Corps, 175,000; and Air Force, 357,400.

The House bill also contained a provision (sec. 1521(b)) that would increase the minimum active-duty end strengths for the Army by 30,000 to 512,400, and for the Marine Corps by 4,000 to 179,000.

The Senate amendment contained a similar provision (sec. 402) that would establish minimum active-duty end strengths for the Army, 522,400, and for the Marine Corps, 178,000. Minimum end strengths for the Navy and Air Force would be identical to those in the House provision.

The House recedes with an amendment that would authorize the minimum active-duty end strength for the Army, 502,400, and for the Marine Corps, 179,000.

The conferees recommend minimum end strength levels for active forces as set forth in the following table:

Service	FY 2005 authorized	FY 2006	Change from
		Conferee recommendation	FY 2005
Army	502,400	502,400	0
Navy	365,900	352,700	−13,200
Marine Corps	178,000	179,000	1,000
Air Force	359,700	357,400	−2,300

Service	FY 2005 authorized	FY 2006	Change from
		Conferee recommendation	FY 2005
DoD Total	1,406,000	1,391,500	−14,500

Additional authority for increases of Army and Marine Corps active-duty end strengths for fiscal years 2007 through 2009 (sec. 403)

The House bill contained a provision (sec. 1522) that would authorize additional increases of active-duty end strength for the Army equal to the number otherwise authorized by law for fiscal year 2006, plus up to 20,000 for each fiscal year 2007 through 2009. The House provision would also authorize increases of active-duty end strength for the Marine Corps of the number otherwise authorized by law for fiscal year 2006, plus up to 5,000 for each fiscal year 2007 through 2009.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Subtitle B—Reserve Forces

End strengths for Selected Reserve (sec. 411)

The House bill contained a provision (sec. 411) that would authorize the following end strengths for Selected Reserve personnel, including the end strengths for reserves on active duty in support of the reserves as of September 30, 2006: the Army National Guard of the United States, 350,000; the Army Reserve, 205,000; the Naval Reserve, 73,100; the Marine Corps Reserve, 39,600; the Air National Guard of the United States, 106,800; the Air Force Reserve, 74,000; and the Coast Guard Reserve, 10,000.

The Senate amendment contained an identical provision (sec. 411).

The conference agreement includes this provision.

The conferees recommend end strength levels for the Selected Reserve for fiscal year 2006 as set forth in the following table:

Service	FY 2005 authorized	FY 2006		Change from	
		Request	Conferee recommendation	FR 2006 request	FY 2005 authorized
Army National Guard	350,000	350,000	350,000	0	0
Army Reserve	205,000	205,000	205,000	0	0
Naval Reserve	83,400	73,100	73,100	0	−10,300
Marine Corps Reserve	39,600	39,600	39,600	0	0
Air National Guard	106,800	106,800	106,800	0	0
Air Force Reserve	76,100	74,000	74,000	0	−2,100
DoD Total	860,900	848,500	848,500	0	−12,400
Coast Guard Reserve	10,000	10,000	10,000	0	0

End strengths for reserves on active duty in support of the reserves (sec. 412)

The House bill contained a provision (sec. 412) that would authorize the following end strengths for reserves on active duty in support of the reserves as of September 30, 2006: the Army Na-

tional Guard of the United States, 27,345; the Army Reserve, 15,270; the Naval Reserve, 13,392; the Marine Corps Reserve, 2,261; the Air National Guard of the United States, 13,089; and the Air Force Reserve, 2,290.

The Senate amendment contained a similar provision (sec. 412) that would authorize end strengths of 27,396 for the Army National Guard of the United States, 13,123 for the Air National Guard of the United States, and identical end strengths for the other services.

The House recedes.

The conferees recommend end strength levels for reserves on active duty in support of the reserves as set forth in the following table:

Service	FY 2005 authorized	FY 2006		Change from	
		Request	Conferee recommendation	FY 2006 request	FY 2005 authorized
Army National Guard	26,602	27,345	27,396	51	794
Army Reserve	14,970	15,270	15,270	0	300
Naval Reserve	14,152	13,392	13,392	0	−760
Marine Corps Reserve	2,261	2,261	2,261	0	0
Air National Guard	12,263	13,089	13,123	34	860
Air Force Reserve	1,900	2,290	2,290	0	390
DoD Total	72,148	73,647	73,732	85	1,584

In addition to the budget request, the end strengths recommended by the conferees would include an additional 51 reserves on active duty in support of the reserves for the Army National Guard and an additional 34 for the Air National Guard for the creation of five additional National Guard Chemical, Biological, Radiological, Nuclear and High Yield Explosive Enhanced Response Force Package (NG CERFP) teams.

The conferees would expect that the certification requirement for reserve component rapid assessment element teams under section 12310(c)(5) of title 10, United States Code, would be met by the Secretary of Defense before any of these teams would be used to respond to a weapons of mass destruction or terrorist emergency.

The conferees would also expect that the creation of any additional NG CERFP teams would be subject to specific congressional authorization and a corresponding adjustment to the end strengths of reserves on active duty in support of the reserves authorized by law.

End strengths for military technicians (dual status) (sec. 413)

The House bill contained a provision (sec. 413) that would authorize the following end strengths for military technicians (dual status) as of September 30, 2006: the Army National Guard of the United States, 25,563; the Army Reserve, 7,649; the Air National Guard of the United States, 22,971; and the Air Force Reserve, 9,853.

The Senate amendment contained a similar provision (sec. 413) that would authorize end strength of 9,852 for the Air Force Reserve and identical end strengths for the other services.

The House recedes.

The conferees recommend end strength levels for military technicians (dual status) as set forth in the following table:

Service	FY 2005 authorized	FY 2006		Change from	
		Request	Conferee recommendation	FY 2006 request	FY 2005 authorized
Army National Guard	25,076	25,563	25,563	0	487
Army Reserve	7,299	7,649	7,649	0	350
Air National Guard	22,956	22,971	22,971	0	15
Air Force Reserve	9,954	9,852	9,852	0	−102
DoD Total	65,285	66,035	66,035	0	750

Fiscal year 2006 limitation on number of non-dual status technicians (sec. 414)

The House bill contained a provision (sec. 414) that would establish the maximum end strengths for the reserve components of the Army and Air Force for non-dual status technicians as of September 30, 2006.

The Senate amendment contained an identical provision (sec. 414).

The conference agreement includes this provision.

Maximum number of reserve personnel authorized to be on active duty for operational support (sec. 415)

The House bill contained a provision (sec. 415) that would authorize the maximum number of reserve component personnel who may be on active duty or full-time National Guard duty under section 115(b) of title 10, United States Code, during fiscal year 2006 to provide operational support.

The Senate amendment contained no similar provision.

The Senate recedes.

The conferees recommend maximum levels by service for reserve component personnel on full-time, active duty who are providing operational support as set forth in the following table:

Service	FY 2005 authorized	FY 2006		Change from	
		Request	Conferee recommendation	FY 2006 request	FY 2005 authorized
Army National Guard	10,300	17,000	17,000	0	6,700
Army Reserve	5,000	13,000	13,000	0	8,000
Naval Reserve	6,200	6,200	6,200	0	0
Marine Corps Reserve	2,500	3,000	3,000	0	500
Air National Guard	10,100	16,000	16,000	0	5,900
Air Force Reserve	3,600	14,000	14,000	0	10,400
DoD Total	37,700	69,200	69,200	0	31,500

Subtitle C—Authorization of Appropriations

Military personnel (sec. 421)

The House bill contained a provision (sec. 421) that would authorize a total of $108,824.3 million to be appropriated to the Department of Defense in fiscal year 2006 for military personnel.

The Senate amendment contained a provision (sec. 421) that would authorize a total of $109,179.6 million to be appropriated to the Department of Defense in fiscal year 2006 for military personnel.

The Senate recedes with an amendment that would authorize $108,942.7 million to be appropriated to the Department of Defense in fiscal year 2006 for military personnel.

The conferees have agreed to the following changes from the budget request related to the military personnel accounts:

[Additions in millions]

Improved basic allowance for housing (BAH) for reservists	$ 26.0
Increased cap on reserve enlistment/affiliation bonus	30.0
Increased cap on active duty enlistment bonus	30.0
Expanded early commissioning program for the Army	2.4
Additional special pay for dental officers	4.0
Increased household goods weight limit for senior NCOs	4.0
Army recruit referral bonus	3.0
Income replacement authority for reservists	7.0
Critical skills retention bonus for nurses in SROTC	1.0
Unobligated balances, Air Force	−107.4
Total	0.0

The conferees note that in addition to the amounts shown above, $11,788.3 million was made available in title XV of this Act for the additional costs of military personnel involved in ongoing operations in Iraq and Afghanistan.

Armed Forces Retirement Home (sec. 422)

The House bill contained a provision (sec. 422) that would authorize $58.3 million to be appropriated for fiscal year 2006 from the Armed Forces Retirement Home Trust Fund for operation of the Armed Forces Retirement Home.

The Senate amendment contained an identical provision (sec 422).

The conference agreement includes this provision.

TITLE V—MILITARY PERSONNEL POLICY

ITEMS OF SPECIAL INTEREST

Department of Defense Policy on Transportation of Military Remains

The conferees are aware that, pursuant to Department of Defense policy, the remains of military personnel, when air transport is necessary, are transported with an assigned escort officer by commercial airlines from Dover Air Force Base to their hometowns. The remains of our military men and women should be transported with the utmost ceremony, honors, and respect, and the conferees believe that examination of this issue with an eye toward improvement is called for. The conferees direct the Secretary to establish a system that would ensure that upon arrival at the ultimate destination, the flag-draped coffin is removed and that appropriate military honors are rendered by a small honor guard. The conferees believe that use of military aircraft for transportation of deceased members may be a preferable means of transportation and direct the Secretary to submit a report, no later than February 1, 2006,

discussing the feasibility of such a requirement. The conferees believe that for those who make our freedom possible, this final honor is reasonable and justified by their sacrifice.

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Officer Personnel Policy

Temporary increase in percentage limits on reduction of time-in-grade requirements for retirement in grade upon voluntary retirement (sec. 501)

The House bill contained a provision (sec. 501) that would increase through December 31, 2007, the percentage of lieutenant colonels (or commanders in the Navy) and colonels (or captains in the Navy) that the secretary of a military department, when authorized by the Secretary of Defense, may approve for retirement with less than 3 years time-in-grade from 2 percent to 4 percent of the officers authorized in that grade for that fiscal year.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would limit the applicability of the provision to the Air Force and the Navy.

Two-year renewal of temporary authority to reduce minimum length of commissioned service required for voluntary retirement as an officer (sec. 502)

The House bill contained a provision (sec. 502) that would authorize through December 31, 2007, reduction in the amount of time from 10 years to 8 years that an officer who has prior enlisted service must serve as a commissioned officer in order to retire as a commissioned officer.

The Senate amendment contained a similar provision (sec. 506) that would extend this authority through December 31, 2008.

The House recedes with a technical amendment.

Exclusion from active duty general and flag officer distribution and strength limitations of officers on leave pending separation or retirement or between senior positions (sec. 503)

The House bill contained a provision (sec. 504) that would permit general or flag officers who have been selected for promotion to lieutenant general or vice admiral or above to be promoted to the higher rank at the time these officers begin serving in their new positions. The provision would also prohibit frocking of officers under section 777 of title 10, United States Code, who have been selected for promotion to lieutenant general, vice admiral, or above. To facilitate these transitions, the provision would temporarily exclude from grade distribution and numerical limitations under sections 525 and 526 of title 10, United States Code, for no more than 30 days, the senior general and flag officers selected for these positions of importance and responsibility under section 601 of title 10, United States Code.

The Senate amendment contained a provision (sec. 501) that would exclude from consideration in determining the distribution limitations and total numbers of general or flag officers on active duty, officers in the grade of brigadier general or rear admiral

(lower half) or above who are on leave pending separation, retirement, or release from active duty.

The House recedes with an amendment that would combine the authorizations included in both the House and Senate provisions, but extend to 60 days the temporary exclusion from grade distribution and numerical limitations under sections 525 and 526 for officers who have been relieved from a position designated under section 601 of title 10, United States Code, and are under orders to assume another such position.

Consolidation of grade limitations on officer assignment and insignia practice known as frocking (sec. 504)

The House bill contained a provision (sec. 505) that would establish a consolidated limit of 85 on the number of promotable colonels, Navy captains, brigadier generals, and rear admirals (lower half) who would be authorized to be frocked to higher grade under section 777 of title 10, United States Code.

The Senate amendment contained no similar provision.

The Senate recedes.

Clarification of deadline for receipt by promotion selection boards of certain communications from eligible officers (sec. 505)

The House bill contained a provision (sec. 509) that would amend sections 614(b) and 14106 of title 10, United States Code, to provide that officers eligible for consideration by a promotion selection board may send a written communication to the board that, to be considered, must arrive not later than 11:59 p.m. on the day before the board convenes.

The Senate amendment contained a similar provision (sec. 503) that would specify that the provision become effective on March 1, 2006, and shall apply to selection boards convened on or after that date.

The House recedes with a technical amendment.

Furnishing to promotion selection boards of adverse information on officers eligible for promotion to certain senior grades (sec. 506)

The Senate amendment contained a provision (sec. 504) that would require that substantiated adverse information be provided to promotion selection boards considering active and reserve component officers for promotion to the grade of lieutenant colonel, or commander in the case of the Navy, or above.

The House bill contained no similar provision.

The House recedes with an amendment that would make this requirement applicable only to promotion selection boards considering officers for promotion to the grades of brigadier general or rear admiral (lower half) or above. It would also clarify that only credible information of an adverse nature, including any substantiated adverse finding or conclusion from an officially documented investigation or inquiry, shall be furnished to selection boards.

Applicability of officer distribution and strength limitations to officers serving in intelligence community positions (sec. 507)

The Senate amendment contained a provision (sec. 509) that would amend section 528 of title 10, United States Code, to exclude

from the grade distribution and numerical limitations in sections 525 and 526 of title 10, United States Code, general or flag officers serving in certain intelligence positions. These would include military officers serving as either the Director or Deputy Director of the Central Intelligence Agency (CIA) and as the Associate Director of the CIA for Military Support. Additionally, the exclusion from section 525 and 526 limits would apply to no more than five general or flag officers of the Armed Forces serving in the Office of the Director of National Intelligence in positions designated by agreement between the Secretary of Defense and the Director of National Intelligence.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Grades of the judge advocates general (sec. 508)

The Senate amendment contained a provision (sec. 505) that would require that the judge advocates general of the Army, Navy, and Air Force be appointed in the grade of lieutenant general or vice admiral, as appropriate. The provision would also exempt these officers from the grade distribution requirements for general and flag officers in section 525(b) of title 10, United States Code.

The House bill contained no similar provision.

The House recedes with an amendment that would provide that the judge advocates general be appointed in a grade not less than major general or rear admiral, as appropriate, and would strike the exemption from the grade distribution requirements.

Authority to retain permanent professors at the Naval Academy beyond 30 years of active commissioned service (sec. 509)

The House bill contained a provision (sec. 507) that would authorize permanent professors of the Naval Academy to be retained beyond 30 years of active commissioned service until age 64. Navy and Marine Corps officers serving as permanent professors at the Naval Academy in the grade of commander or lieutenant colonel, who are not on a list of officers recommended for promotion, would be retired after 28 years of service unless their retirement is deferred and they are continued on active duty by the Secretary of the Navy. Such officers who are continued on active duty would remain eligible for promotion to the next higher grade. Navy and Marine Corps officers serving as permanent professors at the Naval Academy in the grade of captain or colonel, who are not on a list of officers recommended for promotion, would be retired after 30 years of service unless their retirement is deferred and they are continued on active duty by the Secretary of the Navy.

The Senate amendment contained a similar provision (sec. 561).

The Senate recedes with a technical amendment.

Authority for designation of a general/flag officer position on the Joint Staff to be held by reserve component general or flag officer on active duty (sec. 510)

The House bill contained a provision (sec. 506) that would increase from 10 to 11 the number of reserve general or flag officer positions that the Chairman of the Joint Chiefs of Staff can des-

ignate to be held only by reserve component general and flag officers on active duty and authorize one of these positions to be designated on the Joint Staff.

The Senate amendment contained a similar provision (sec. 502).

The Senate recedes.

Subtitle B—Reserve Component Management

Separation at age 64 for reserve component senior officers (sec. 511)

The House bill contained a provision (sec. 503) that would extend from age 62 to 64 the age at which the chiefs of the Army Reserve and Air Force Reserve, and the directors of the Army National Guard and Air National Guard must retire.

The Senate amendment contained a similar provision (sec. 508).

The Senate recedes.

Modification of strength-in-grade limitations applicable to reserve flag officers in active status (sec. 512)

The Senate amendment contained a provision (sec. 507) that would amend section 12004 of title 10, United States Code, to reduce by four the number of required Navy Reserve flag officers in medical designators and by one the number of Navy Reserve flag officers in the Supply Corps and to increase by five the number of Navy Reserve line officers.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Military technicians (dual status) mandatory separation (sec. 513)

The House bill contained a provision (sec. 513) that would require the Secretary of the Army to implement personnel policies that would allow a military technician (dual status) who continues to meet the requirements for dual status to serve beyond a mandatory removal date for officers, and any applicable maximum years of service limitation, until the military technician (dual status) reaches age 60 and attains eligibility for an unreduced annuity.

The Senate amendment contained no similar provision.

The Senate recedes.

Military retirement credit for certain service by National Guard members performed while in a state duty status immediately after the terrorist attacks of September 11, 2001 (sec. 514)

The House bill contained a provision (sec. 514) that would authorize military retirement credit for certain members of the Ready Reserve of the Army National Guard or Air National Guard, who served in full-time state active duty status performed on or after September 11, 2001, and before October 1, 2002, in specified counties in New York and Virginia in support of the federal declaration of emergency following the terrorist attacks on the United States of September 11, 2001.

The Senate amendment contained no similar provision.

The Senate recedes.

The conferees agree that authorizing federal military retirement credit for full-time state active duty service performed on or after September 11, 2001, and before October 1, 2002, in the specified counties in New York and Virginia is an appropriate recognition of the unique circumstances and national impact of the terrorist attacks of September 11, 2001. This authorization of federal military retirement benefits for state active duty service is both specific and limited. This authorization does not extend to any other form of federal benefits.

Redesignation of the Naval Reserve as the Navy Reserve (sec. 515)

The Senate amendment contained a provision (sec. 906) that would redesignate the Naval Reserve as the Navy Reserve and set forth conforming amendments to the United States Code reflecting this redesignation.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Clarification of certain authorities relating to the Commission on the National Guard and Reserves (sec. 516)

The Senate amendment contained a provision (sec. 597) that would modify section 523 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375), which established the Commission on the National Guard and Reserves. The provision would clarify certain issues relating to the pay of members. The provision would also clarify that the commission is established in the legislative branch.

The House bill contained no similar provision.

The House recedes.

Report on employment matters for members of the reserve components (sec. 517)

The House bill contained a provision (sec. 579) that would require the Comptroller General to submit a report to Congress on difficulties faced by members of the reserve components with respect to employment as a result of being ordered to perform full-time National Guard duty or being ordered to active duty. In preparing the report, the Comptroller General would be required to include specific information on the following: the number of employers of members of the reserve components in the public and private sector, respectively; an estimate of the number of employers who employ fewer than 50 full-time employees; an estimate of the number of members of the reserve components who are self-employed; the nature of the business of employers of members of the reserve components; and a description of the difficulties faced by members of the reserve components in gaining reemployment after having performed full-time National Guard duty or active duty service, including difficulties faced by members who are disabled and who are veterans of the Vietnam era.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would clarify that the report should provide a description of the difficulties faced by members of the reserve components in gaining reemployment after

having performed full-time National Guard duty or active duty service, including difficulties faced by members who are disabled.

Defense Science Board study on deployment of members of the National Guard and reserves in the global war on terrorism (sec. 518)

The Senate amendment contained a provision (sec. 540) that would require the Defense Science Board to conduct a study on the length and frequency of the deployment of members of the National Guard and reserves as a result of the global war on terrorism. The study would include an identification of the current range of lengths and frequencies of deployments; an assessment of the consequences for force structure, morale, and mission capability of deployments that are lengthy, frequent, or both; an identification of the optimal length and frequency of deployments; and identification of mechanisms to reduce the length, frequency, or both, of deployments of members of the National Guard and the reserves. The study, with recommendations the Defense Science Board considers appropriate, would be due to the congressional defense committees not later than May 1, 2006.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Sense of Congress on certain matters relating to the National Guard and Reserves (sec. 519)

The Senate amendment contained a provision (sec. 543) that would express the sense of the Senate that the importance and integral role played by active Guard and reserve members and military technicians (dual status) in the efforts of the Armed Forces is recognized. The provision would also urge the Secretary of Defense to promptly resolve questions relating to authority for payment of reenlistment bonuses stemming from reenlistment contracts entered into between January 14, 2005, and April 17, 2005, involving members of the Army National Guard and military technicians (dual status).

The House bill contained no similar provision.

The House recedes with an amendment that would change the provision from a sense of the Senate to a sense of Congress.

Pilot program on enhanced quality of life for members of the Army Reserve and their families (sec. 520)

The Senate amendment contained a provision (sec. 538) that would require the Secretary of the Army to conduct a pilot program in two States to assess the feasibility of utilizing a coalition of military and civilian community personnel in order to enhance the quality of life for members of the Army Reserve and their families.

The House bill contained no similar provision.

The House recedes with an amendment that would allow the Secretary to identify the locations of the program, and to require that personnel participating in the pilot program include military personnel and appropriate members of the civilian community.

The conferees intend that the principal objective of the pilot program shall be to enhance the mission readiness of members of the Army Reserve by assisting their families in addressing the

many challenges presented by deployments, including separation, family relationships, and parenting.

Subtitle C—Education and Training

PART I—DEPARTMENT OF DEFENSE SCHOOLS GENERALLY

Authority for National Defense University award of degree of Master of Science in Joint Campaign Planning and Strategy (sec. 521)

The House bill contained a provision (sec. 524) that would authorize the President of the National Defense University to award the degree of master of science in joint campaign planning and strategy to graduates of the University who fulfill the requirements of the program of the Joint Advanced Warfighting School at the Joint Forces Staff College.

The Senate amendment contained an identical provision (sec. 596).

The conference agreement includes this provision.

Authority for certain professional military education schools to receive faculty research grants for certain purposes (sec. 522)

The Senate amendment contained a provision (sec. 925) that would grant authority to the Air Force for faculty at the Air Force Institute of Technology to accept research grants.

The House bill contained no similar provision.

The House recedes with an amendment that would expand the authority to receive research grants to the National Defense University, Army War College, Naval Postgraduate School, Naval War College, Marine Corps University, Air Force Institute of Technology, and Air War College.

PART II—UNITED STATES NAVAL POSTGRADUATE SCHOOL

Revision to mission of the Naval Postgraduate School (sec. 523)

The Senate amendment contained a provision (sec. 592(a)) that would modify and enhance the statutory mission of the Naval Postgraduate School.

The House bill contained no similar provision.

The House recedes with a clarifying amendment that would provide that the primary function of the Naval Postgraduate School is to provide advanced instruction and professional and technical education and research opportunities for commissioned officers of the naval service in their practical and theoretical duties; the science, physics and systems engineering of current and future naval warfare doctrine, operations and systems; and the integration of naval operations and systems into joint, combined, and multinational operations.

Modification of eligibility for position of president of the Naval Postgraduate School (sec. 524)

The Senate amendment contained a provision (sec. 599B) that would modify the eligibility requirements for the position of president of the Naval Postgraduate School to allow a military officer in the grade of rear admiral (lower half), or a civilian individual

having qualifications appropriate to the position, to serve as president. An individual would be detailed or assigned to the position of president of the Naval Postgraduate School by the Secretary of the Navy, upon the recommendation of the Chief of Naval Operations. A civilian assigned as president would be limited to serve in that position for a term of not more than 5 years.

The House bill contained no similar provision.

The House recedes with an amendment that would specify that a civilian assigned as the president of the Naval Postgraduate School must hold a doctorate degree in a field of study relevant to the mission and function of the Naval Postgraduate School, while a officer of the Navy detailed as president must have a doctorate or master's degree in such a field. Other qualifications for detail or assignment as president would include: a comprehensive understanding of the Navy, the Department of Defense, and joint and combined operations; leadership experience at the senior level in a large and diverse organization; demonstrated ability to foster and encourage a program of research in order to sustain academic excellence; and other qualifications, as determined by the Secretary of the Navy. The House amendment would allow the reappointment of a civilian holding the position of president for up to an additional term of 5 years. The House amendment would also specify that military officers not below the grade of captain may be detailed as president, but would remove the requirement that such officers be eligible for command at sea.

Increased enrollment for eligible defense industry employees in the defense product development program at Naval Postgraduate School (sec. 525)

The House bill contained a provision (sec. 522) that would increase the number of defense industry civilian employees who may be admitted to the Naval Postgraduate School to receive instruction in a program leading to a master's degree in a curriculum related to defense product development from the current limit of 10 at any one time to 25. The House provision would also broaden the areas of study authorized for such students to include systems engineering, in addition to the current curriculum related to defense product development.

The Senate amendment contained no similar provision.

The Senate recedes.

Instruction for enlisted personnel by the Naval Postgraduate School (sec. 526)

The House bill contained a provision (sec. 526) that would require the Secretary of the Navy to submit a report to the Committees on Armed Services of the Senate and the House of Representatives on the plans of the Secretary to provide enlisted members of the Navy with opportunities to pursue graduate degree programs.

The Senate amendment contained a provision (sec. 592(b)) that would expand the eligibility of enlisted personnel to receive instruction from the Naval Postgraduate School by authorizing enlisted members of the Armed Forces to participate in certificate programs and courses required for the performance of their duties.

The House recedes with an amendment that would limit the authority of enlisted personnel to receive instruction from the Naval Postgraduate School in certificate programs and courses required for the performance of their duties to members of the Navy and Marine Corps. The amendment would clarify that the Naval Postgraduate School would not be authorized to grant baccalaureate, master's or doctorate degrees on the basis of participation in such instruction. The amendment would require the Secretary to submit a report to the Committees on Armed Services of the Senate and the House of Representatives on the Navy's plans, if any, to provide enlisted members of the Navy with opportunities to pursue graduate degree programs.

PART III—RESERVE OFFICERS' TRAINING CORPS

Repeal of limitation on amount of financial assistance under ROTC scholarship programs (sec. 531)

The House bill contained a provision (sec. 521) that would authorize the service secretaries to pay the costs of room and board for Reserve Officers' Training Corps (ROTC) cadets who are receiving scholarships when those costs exceed the cumulative cost of tuition, fees, books, and laboratory expenses. Current law allows ROTC scholarships to cover the cost of room and board, but limits the amount of room and board to the cost of tuition, fees, books, and laboratory expenses.

The Senate amendment contained a similar provision (sec. 532).

The Senate recedes.

Increase in annual limit on number of ROTC scholarships under Army Reserve and National Guard program (sec. 532)

The House bill contained a provision (sec. 527) that would increase from 208 to 416 the maximum number of Reserve Officers' Training Corps scholarships the Army may provide to cadets who would be authorized to perform their obligated service in the Army Reserve or Army National Guard.

The Senate amendment contained a similar provision (sec. 534).

The Senate recedes.

Procedures for suspending financial assistance and subsistence allowance for senior ROTC cadets and midshipmen on the basis of health-related conditions (sec. 533)

The Senate amendment contained a provision (sec. 533) that would require the Secretary of Defense to prescribe policies and procedures to be followed by the military departments prior to suspending financial assistance to senior Reserve Officers' Training Corps cadets and midshipmen on the basis of health-related conditions.

The House bill contained no similar provision.

The House recedes.

Eligibility of United States nationals for appointment to the Senior Reserve Officers' Training Corps (sec. 534)

The Senate amendment contained a provision (sec. 541) that would authorize U.S. nationals to be appointed as a cadet or midshipman in the Senior Reserve Officers' Training Corps, to be appointed as a cadet in the Army Reserve or Army National Guard of the United States, and to be eligible for appointment as a commissioned officer, under the same statutory authorities and criteria that apply to U.S. citizens.

The House bill contained no similar provision.

The House recedes.

Promotion of foreign language skills among members of the Reserve Officers' Training Corps (sec. 535)

The Senate amendment contained a provision (sec. 542) that would require the Secretary of Defense to support the acquisition of foreign language skills among cadets and midshipmen in the Reserve Officers' Training Corps through the development and implementation of incentives to study a foreign language, including special emphasis for Arabic, Chinese, and other strategic languages, as defined by the Secretary of Defense, and a recruiting strategy to target foreign language speakers, including members of heritage communities, to participate in the Reserve Officers' Training Corps. The provision would require the Secretary to submit a report to the congressional defense committees not later than 180 days after the date of enactment of this Act on actions taken to carry out this provision.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Designation of Ike Skelton Early Commissioning Program scholarships (sec. 536)

The Senate amendment contained a provision (sec. 577) that would designate scholarships awarded to cadets appointed at certain military junior colleges under section 2107a of title 10, United States Code, as Ike Skelton Early Commissioning Program scholarships.

The House bill contained no similar provision.

The House recedes.

PART IV—OTHER MATTERS

Enhancement of educational loan repayment authorities (sec. 537)

The Senate amendment contained a provision (sec. 1507) that would modify section 2171(a) of title 10, United States Code, to include additional types of loans incurred for educational purposes by service members that would be eligible for loan repayment by the Department of Defense. The provision would also make both officer and enlisted personnel eligible for loan repayment.

The House bill contained no similar provision.

The House recedes.

Payment of expenses of members of the Armed Forces to obtain professional credentials (sec. 538)

The House bill contained a provision (sec. 523) that would authorize the payment of expenses for service members to obtain an accreditation, license, certification, or other state or professionally-imposed credential, so long as it is not a prerequisite for appointment in the Armed Forces.

The Senate amendment contained a similar provision (sec. 651).

The Senate recedes with a technical amendment.

Use of Reserve Montgomery GI Bill benefits and benefits for mobilized members of the Selected Reserve and National Guard for payments for licensing or certification tests (sec. 539)

The House bill contained a provision (sec. 511) that would authorize the use of Reserve Montgomery GI Bill benefits and benefits for mobilized members of the Selected Reserve and National Guard for licensing or certification test fees in the amount of $2,000 or the fee charged for the test, whichever is less. The House provision would apply to tests administered on or after October 1, 2005.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would make the changes effective on the date of enactment of this Act.

Modification of educational assistance for reserves supporting contingency and other operations (sec. 540)

The House bill contained a provision (sec. 512) that would modify the authority for educational assistance benefits for reserves who have served on active duty in support of a contingency operation, or for members of the National Guard who served on full-time National Guard duty for the purpose of responding to a national emergency, for more than 90 days. The provision would clarify that the Secretary of Veterans Affairs prescribes the manner and form of election of benefits to comply with the requirement that individuals receive assistance under only one such program. The House provision would also authorize an exception to the immediate termination of assistance for members of the Selected Reserve who incur a break in service of not more than 90 days if the member continues to serve in the Ready Reserve. The House provision would further include a clarification that the educational assistance provided by the statute applies only to members who were called or ordered to active duty, or performed full-time National Guard duty, on or after September 11, 2001.

The Senate amendment contained a similar provision (sec. 535) that would clarify that the Secretary of Veterans Affairs prescribes the manner and form of election of benefits, and provides an exception to the immediate termination of assistance for members of the Selected Reserve who incur a break in service of not more than 90 days if the member continues to serve in the Ready Reserve.

The House recedes.

Subtitle D—General Service Requirements

Ground combat and other exclusion policies (sec. 541)

The House bill contained a provision (sec. 574) that would require that if the Secretary of Defense proposes to make any change to the ground combat exclusion policy that has been in effect since October 1, 1994, or proposes to open or close to the assignment of women any military career designator related to military operations on the ground in effect as of May 18, 2005, the Secretary must provide prior notice to Congress. Such a change would be implemented only after the end of a period of 60 days of continuous session of Congress. The provision would also require that the Secretary provide 30 days prior notice to Congress before implementing any other personnel policy change that would open to women assignments not involving ground combat that are, as of the date of the proposed change, closed to women. The provision would further require the Secretary to submit to the Committees on Armed Services of the Senate and the House of Representatives not later than March 31, 2006, a report of the Secretary's review of the current and future implementation of the policy regarding the assignment of women.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would provide that any proposed change to the ground combat exclusion policy would only be implemented after notice to Congress and the end of a period of 30 days of continuous session of Congress.

Uniform citizenship or residency requirements for enlistment in the Armed Forces (sec. 542)

The House bill contained a provision (sec. 531) that would clarify and uniformly apply existing practices of the military services regarding eligibility of individuals who are not citizens of the United States to enlist in the Armed Forces.

The Senate amendment contained a similar provision (sec. 521).

The House recedes with a technical amendment.

Increase in maximum age for enlistment (sec. 543)

The Senate amendment contained a provision (sec. 1504) that would modify section 505(a) of title 10, United States Code, to authorize the enlistment of persons who are not more than 42 years of age.

The House bill contained no similar provision.

The House recedes.

Increase in maximum term of original enlistment in regular component (sec. 544)

The House bill contained a provision (sec. 532) that would amend section 505(c) of title 10, United States Code, to increase the maximum duration of an enlistment in a regular component from 6 to 8 years.

The Senate amendment contained no similar provision.

The Senate recedes.

National Call to Service program (sec. 545)

The House bill contained a provision (sec. 534) that would amend section 510 of title 10, United States Code, to clarify that eligibility under the National Call to Service program would include military occupational specialties for enlistments for officer training and subsequent service as an officer, in cases in which the reason for the enlistment and entry into the National Call to Service program is to enter an officer training program.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would remove the Peace Corps from those national service programs through which National Call to Service participants may, after an initial period of active duty, complete their period of obligated service. The amendment would also amend section 510 to make certain technical corrections related to the eligibility of National Call to Service participants for educational benefits under titles 10 and 38, United States Code, and clarify that educational assistance earned through the National Call to Service program would be provided through the Department of Veterans Affairs under an agreement entered into by the Secretary of Defense and the Secretary of Veterans Affairs.

Reports on information provided to potential recruits and to new entrants into the Armed Forces on "stop loss" authorities and initial period of military service obligation (sec. 546)

The Senate amendment contained a provision (sec. 523) that would require the Secretary of Defense, not later than 90 days after the date of enactment of this Act, to submit a report on the actions being taken to ensure that each individual being recruited for service in the Armed Forces is provided detailed information on the periods of service to which such individuals may be obligated by reason of enlistment in the Armed Forces. The report would include a description of the stop loss authority and the manner in which the exercise of such authority could affect the duration of a member's service on active duty.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to simultaneously submit a report on the actions being taken to ensure that each individual covered by section 651(a) of title 10, United States Code, is provided, upon commencement of that person's initial period of military service, and at other points during a career, information regarding the date on which the initial service obligation of that person would end.

Subtitle E—Military Justice and Legal Assistance Matters

Offense of stalking under the Uniform Code of Military Justice (sec. 551)

The Senate amendment contained a provision (sec. 552) that would amend the Uniform Code of Military Justice (UCMJ) (chapter 47 of title 10, United States Code) to establish stalking as a separate offense under the UCMJ. "Stalking" is defined as a course of conduct directed at a specific person that would cause a reasonable person to fear death or bodily harm, including sexual assault, to himself or herself or a member of his or her immediate family.

"Immediate family" includes a spouse, parent, child, or sibling of the person, or any other family member or relative of the person who regularly resides in the person's household or did so within the 6 months preceding the commencement of the course of conduct.

The House bill contained a similar provision (sec. 554).

The House recedes with an amendment that would include the person's "intimate partner" in the definition of "immediate family," would place the provision adjacent to the UCMJ article dealing with rape and carnal knowledge, and would provide for an effective date of 180 days after enactment of this Act. The delayed effective date will provide the necessary time for amendment of the Manual for Courts-Martial to encompass this new offense.

Rape, sexual assault, and other sexual misconduct under Uniform Code of Military Justice (sec. 552)

The House bill contained a provision (sec. 555) that would amend article 120 of the Uniform Code of Military Justice (UCMJ) (10 U.S.C. 920) to provide a series of graded offenses relating to rape, sexual assault, and other sexual misconduct, based upon the presence or absence of various aggravating factors. The provision would also set interim maximum punishments for the respective offenses, until such time as the President provides otherwise in the Manual for Courts-Martial.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would (1) clarify the availability of marriage as an affirmative defense, (2) strike language relating to preemption, (3) amend article 43 of the UCMJ (10 U.S.C. 843) to provide an unlimited statute of limitations for rape of a child, (4) make technical and conforming amendments, and (5) provide for an effective date of October 1, 2007.

Extension of statute of limitations for murder, rape, and child abuse offenses under the Uniform Code of Military Justice (sec. 553)

The House bill contained a provision (sec. 553) that would amend article 43 of the Uniform Code of Military Justice (10 U.S.C. 843) to (1) include all murders in the class of offenses that have an unlimited statute of limitations; (2) clarify that rape is also an offense with an unlimited statute of limitations; (3) extend the statute of limitations for certain child abuse offenses to the life of the child or 5 years from the date of the offense, whichever is later; and (4) add pornography involving a child and kidnapping of a child to the list of child abuse offenses.

The Senate amendment contained a similar provision (sec. 551).

The Senate recedes with an amendment that would clarify the applicability of the extension of the murder statute of limitations.

Reports by officers and senior enlisted members of conviction of criminal law (sec. 554)

The Senate amendment contained a provision (sec. 555) that would require the Secretary of Defense to prescribe regulations directing officers and senior enlisted personnel above the grade of E–6 to report to appropriate military authority their arrest, investigation, charging, detention, adjudication, or conviction for offenses

other than minor traffic violations. The provision would also require development of procedures to ensure that information about criminal convictions is promptly forwarded by military authorities of one service to appropriate authorities in another service having jurisdiction over a military member.

The House bill contained no similar provision.

The House recedes with an amendment that would limit the obligation to report by officers and senior enlisted personnel to criminal convictions, including pleas of guilty or nolo contendere.

Clarification of authority of military legal assistance counsel to provide military legal assistance without regard to licensing requirements (sec. 555)

The Senate amendment contained a provision (sec. 553) that would amend section 1044 of title 10, United States Code, to provide that, notwithstanding any law regarding the licensure of attorneys, a judge advocate or civilian attorney who is authorized to provide military legal assistance is authorized to provide that assistance in any jurisdiction, subject to regulations prescribed by the Secretary concerned. Such assistance may be provided only by a judge advocate or a civilian attorney who is a member of the bar of a federal court or of the highest court of a State. "Legal assistance" is defined as legal assistance provided under sections 1044, 1044a, 1044b, 1044c, and 1044d of title 10, United States Code.

The House bill contained a similar provision (sec. 551).

The House recedes with a clarifying amendment.

Use of teleconferencing in administrative sessions of courts-martial (sec. 556)

The House bill contained a provision (sec. 552) that would amend article 39 of the Uniform Code of Military Justice (10 U.S.C. 839) to authorize the use of audiovisual technology to conduct administrative sessions of courts-martial, if authorized by regulations of the Secretary concerned and if the defense counsel is in the physical presence of the accused.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would clarify that only one defense counsel need be physically present with the accused for teleconferencing to be used. An accused may be represented by more than one counsel, particularly if the case is a serious one or the accused elects to employ civilian counsel. Not all counsel may be located in the same vicinity as the accused. The amendment would ensure that teleconferencing may be used in such situations.

Sense of Congress on applicability of Uniform Code of Military Justice to reserves on inactive duty training overseas (sec. 557)

The Senate amendment contained a provision (sec. 556) that would express the sense of the Senate that there should be no ambiguity about the applicability of the Uniform Code of Military Justice (UCMJ) to members of the reserve components of the Armed Forces while serving overseas under inactive duty training orders. The provision further expresses the sense of the Senate that the Secretary of Defense should take action, not later than February 1,

2006, to clarify any jurisdictional issues relating to such applicability under Article 2 of the UCMJ (10 U.S.C. 802), and, if necessary, to submit to Congress a legislative proposal to ensure the applicability of the UCMJ in such situations.

The House bill contained no similar provision.

The House recedes with an amendment that would make the provision an expression of the sense of Congress.

The conferees are concerned over the use of inactive duty training for reservists who are, it appears, performing operational missions overseas. The use of inactive duty training in this context may raise significant issues in such areas as pay, access to base facilities, status of forces agreements, and status under the international law of armed conflict. The conferees urge the Secretary to ensure that members of the reserves are not performing inactive duty training in situations in which active duty or active duty for training are more appropriate.

Subtitle F—Matters Relating to Casualties

Authority for members on active duty with disabilities to participate in Paralympic Games (sec. 561)

The House bill contained a provision (sec. 544) that would authorize the Secretary of Defense to permit eligible members of the Armed Forces to participate in the Paralympic Games and qualifying events and preparatory competition for these games.

The Senate amendment contained a similar provision (sec. 599A).

The Senate recedes.

Policy and procedures on casualty assistance to survivors of military decedents (sec. 562)

The House bill contained a provision (sec. 542) that would permanently codify the requirement to appoint a casualty assistance officer and establish a new requirement to formally appoint an assistance officer for seriously injured and ill service members and their families.

The Senate amendment contained a provision (sec. 591) that would require the Secretary of Defense to prescribe a comprehensive policy not later than January 1, 2006, on the provision of casualty assistance to survivors and next of kin of members of the Armed Forces who die during military service. The policy would address certain elements that shall be uniform across the military departments, except to the extent necessary to reflect the traditional practices or customs of a particular military department. The provision would also require the military departments, not later than March 1, 2006, to prescribe revised regulations and a report by the Secretary not later than May 1, 2006, assessing the adequacy and sufficiency of current casualty assistance programs of the military departments. It would also require the Comptroller General to submit an evaluation of the current casualty assistance programs of the Department not later than August 1, 2006.

The House recedes with an amendment that would revise and extend the dates on which the policies and reports on casualty assistance would be promulgated. The General Accountability Office

(GAO) would be required to report by July 1, 2006, on the current policies and procedures of, and funding for, the Department's casualty assistance programs.

The conferees believe the GAO assessment will be valuable in formulating uniform policies under this provision.

Policy and procedures on assistance to severely wounded or injured service members (sec. 563)

The House bill contained a provision (sec. 543) that would require the Secretary of Defense to examine the programs of the military services that provide assistance to service members who incur severe wounds or injuries in the line of duty, including the Army Disabled Soldier Support Program and the Marine for Life Injured Support Program, and develop standards and guidelines as necessary to coordinate and standardize those programs with the activities of the Severely Injured Joint Support Operations Center of the Department of Defense.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense, not later than June 1, 2006, to prescribe a comprehensive policy, in consultation with the Secretary of Veterans Affairs and the Secretary of Labor, for the Department of Defense on the provision of assistance to members of the Armed Forces who incur severe wounds or injuries in the line of duty. The amendment would require that certain elements be addressed and that the policy include guidelines to be followed by military departments in the provision of assistance to severely wounded or injured service members and procedures and standards that are uniform across the military departments to the extent practicable. The services would be required to prescribe their respective regulations by September 1, 2006.

Designation by members of the Armed Forces of persons authorized to direct the disposition of member remains (sec. 564)

The House bill contained a provision (sec. 541) that would require that members of the Armed Forces, upon their enlistment or appointment, specify in writing the person authorized to direct the disposition of the member's remains under section 1482 of title 10, United States Code, in the event of the member's death while serving on active duty.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require that not later than June 1, 2006, the Department of Defense complete, and the services implement, revisions to Department of Defense Instruction 1300.18 relating to military personnel casualty matters, policies, and procedures. The revisions would require that members designate in writing a person authorized to direct disposition of their remains. Additionally, the provision would require that not later than July 1, 2006, the Secretary of Defense submit a report on the actions taken to carry out the provisions of the revised policy.

Subtitle G—Assistance to Local Educational Agencies for Defense Dependents Education

Expansion of authorized enrollment in Department of Defense Dependents Schools overseas (sec. 571)

The House bill contained a provision (sec. 561) that would require the Secretary of Defense to provide dependent children of full-time, locally hired Department of Defense employees who are U.S. citizens or nationals a space-required, tuition free education in Department of Defense Dependents Schools overseas.

The Senate amendment contained a similar provision (sec. 581).

The House recedes with an amendment that would remove the authorization for the Secretary to utilize funds for military construction in conjunction with the enrollment of additional children on a tuition-free basis in overseas schools.

Assistance to local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees (sec. 572)

The House bill contained a provision (sec. 562(a)) that would authorize $50.0 million in Operation and Maintenance, Defense-wide activities, for assistance to eligible local educational agencies that provide education to military dependent children. The House bill also contained a provision (562(b)) that would authorize $10.0 million in Operation and Maintenance, Defense-wide activities, for eligible local educational agencies experiencing enrollment changes in military dependent children due to base closures, force structure changes, and force relocations.

The Senate amendment contained two similar provisions (secs. 582 and 583).

The Senate recedes with an amendment that would authorize $30.0 million for assistance to local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees. The amendment also would authorize $10.0 million in Operation and Maintenance, Defense-wide activities, to assist communities that experience enrollment changes in the number of military and Department of Defense dependent children due to global rebasing, creation or activation of new military units, realignment of forces as a result of the base closure process, or a change in the number of housing units on a military installation. The amendment establishes a limitation of $1.0 million on the amount that any eligible local educational agency may receive in any fiscal year, and extends the authority for assistance under this section for 5 years.

The conferees note that the Base Realignment and Closure (BRAC) round of 2005, in addition to impacting military installations around the country, will have significant impact on surrounding civilian communities including local school systems.

The quality of life for military families is significantly impacted by the quality of public education available to their children. In light of the anticipated increases in school-aged children in some cases resulting from Department of Defense initiated actions, the conferees believe that the Department should work closely with im-

pacted States and local communities, as well as the Department of Education, to proactively address the influx, and the requirement for adequate facilities and resources to properly provide for the education needs of military children.

The conferees direct the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives no later than 6 months after the enactment of this Act that examines Department of Defense installations that have gained or are expected to gain military students over the period of 2004 through 2011 as a result of BRAC, rebasing, force restructuring, or change in the number of military housing units, and addresses the following: (1) the number of students that have been or are expected to be gained at those installations; (2) a plan for how the Department will work collaboratively with other federal agencies as well as local and state education agencies to ensure that military children have access to sufficient educational resources and facilities when they arrive at one of the new, highly impacted installations listed above; and (3) a list of possible funding resources, including federal grants, available to local education agencies to assist in funding the necessary construction, expansion, and additional teachers that will be required to accommodate significant increases in students due to Department of Defense initiated actions.

Impact aid for children with severe disabilities (sec. 573)

The Senate amendment contained a provision (sec. 584) that would authorize $5.0 million in Operation and Maintenance, Defense-wide activities, for impact aid payments for children with disabilities under section 8003(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(d)), using the formula set forth in section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398).

The House bill contained no similar amendment.

The House recedes.

Continuation of impact aid assistance on behalf of dependents of certain members despite change in status of member (sec. 574)

The House bill contained a provision (sec. 563) that would adjust the process for computing the amount of funding provided by the Department of Education to certain local educational agencies heavily impacted by dependents of military personnel for the school year 2005–2006. The adjustment would require that children who attend the school, but no longer live on a military base because both parents are deployed or children who temporarily reside in military housing following the death of a military parent, continue to be counted as a child enrolled in school when computing average daily attendance for the purposes of determining the amount of assistance received.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Subtitle H—Decorations and Awards

Eligibility for Operation Enduring Freedom campaign medal (sec. 576)

The House bill contained a provision (sec. 567) that would establish September 11, 2001, as the beginning date for eligibility for the campaign medal for Operation Enduring Freedom, which was established pursuant to Public Law 108–234.

The Senate amendment contained no similar provision.

The Senate recedes.

Subtitle I—Consumer Protection Matters

Requirement for regulations on policies and procedures on personal commercial solicitations on Department of Defense installations (sec. 577)

The Senate amendment contained a provision (sec. 594) that would require the Department of Defense, not later than January 1, 2006, to prescribe regulations, or modify existing regulations, relating to commercial solicitation including the sale of life insurance and securities, on military installations. In order to facilitate this requirement, the Senate provision would repeal two previously enacted legislative provisions that could delay implementation and are no longer required.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Department to prescribe new regulations as soon as practicable after the date of enactment of this Act but no later than March 31, 2006.

Consumer education for members of the Armed Forces and their spouses on insurance and other financial services (sec. 578)

The Senate amendment contained a provision (sec. 598) that would require the services to carry out comprehensive programs of consumer education for members and their spouses on insurance and other financial services that are available to members and routinely offered by private sector sources. The provision would also require that training be provided during initial entry orientation of military members and periodically at military installations throughout subsequent military service. The provision would make counseling and training available to members' spouses upon request and set forth minimal qualifications for designated financial counselors. The provision would also set forth certain requirements for counseling and certification in connection with the purchase of life insurance policies and use of military allotments by junior enlisted personnel.

The House bill contained no similar provision.

The House recedes with an amendment that would delete the requirement in law for written certification by a commander before military members may request an allotment for the purpose of purchasing life insurance.

Report on predatory lending practices directed at members of the Armed Forces and their dependents (sec. 579)

The Senate amendment contained a provision (sec. 599) that would express the sense of the Senate that the Department of Defense should work with financial service regulators to protect the members of the Armed Forces from predatory lending practices and that legislation should be adopted that will strengthen disclosure, education, and other protections for military members and their families regarding predatory lending practices. The provision would also require the Secretary of Defense, in consultation with the Secretary of the Treasury; the Chairman of the Federal Reserve; the Chairman of the Federal Deposit Insurance Corporation; and representatives of military charity organizations and consumer organizations, to report on predatory lending practices directed at members of the Armed Forces and their families.

The House bill contained no similar provision.

The House recedes with an amendment that would require the report by the Secretary of Defense to be submitted within 180 days of enactment of this Act.

Subtitle J—Reports and Sense of Congress Statements

Report on need for a personnel plan for linguists in the Armed Forces (sec. 581)

The House bill contained a provision (sec. 573) that would require the Secretary of Defense to review the career paths available to officer and enlisted linguists to determine if a change in their career management would be beneficial. The amendment would also require the Secretary to report the findings, results, and conclusions of this review and assessment not later than 180 days after the date of enactment of this Act.

The Senate amendment contained no similar provision.

The Senate recedes.

Sense of Congress that colleges and universities give equal access to military recruiters and ROTC in accordance with the Solomon amendment and requirement for report to Congress (sec. 582)

The House bill contained a provision (sec. 580) that would express the sense of the Congress that any college or university that discriminates against Reserve Officers' Training Corps (ROTC) programs or military recruiters should be denied certain federal funding consistent with the provision of law known as the Solomon amendment, and that universities and colleges that receive federal funds should provide military recruiters access to college campuses and to college students equal in quality and scope to that provided all other employers. The amendment would also require the Secretary of Defense to submit a report on the colleges and universities that are denying equal access to military recruiters and ROTC programs 1 year after the date of enactment of this Act.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Sense of Congress concerning study of options for providing homeland defense education (sec. 583)

The House bill contained a provision (sec. 529) that would express a sense of Congress that the Secretary of Defense, in consultation with the Secretary of Homeland Security, should establish within the National Defense University an educational institution, to be known as the National College of Homeland Security, to have the mission of providing strategic-level homeland security and homeland defense education and related research to civilian and military leaders from all agencies of government in order to contribute to the development of a common understanding of homeland security principles and of effective interagency homeland security strategies, doctrines, and processes.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would express a sense of Congress that the Secretary of Defense, in consultation with the Secretary of Homeland Security, should study the options among public and private educational institutions and facilities, including an option of using the National Defense University, for providing strategic-level homeland defense education and related research to civilian and military leaders from all agencies of government in order to contribute to the development of a common understanding of homeland defense principles and of effective interagency homeland defense strategies, doctrines, and processes. The results of such consultation and study should be reported to the Committees on Armed Services of the Senate and the House of Representatives, together with such recommendations as the Secretary of Defense considers appropriate, including a request for implementing legislation that would contribute to the development of strategic-level homeland defense education.

Sense of Congress recognizing the diversity of the members of the Armed Forces serving in Operation Iraqi Freedom and Operation Enduring Freedom and honoring their sacrifices and the sacrifices of their families (sec. 584)

The House bill contained a provision (sec. 1048) that would recognize the diversity of those killed in Operation Iraqi Freedom and Operation Enduring Freedom and honoring their sacrifices and the sacrifices of their families.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would recognize the diversity of all those who served vice only those killed.

Subtitle K—Other Matters

Expansion and enhancement of authority to present recognition items for recruitment and retention purposes (sec. 589)

The House bill contained a provision (sec. 525) that would extend for 1 year the authority to award recognition items of nominal value provided in section 520 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375).

The Senate amendment contained a provision (sec. 593) that would expand the authority to award recognition items to all active and reserve components and extend it through December 31, 2007.

The House recedes with a clarifying amendment.

Extension of date of submittal of report of Veterans' Disability Benefits Commission (sec. 590)

The conferees agree to include a provision that would amend section 1503 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 38 U.S.C. 1101 note) to authorize an extension until October 1, 2007, of the date on which the Commission must submit its report to the President. The conferees believe that the extension is necessary to facilitate the participation by the Institute of Medicine and Center for Naval Analyses in conducting a comprehensive review of key issues within the Commission's charter.

Recruitment and enlistment of home-schooled students in the Armed Forces (sec. 591)

The Senate amendment contained a provision (sec. 522) that would require the Secretary of Defense to prescribe a uniform policy on the recruitment and enlistment of home-schooled students in the Armed Forces.

The House bill contained no similar provision.

The House recedes with an amendment that would require that the policy on the recruitment and enlistment of home-schooled students include a communication plan aimed at ensuring understanding throughout the recruiter force of policies applicable to home-schooled individuals.

Modification of requirement for certain intermediaries under certain authorities relating to adoption (sec. 592)

The Senate amendment contained a provision (sec. 655) that would amend section 1052 of title 10, United States Code, to authorize the reimbursement of expenses incurred in the legal adoption of a child, whether placed by a qualifying adoption agency or by another source authorized to place children for adoption under State or local law. The provision would also amend section 1072 of that title to include in the definition of "child" for medical and dental care purposes a child placed in the home of a member in anticipation of adoption, whether the child is placed by an agency or by another source authorized to place children by State or local law.

The House bill contained no similar provision.

The House recedes.

Adoption leave for members of the Armed Forces adopting children (sec. 593)

The House bill contained a provision (sec. 572) that would authorize up to 21 days of leave for a military member to be used in connection with an adoption that qualifies for adoption expenses authorized in section 1052 of title 10, United States Code.

The Senate amendment contained a provision (sec. 573) that would require the Secretary of Defense to promulgate a uniform

policy for parental leave to be used by military members in connection with births or adoptions.

The Senate recedes with an amendment that would require that in the event that two members of the Armed Forces who are married to each other adopt a child in a qualifying adoption only one member shall be allowed to take adoption leave.

The conferees intend that regulations prescribed by the Secretary will establish a uniform policy on adoption leave for all the military departments.

Addition of information to be covered in mandatory preseparation counseling (sec. 594)

The House bill contained a provision (sec. 577) that would require that mandatory preseparation counseling provided to military members in accordance with section 1142(b) of title 10, United States Code, include information concerning the availability of mental health services and the treatment of Post-Traumatic Stress Syndrome and other mental health conditions.

The Senate amendment contained a provision (sec. 1602) that would authorize improved transitional assistance programs for veterans, including information in preseparation counseling on civilian occupations and related assistance programs, including the priority of service for veterans in the receipt of employment, training, and placement services provided by the Department of Labor.

The Senate recedes with an amendment that would include the additional matters in mandatory preseparation counseling.

Report on Transition Assistance Programs (sec. 595)

The Senate amendment contained a provision (sec. 1604) that would require the Secretary of Defense, in consultation with the Secretary of Labor and the Secretary of Veterans Affairs, to submit a report on actions taken to ensure that Transition Assistance Programs for military members separating from the Armed Forces (including members of the reserve components) function effectively to provide timely and comprehensive transition assistance.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Improvement to Department of Defense capacity to respond to sexual assault affecting members of the Armed Forces (sec. 596)

The House bill contained a provision (sec. 578) that would require the Secretary of Defense to conduct an inventory of supplies and resources, including rape kits, trained personnel and transportation resources, assigned or deployed to deal with sexual assault in deployed units. The provision would also require the Secretary to develop an action plan to enhance the availability of resources in response to sexual assaults in deployed units.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary to develop a system for tracking cases in which care for a victim of sexual assault or prosecution of an alleged perpetrator was hindered by the lack of a rape kit or other needed supplies and resources. The amendment would also require a report by the Secretary within 120 days of enactment of this Act for ensuring the

availability of supplies and trained personnel and resources for responding to sexual assaults occurring in deployed units. The amendment would include additional elements related to the availability of resources for deployed units to the annual report on sexual assaults required by section 577 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375).

Authority for appointment of Coast Guard flag officer as Chief of Staff to the President (sec. 597)

The House bill contained a provision (sec. 508) that would amend title 14, United States Code, to authorize the President, by and with the advice and consent of the Senate, to appoint a flag officer of the U.S. Coast Guard to be the Chief of Staff to the President.

The Senate amendment contained no similar provision.

The Senate recedes.

Prayer at military service academy activities (sec. 598)

The Senate amendment contained a provision (sec. 1079) that would authorize the superintendent of a service academy to have in effect a policy with respect to the offering of a voluntary, nondenominational prayer at an authorized activity of the academy, subject to the U.S. Constitution and such limitations as the Secretary of Defense may prescribe.

The House bill contained no similar provision.

The House recedes.

Modification of authority to make military working dogs available for adoption (sec. 599)

The conferees agree to a provision that would amend section 2583 of title 10, United States Code, to authorize the service secretaries to make military working dogs available for adoption under unusual or extraordinary circumstances before the end of their useful working life. The conferees believe that additional flexibility is needed in responding to exceptional requests for adoption of military working dogs, particularly those arising from wartime conditions.

LEGISLATIVE PROVISIONS NOT ADOPTED

Administrative censures of members of the Armed Forces

The Senate amendment contained a provision (sec. 554) that would codify the authority of the Secretary of Defense and the service secretaries to issue administrative censures in writing to members of the Armed Forces. An administrative censure is a statement of adverse opinion or criticism with respect to the conduct or performance of duty by a military member. Such administrative censures are not subject to appeal and are final when issued.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that the Secretary of Defense and the Secretaries of the Army, Navy, and Air Force possess inherent authority, wholly apart from the provisions of the Uniform Code of Mili-

tary Justice, to administratively censure members of the Armed Forces when facts and circumstances so require. While the conferees believe that codification of the authority to administratively censure is not required, it is important that senior civilian and military leaders who are responsible for ensuring accountability in the aftermath of failures and deficiencies in performance by military personnel understand the availability of this authority and use it when warranted.

CAPSTONE overseas field studies trips to People's Republic of China and Republic of China on Taiwan

The House bill contained a provision (sec. 528) that would require the Secretary of Defense to direct the National Defense University to ensure that field study visits to China and Taiwan are integral components of the CAPSTONE program carried out by the university.

The Senate amendment contained no similar provision.

The House recedes.

Cold War Victory Medal

The House bill contained a provision (sec. 565) that would require the Secretary of Defense to design and issue a Cold War Victory Medal, and prescribe the eligibility criteria.

The Senate amendment contained no similar provision.

The House recedes.

Commencement of receipt of non-regular service retired pay by members of the ready reserve on active federal status or active duty for significant periods

The Senate amendment contained a provision (sec. 539) that would amend section 12731 of title 10, United States Code, to provide that members of the ready reserve who have served on active duty after September 11, 2001, would be eligible to have their age for receipt of retired pay reduced by 3 months for each aggregate of 90 days of active duty performed in any fiscal year. Qualifying service for purposes of this provision would be service on active duty pursuant to a call or order to active duty in support of a contingency operation or under a call to service authorized by the President or Secretary of Defense under section 502(f) of title 32, United States Code, for purposes of responding to a national emergency declared by the President or supported by federal funds.

The House bill contained no similar provision.

The Senate recedes.

The conferees are grateful for the enormous contributions of reservists and National Guardsmen in prosecuting the global war on terrorism. The central role of the reserve components in Operations Noble Eagle, Enduring Freedom, and Iraqi Freedom have demonstrated the critical importance of transformation of the reserve components aimed at establishing a flexible continuum of service that will allow the nation's citizen-soldiers to continue to perform vital missions in the Armed Forces while successfully pursuing civilian careers. A key element in achieving success in this regard is a reserve retirement system that enhances mobilization readiness,

supports recruiting and retention, and equitably rewards those who serve on active duty for extended periods, particularly volunteers

The Commission on the National Guard and Reserves, established by section 513 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375) has been established and is currently at work. The conferees expect the commission, consistent with its charter, to closely examine issues relating to the eligibility age for receipt of retired pay and to recommend alternatives that recognize the role of the National Guard and reserve and that may create new incentives for ready reservists to volunteer for active service, thereby materially contributing to military readiness and enhanced mission capability.

Comptroller General study of military recruiting

The House bill contained a provision (sec. 576) that would require the Comptroller General to submit a report on certain matters relating to violations of law by military recruiters and the sufficiency of Department of Defense policies in this regard.

The Senate amendment contained no similar provision.

The House recedes.

Eligibility of certain persons for space-available travel on military aircraft

The House bill contained a provision (sec. 575) that would extend eligibility for space-available transportation to gray-area retirees, i.e., members or former members of a reserve component under 60 years of age who, but for age, would be eligible for retired pay, and to their dependents.

The Senate amendment contained no similar provision.

The House recedes.

The conferees note that a requirement is included elsewhere in this report for the Secretary of Defense to report on the feasibility of providing space-available travel eligibility to gray-area retirees and their dependents.

Establishment of Combat Medevac Badge

The House bill contained a provision (sec. 566) that would require the Secretaries of the Army, Navy, and Air Force to design and issue a Combat Medevac Badge and that would prescribe eligibility criteria.

The Senate amendment contained no similar provision.

The House recedes.

Extension of waiver authority of Secretary of Education with respect to student financial assistance during a war or other military operation or national emergency

The House bill contained a provision (sec. 571) that would extend for two years the authority provided by the Higher Education Relief Opportunities for Students Act of 2003 (Public Law 108–76).

The Senate amendment contained a similar provision (sec. 653).

This provision is not included in the conference report because it is unnecessary. On September 30, 2005, legislation extending the waiver authority of the Secretary of Education with respect to stu-

dent financial assistance during a war or other military operation or national emergency was enacted as Public Law 109–78.

Federal assistance for state programs under the National Guard Youth Challenge program

The Senate amendment contained a provision (sec. 595) that would phase in over 3 years a change in the federal to state matching funds ratio required by section 509(d) of title 32, United States Code, for the National Guard Youth Challenge program.

The House bill contained no similar provision.

The Senate recedes.

Improved administration of transitional assistance programs

The Senate amendment contained a provision (sec. 1602) that would amend section 1142 of title 10, United States Code, to specify additional pre-separation information that must be provided to reserve component members who have been serving on active duty continuously for at least 180 days before such members are separated.

The House bill contained no similar provision.

The Senate recedes.

Members completing statutory initial military service obligation

The House bill contained a provision (sec. 533) that would require members at the commencement of their initial period of military service to be informed of the date on which their initial military service obligation ends. The provision would also require the secretaries of the military departments to notify members of the Individual Ready Reserve of the date on which their initial military service obligation ends and prohibit the involuntary mobilization, or a recall to active duty, commencing after the expiration of the military service obligation of members of the Individual Ready Reserve.

The Senate amendment contained no similar provision.

The House recedes.

The conferees note that the Department of Defense is required to report on policies relating to notification to service members of the extent of their military service obligation elsewhere in this report.

National Call to Service program

The Senate amendment contained a provision (sec. 576) that would remove the Peace Corps from those national service programs through which National Call to Service participants may, after an initial period of active duty, complete their period of obligated service. The provision would also amend section 510 of title 10, United States Code, to make certain technical corrections related to the eligibility of National Call to Service participants for educational benefits under titles 10 and 38, United States Code, and clarify that educational assistance earned through the National Call to Service program would be provided through the Department of Veterans Affairs under an agreement entered into by the Secretary of Defense and the Secretary of Veterans Affairs.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that the substance of this provision was included in a separate provision in this Act relating to the National Call to Service program.

Performance by reserve component personnel of operational test and evaluation and training relating to new equipment

The Senate amendment contained a provision (sec. 537) that would authorize the Secretary of the Army to carry out a pilot program through September 2010 to evaluate the feasibility and advisability of utilizing members of the reserve components of the Army, rather than contractor personnel, to perform test, evaluation, and new equipment training, and related activities. Up to $10.0 million in any fiscal year of funds available to the Army for multiyear purposes in appropriations for Research, Development, Test, and Evaluation, and for procurement, would be authorized to be transferred to a reserve component military personnel account in the amounts necessary to reimburse that account for the costs of military pay and allowances of reservists participating in this program.

The House bill contained no similar provision.

The Senate recedes.

Repeal of limitation on authority to redesignate the Naval Reserve as the Navy Reserve

The Senate amendment contained a provision (sec. 536) that would amend section 517(a) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375) to eliminate the requirement that implementation of the redesignation of the Naval Reserve as the Navy Reserve be delayed until after submission of conforming legislation.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that this provision is unnecessary because conforming legislation designating the Naval Reserve as the Navy Reserve is included elsewhere in this report.

Sense of the Senate on notice to Congress of recognition of members of the Armed Forces for extraordinary acts of bravery, heroism, and achievement

The Senate amendment contained a provision (sec. 575) that would express the sense of the Senate that certain committees and members of Congress should be informed when a member of the Armed Forces is awarded a medal or otherwise commended for an act of extraordinary heroism, bravery, achievement, or other distinction.

The House bill contained no similar provision.

The Senate recedes.

Short title

The Senate amendment contained a provision (sec. 1501) that would designate title XV of the Senate amendment as the "Military Recruiting Initiatives Act of 2005."

The House bill contained no similar provision.

The Senate recedes.

Short title

The Senate amendment contained a provision (sec. 1601) that would designate title XVI of the Senate amendment as the "Veterans' Enhanced Transition Services Act of 2005."

The House bill contained no similar provision.

The Senate recedes.

Standardization of grade of senior dental officer of the Air Force with that of senior dental officer of the Army

The House bill contained a provision (sec. 510) that would require that the officer serving as the senior dental officer in the Air Force, like the senior dental officer in the Army, be appointed in the grade of major general.

The Senate amendment contained no similar provision.

The House recedes.

Use of National Guard to provide military support to civilian law enforcement agencies for domestic counterterrorism activities

The House bill contained a provision (sec. 515) that would authorize the governor of a State to order personnel of that state's National Guard to active duty under title 32, United States Code, to provide military support to a civilian law enforcement agency, on a reimbursable basis, for domestic counterterrorism activities. The provision would define domestic counterterrorism as measures taken to prevent, deter, and respond to terrorism within a State.

The Senate amendment contained no similar provision.

The House recedes.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Pay and Allowances

Increase in basic pay for fiscal year 2006 (sec. 601)

The House bill contained a provision (sec. 601) that would increase basic pay for members of the Armed Forces by 3.1 percent effective January 1, 2006, and waiver of the adjustment required by section 1009 of title 37, United States Code.

The Senate amendment contained no similar provision in view of the requirement regarding annual pay adjustment set forth in section 1009(c)(2) of title 37, United States Code.

The Senate recedes.

Additional pay for permanent military professors at United States Naval Academy with over 36 years of service (sec. 602)

The House bill contained a provision (sec. 602) that would allow permanent military professors at the United States Naval Academy with over 36 years of service to receive the same $250-per-month increase that is already authorized for permanent professors at the other service academies.

The Senate amendment contained a similar provision (sec. 601).

The Senate recedes.

Basic pay rates for reserve component members selected to attend military service academy preparatory schools (sec. 603)

The House bill contained a provision (sec. 603) that would clarify that reserve component members who are attending military service academy preparatory schools shall be paid at the rate prescribed for the member's pay grade unless the standard rate of compensation provided to cadets and midshipmen is greater.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Clarification of restriction on compensation for correspondence courses (sec. 604)

The House bill contained a provision (sec. 604) that would clarify that members of the National Guard, as well as other members of the reserve components, are not authorized to be compensated for work associated with participation in a correspondence course sponsored by a uniformed service.

The Senate amendment contained no similar provision.

The Senate recedes.

Enhanced authority for agency contributions for members of the Armed Forces participating in the Thrift Savings Plan (sec. 605)

The Senate amendment contained a provision (sec. 602) that would authorize service secretaries to make matching contributions to the Thrift Savings Fund pursuant to an agreement with an enlisted member covering the duration of the member's initial enlistment.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Pilot program on contributions to Thrift Savings Plan for initial enlistees in the Army (sec. 606)

The Senate amendment contained a provision (sec. 652) that would require the Secretary of the Army to conduct a pilot program in order to assess the extent to which contributions by the Army to the Thrift Savings Plan on behalf of first term enlistees would assist in recruiting non-prior service enlistees and result in establishing habits of financial responsibility.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Prohibition against requiring certain injured members to pay for meals provided by military treatment facilities (sec. 607)

The House bill contained a provision (sec. 1524) that would amend section 402 of title 37, United States Code, to provide that members of the Armed Forces shall not be required to pay for meals at military treatment facilities who are undergoing medical recuperation or therapy, or are otherwise undergoing continuous care, including outpatient care, for an injury, illness, or disease incurred in support of Operation Iraqi Freedom, Operation Enduring

Freedom, or any other operation or area designated by the Secretary of Defense.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would make the provision effective from October 1, 2005, and ending on December 31, 2006.

Permanent authority for supplemental subsistence allowance for low-income members with dependents (sec. 608)

The House bill contained a provision (sec. 605) that would make permanent the authority to pay the supplemental subsistence allowance for low-income members with dependents.

The Senate amendment contained a similar provision (sec. 603).

The Senate recedes.

Increase in basic allowance for housing and extension of temporary lodging expenses authority for areas subject to major disaster declaration or for installations experiencing sudden increase in personnel levels (sec. 609)

The Senate amendment contained a provision (sec. 672) that would authorize the Secretary of Defense to prescribe temporary increases in rates of basic allowance for housing (BAH) in areas for which major disasters have been declared under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. §5170). The amount of the temporary increase in BAH would be determined based on the amount by which the costs of adequate housing for civilians have increased in designated areas as a result of the disaster, but may not exceed an amount equal to 20 percent of the applicable rate of BAH.

The House bill contained no similar provision.

The House recedes with an amendment that would also authorize the Secretary to approve a temporary increase in BAH to members stationed in areas experiencing a sudden increase in the number of members of the Armed Forces assigned and would authorize temporary lodging expenses for these areas for up to 20 days. This authority would appropriately be exercised in areas in which a rapid influx of military personnel due to such factors as base realignment and closure, global re-basing, and other force structural changes cause sudden increases in the cost of housing in designated areas.

Basic allowance for housing for reserve component members (sec. 610)

The House bill contained a provision (sec. 606) that would eliminate the requirement to pay a reduced rate of basic allowance for housing (BAH) to reserve component members when mobilized to serve on active duty for periods greater than 30 days and less than 140 days. It would also clarify that full BAH would be paid to reserve component members when they are mobilized to serve on active duty for less than 30 days in connection with a contingency operation.

The Senate amendment contained an identical provision.

The conference agreement includes this provision.

Permanent increase in length of time dependents of certain deceased members may continue to occupy military family housing or receive basic allowance for housing (sec. 611)

The House bill contained a provision (sec. 1526) that would extend from 180 days to 365 days the period that dependents of members of the Armed Forces who die on active duty may continue to occupy military family housing without charge. The provision would also authorize payment of the basic allowance for housing (BAH) for survivors of military decedents for up to 365 days if the dependents are residing in a private sector residence. This provision would codify enhanced housing benefits for survivors that were authorized under section 1022 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13).

The Senate amendment contained a similar provision (sec. 605).

The House recedes with a technical amendment.

Overseas cost of living allowance (sec. 612)

The House bill contained a provision (sec. 607) that would authorize service secretaries to continue to pay the overseas cost of living allowance when a member's family continues to reside overseas, notwithstanding the reassignment of the sponsor to duty inside the continental United States, if the secretary concerned determines that it is in the best interest of the member or the member's dependents and in the best interest of the United States. The provision would also clarify the expenses eligible for lump-sum reimbursement under section 405(d) of title 37, United States Code.

The Senate amendment contained no similar provision.

The Senate recedes.

Allowance to cover portion of monthly deduction from basic pay for Servicemembers' Group Life Insurance coverage for members serving in Operation Enduring Freedom or Operation Iraqi Freedom (sec. 613)

The House bill contained a provision (sec. 1528) that would authorize an allowance to pay the full cost of life insurance coverage under Servicemembers' Group Life Insurance (SGLI) for members serving in the theater of operations for Operation Enduring Freedom (OEF) or Operation Iraqi Freedom (OIF). The allowance would be in an amount equal to the lesser of the deduction from the basic pay of members for the amount of SGLI coverage obtained or the amount of the deduction otherwise made for members who have maximum SGLI coverage. The provision would also require the services to provide information about the new allowance to service members preparing to deploy to OEF or OIF.

The Senate amendment contained a similar provision (sec. 641(b)(3)) that would authorize the amount of the government-provided insurance to cover the cost of $150,000 of coverage.

The Senate recedes with an amendment that would require, in the case of members who have insurance coverage under the SGLI and who serve in the theater of operations of OEF or OIF, payment of an allowance in an amount that would fund the first $150,000 of SGLI coverage. The Secretary of Defense would be authorized,

but not required, by this provision, to pay for an additional $250,000 of coverage or any portion thereof.

Income replacement payments for reserves experiencing extended and frequent mobilization for active duty service (sec. 614)

The House bill contained a provision (sec. 608) that would require payment to involuntarily mobilized reserve members of an amount that would replace the differential between their regular military compensation, plus any special or incentive pays and allowances, and the average monthly income they received during the 12 months preceding the month during which they were mobilized. Reservists and National Guardsmen who have private sector income exceeding their active duty income would be eligible for the income replacement payment for any full month following the date that the member completes 18 continuous months of service on active duty, or 24 months on active duty during the previous 60 months, or for any month during mobilization that occurs within 6 months of the member's last active duty tour. Payments would be limited to a minimum of $50 and a maximum of $3,000 each month. The provision would be effective after December 2005.

The Senate amendment contained a similar provision (sec. 607) that would authorize income replacement payments under the same conditions as the House provision except that qualifying reservists and National Guardsmen would be eligible to receive income differential payments after they have completed 180 continuous days of service on active duty.

The Senate recedes with an amendment that would set an effective date of 180 days after the date of enactment of this Act, authorize the Secretary of Defense to issue regulations to administer income replacement payments, and provide for expiration of this authority after December 31, 2008.

Subtitle B—Bonuses and Special and Incentive Pays

Extension or resumption of certain bonus and special pay authorities for reserve forces (sec. 621)

The House bill contained a provision (sec. 611) that would extend or resume the authority for the Selected Reserve reenlistment bonus, special pay for enlisted members assigned to certain high priority units, the Ready Reserve enlistment bonus for persons without prior service, the Ready Reserve enlistment and reenlistment bonus for persons with prior service, and the Selected Reserve enlistment bonus for persons with prior service until December 31, 2006.

The Senate amendment contained a similar provision (sec. 611).

The Senate recedes with a technical amendment.

Extension of certain bonus and special pay authorities for certain health care professionals (sec. 622)

The House bill contained a provision (sec. 612) that would extend the authority to pay the nurse officer candidate accession bonus, the accession bonus for registered nurses, incentive special pay for nurse anesthetists, special pay for Selected Reserve health

professionals in critically short wartime specialities, the accession bonus for dental officers, and the accession bonus for pharmacy officers until December 31, 2006. The provision would also extend the authority to repay education loans for certain Selected Reserve health professionals until January 1, 2007.

The Senate amendment contained a similar provision (sec. 612).

The Senate recedes.

Extension of special pay and bonus authorities for nuclear officers (sec. 623)

The House bill contained a provision (sec. 613) that would extend the authority for the special pay for nuclear-qualified officers extending a period of active service, the nuclear career accession bonus, and the nuclear career annual incentive bonus until December 31, 2006.

The Senate amendment contained a similar provision (sec. 613).

The Senate recedes.

Extension of other bonus and special pay authorities (sec. 624)

The House bill contained a provision (sec. 614) that would extend the authority for the aviation officer retention bonus, the reenlistment bonus for active members, the enlistment bonus for active members, the retention bonus for members with critical skills, and the accession bonus for new officers in critical skills until December 31, 2006. The provision would also extend the authority for assignment incentive pay until December 31, 2007.

The Senate amendment contained a similar provision (sec. 614).

The Senate recedes.

Eligibility of oral and maxillofacial surgeons for incentive special pay (sec. 625)

The Senate amendment contained a provision (sec. 624) that would authorize the Secretary of Defense to pay incentive special pay to oral and maxillofacial surgeons, who are members of the dental corps, on the same basis as incentive special pay is available to medical corps officers.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Eligibility of dental officers for additional special pay (sec. 626)

The House bill contained a provision (sec. 615) that would eliminate the restriction barring military dentists from being paid additional special pay while they are undergoing dental internship or residency training.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Increase in maximum monthly rate authorized for hardship duty pay (sec. 627)

The House bill contained a provision (sec. 616) that would increase the maximum monthly rate of hardship duty pay from $300 to $750.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Flexible payment of assignment incentive pay (sec. 628)

The House bill contained a provision (sec. 617) that would authorize assignment incentive pay to be paid on a monthly basis, in a lump sum, or in installments other than monthly.

The Senate amendment contained a provision (sec. 615) that would also require a written agreement when assignment incentive pay is paid in a lump sum or in installments.

The House recedes with an amendment that would authorize an increase in the maximum monthly rate of assignment incentive pay from the existing $1,500 to $3,000. The amendment would also clarify the circumstances under which repayment of assignment incentive pay must be made.

Active duty reenlistment bonus (sec. 629)

The House bill contained a provision (sec. 618) that would increase the maximum selective reenlistment bonus that may be paid to an active component member from $60,000 to $90,000. The provision would also extend the maximum years of service beyond which a reenlistment bonus may not be awarded from 16 years to 20 years, repeal an obsolete pay under section 312a of title 37, United States Code, and authorize service secretaries to waive eligibility criteria during war and national emergency.

The Senate amendment contained a provision (sec. 616) that would authorize payment of up to $75,000 to certain nuclear-qualified enlisted members of the naval service who have completed at least 10, but not more than 14, years of active duty.

The Senate recedes with an amendment that would delete the provision permitting waiver of all or a part of the eligibility requirements for the active duty reenlistment bonus in time of war or national emergency.

Reenlistment bonus for members of Selected Reserve (sec. 630)

The House bill contained a provision (sec. 619) that would extend the maximum years of service beyond which a reenlistment bonus may not be awarded from 16 years to 20 years, prohibit inclusion of portions of a term of reenlistment or extension of enlistment in excess of 24 years in computing the total bonus amount, and authorize the service secretaries to waive eligibility criteria established in law during war or national emergency.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would delete the provision permitting waiver of all or a part of the eligibility requirements for the Selected Reserve reenlistment bonus in time of war or national emergency.

Consolidation and modification of bonuses for affiliation or enlistment in Selected Reserve (sec. 631)

The House bill contained a provision (sec. 620) that would consolidate sections 308c and 308e of title 37, United States Code, setting the maximum amount that may be paid to members who affiliate with Selected Reserve units at $15,000 and that would specify new installment or lump-sum payment options. Under a revised section 308c, the section would authorize an accession bonus for enlistment of non-prior service individuals in the Selected Reserve with the same $15,000 maximum payment and installment or lump-sum options authorized for the affiliation bonus.

The Senate amendment contained similar provisions (secs. 617 and 1502(a)) that would consolidate the Selected Reserve enlistment and affiliation bonuses by amending section 308c and repealing section 308e of title 37, United States Code. The Senate provision would also authorize an increase in the maximum amount of the Selected Reserve enlistment and affiliation bonuses to $20,000.

The House recedes with an amendment that would require the service secretaries to designate the skills, units, and pay grades for which an affiliation bonus may be paid and prescribe conditions and circumstances under which repayment of the bonuses would be required.

Expansion and enhancement of special pay for enlisted members of the Selected Reserve assigned to certain high priority units (sec. 632)

The Senate amendment contained a provision (sec. 618) that would increase the amount of special pay that may be awarded to members of the Selected Reserve assigned to certain high priority units from $10 to $50 for each regular period of instruction or period of appropriate duty.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Eligibility requirements for prior service enlistment bonus (sec. 633)

The House bill contained a provision (sec. 621) that would eliminate the requirement that members with prior military service must first complete their military service obligation before being eligible to receive a bonus for enlisting in the Selected Reserve.

The Senate amendment contained a provision (sec. 1505) that would eliminate the condition that a member not previously have been paid a bonus (except under section 308i of title 37, United States Code) for enlistment, reenlistment, or extension of enlistment in a reserve component.

The Senate recedes with an amendment that would combine the two provisions to make the prior service enlistment bonus more flexible and widely used.

Increase and enhancement of affiliation bonus for officers of the Selected Reserve (sec. 634)

The Senate amendment contained a provision (sec. 1506) that would increase the maximum amount of the bonus for certain initial service of officers of the Selected Reserve from $6,000 to $10,000. Additionally, the provision would eliminate the condition

for eligibility that officers have not previously served in the Selected Reserve.

The House bill contained no similar provision.

The House recedes.

Increase in authorized maximum amount of enlistment bonus (sec. 635)

The House bill contained a provision (sec. 622) that would increase the maximum amount of the active duty enlistment bonus from $20,000 to $30,000.

The Senate amendment contained a provision (sec. 1502(b)) that would increase the maximum amount to $40,000.

The House recedes.

Discretion of Secretary of Defense to authorize retroactive hostile fire and imminent danger pay (sec. 636)

The House bill contained a provision (sec. 623) that would authorize the Secretary of Defense to retroactively designate the period during which duty in a specific area would qualify members to receive special pay for duty subject to hostile fire or imminent danger.

The Senate amendment contained a similar provision (sec. 621).

The Senate recedes.

Increase in maximum bonus amount for nuclear-qualified officers extending period of active duty (sec. 637)

The House bill contained a provision (sec. 624) that would increase the maximum amount of the bonus from $25,000 to $30,000 payable to nuclear-qualified officers who extend their active duty service.

The Senate amendment contained no similar provision.

The Senate recedes.

Increase in maximum amount of nuclear career annual incentive bonus for nuclear-qualified officers trained while serving as enlisted members (sec. 638)

The House bill contained a provision (sec. 625) that would increase the maximum amount of the nuclear career annual incentive bonus from $10,000 to $14,000 for officers who previously, as enlisted members, received training for duty in connection with the supervision, operation, and maintenance of naval nuclear propulsion plants.

The Senate amendment contained no similar provision.

The Senate recedes.

Uniform payment of foreign language proficiency pay to eligible reserve component members and regular component members (sec. 639)

The House bill contained a provision (sec. 626) that would establish one authority for foreign language proficiency pay that specifies the same maximum amount and installment or lump sum payment options for both active component and reserve component members.

The Senate amendment contained a similar provision (sec. 622).

The Senate recedes with an amendment that would prescribe the conditions and circumstances under which repayment of foreign language proficiency pay would be required.

Retention bonus for members qualified in certain critical skills or assigned to high priority units (sec. 640)

The House bill contained a provision (sec. 627) that would authorize the retention bonus for members qualified in a critical military skill under section 323 of title 37, United States Code, to be paid to reserve component members and would authorize the Secretary of Defense to establish additional criteria for payment of the bonus. The provision would also eliminate the prohibition of payment for service beyond 25 years for members qualified in designated special operations and naval nuclear skills.

The Senate amendment contained a provision (sec. 619) that would add a new section to title 37, United States Code, that would authorize a retention bonus for members qualified in a critical military skill with a maximum bonus amount of $100,000 over the course of a career. Payment of the bonus would also be authorized for certain members of the Selected Reserve who volunteer for assignment to high priority units.

The Senate recedes with an amendment that would limit the maximum retention bonus amount for reserve component members to $100,000 and make it available to Selected Reserve members who volunteer for assignment to high priority units.

Incentive bonus for transfer between Armed Forces (sec. 641)

The Senate amendment contained a provision (sec. 623) that would authorize payment of an incentive bonus not to exceed $2,500 to military members of the active and reserve components who transfer from the regular or reserve component of one service to the regular or reserve component of another service.

The House bill contained no similar provision.

The House recedes.

Availability of special pay for members during rehabilitation from wounds, injuries, and illnesses incurred in a combat operation or combat zone (sec. 642)

The House bill contained a provision (sec. 1527) that would authorize the service secretaries to pay $430 per month to service members with combat-related injuries sustained in a combat operation or zone designated by the Secretary of Defense. The pay would begin the month immediately following medical evacuation. The pay would terminate at the end of the first month during which the member is either paid a benefit under the traumatic injury protection plan or the member is no longer hospitalized in a military treatment facility or under the auspices of the military health care system.

The Senate amendment contained a provision (sec. 620) that would extend eligibility for receipt of special pay for duty subject to hostile fire or imminent danger from 3 months to the duration of hospitalization for wounds or injuries incurred in combat.

The Senate recedes with an amendment that would expand eligibility of the monthly special pay of $430 to include members who incur wounds, injuries, or illnesses in the line of duty in a combat operation or combat zone designated by the Secretary and who is evacuated from the theater of the combat operation or from the combat zone for medical treatment. The special pay would be reduced by the amount of hostile fire or imminent danger pay received.

Pay and benefits to facilitate voluntary separation of targeted members of the Armed Forces (sec. 643)

The Senate amendment contained a provision (sec. 674) that would authorize payment of separation pay and benefits to eligible members who, under regulations approved by the Secretary of Defense, are voluntarily separated from active duty in the Armed Forces. Under this provision, no member could receive as voluntary separation pay an amount greater than three times the full amount of separation pay for a member of the same pay grade and years of service who is involuntarily separated under section 1174 of title 10, United States Code. The provision would be limited in its applicability until December 31, 2008, to officers who have served more than 6 years, but less than 12 years, as of the date of separation from active duty. The provision would also authorize the Secretary of Defense to approve the convening of selective early retirement boards for officers of the Navy and Air Force from October 1, 2005, through December 31, 2011.

The House bill contained no similar provision.

The House recedes with an amendment that would limit the maximum amount of voluntary separation pay under this provision to no greater than two times the full amount of separation pay for a member of the same pay grade and years of service who is involuntarily separated under section 1174 of title 10, United States Code.

Ratification of payment of critical-skills accession bonus for persons enrolled in Senior Reserve Officers' Training Corps obtaining nursing degrees (sec. 644)

The House bill contained a provision (sec. 628) that would authorize nursing students enrolled in Reserve Officers' Training Corps (ROTC) programs to receive a critical skills accession bonus of $5,000 or less under section 324 of title 10, United States Code, so long as they have completed the second year of an accredited baccalaureate degree program and they execute an agreement to serve on active duty as a commissioned officer in the Army Nurse Corps. The provision would also clarify that agreements paid under this subsection are retroactively authorized if executed on or after October 5, 2004.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would limit the applicability of the authorization for payment of the bonus from October 5, 2004, through December 31, 2005.

Temporary authority to pay bonus to encourage members of the Army to refer other persons for enlistment in the Army (sec. 645)

The House bill contained a provision (sec. 675) that would authorize the Secretary of the Army to conduct a pilot program through December 31, 2007, that would allow payment of up to $1,000 in a lump sum to a member of the Army who refers a person, who is not an immediate family member and who has not previously served in the Armed Forces, to an Army recruiter. The bonus would be paid if the referred person enlists in the Army or Army Reserve and successfully completes basic training and individual advanced training. The provision would limit to 1,000 the number of referral bonuses that could be offered under the pilot program during its first year.

The Senate amendment contained a similar provision (sec. 1503) that would also apply to members of the Army Reserve and Army National Guard.

The House recedes with an amendment that would delete the limit of 1,000 on the number of referral bonuses that may be paid during the first year in which they are offered.

Subtitle C—Travel and Transportation Allowances

Authorized absences of members for which lodging expenses at temporary duty location may be paid (sec. 651)

The House bill contained a provision (sec. 641) that would expand the circumstances under which members may continue to receive the lodging portion of their temporary duty per diem during absences from the temporary duty location to include absences approved by the member's unit commander in addition to authorized leave.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment that would require that the leave involved must be authorized under controlling service regulations.

Extended period for selection of home for travel and transportation allowances for dependents of deceased member (sec. 652)

The House bill contained a provision (sec. 642) that would increase the period of time allowed for surviving family members of service members who die while on active duty to select a residence for which they may receive travel and transportation allowances from 1 year to 3 years after the death of the member.

The Senate amendment contained no similar provision.

The Senate recedes.

Transportation of family members in connection with the repatriation of members held captive (sec. 653)

The House bill contained a provision (sec. 643) that would authorize the service secretaries to provide travel and transportation allowances for three family members of a military member on active duty who was held captive or was otherwise missing to the location where the member has been repatriated. The provision would also authorize waiver of the limitation on the number of

family members of a member provided travel and transportation allowances in circumstances determined to be appropriate by the Secretary concerned.

The Senate amendment contained a similar provision (sec. 631(a)).

The House recedes with an amendment that would authorize waiver of the limitation on the number of family members who may be provided travel and transportation allowances in circumstances determined to be appropriate by the Secretary concerned.

The conferees note that authority for the transportation of family members in connection with the repatriation of federal civilian employees held captive is separately included in this Act.

Increased weight allowances for shipment of household goods of senior noncommissioned officers (sec. 654)

The House bill contained a provision (sec. 644) that would increase the authorized weight allowance for the shipments of household goods for members in enlisted grades of E–9, E–8, and E–7, with and without dependents.

The Senate amendment contained no similar provision.

The Senate recedes.

Permanent authority to provide travel and transportation allowances for family members to visit hospitalized members of the Armed Forces injured in combat operation or combat zone (sec. 655)

The House bill contained a provision (sec. 1525) that would authorize payment of travel and transportation allowances for dependent family members to visit service members hospitalized in the United States who have incurred injuries in a combat operation or area designated as a combat operation or combat zone by the Secretary of Defense.

The Senate amendment contained a similar provision (sec. 631(b)(2)).

The Senate recedes with an amendment that would clarify that eligibility for family members to travel under the authority of this provision is not conditioned on dependent status.

Subtitle D—Retired Pay and Survivor Benefits

Monthly disbursement to states of State income tax withheld from retired or retainer pay (sec. 661)

The House bill contained a provision (sec. 651) that would authorize payment to the states of monies voluntarily withheld from retired or retainer pay for tax purposes on a monthly, vice quarterly, basis.

The Senate amendment contained a similar provision (sec. 1007).

The Senate recedes.

Denial of certain burial-related benefits for individuals who committed a capital offense (sec. 662)

The House bill contained a provision (sec. 653) that would expand the reasons for denying military honors at the funeral or bur-

ial service of a member or former member by prohibiting such honors when the circumstances surrounding the death of the individual, or other circumstances involving the individual as specified by the Secretary of Defense, would bring discredit to the military department concerned.

The Senate amendment contained a provision (sec. 678) that would amend section 2411 of title 38, United States Code, to prohibit burial in a national cemetery of persons who were convicted of capital offenses under federal or state law as defined in section 2411. The provision would amend section 985 of title 10, United States Code, to prohibit rendering of funeral honors using the revised criteria in section 2411 for denial of burial. The provision would also prohibit rendering of funeral honors when the circumstances surrounding the person's death or other circumstances as specified by the Secretary are such that to provide military honors at the funeral or burial of the person would bring discredit upon the service.

The House recedes with a technical amendment.

Concurrent receipt of veterans disability compensation and military retired pay (sec. 663)

The House bill contained a provision (sec. 655) that would curtail the 10-year phased implementation of full concurrent receipt for military retirees receiving veterans disability compensation at the rate payable for 100 percent disability by reason of a determination of individual unemployability. The provision would authorize such retirees to receive full concurrent receipt of veterans disability compensation and military retired pay on October 1, 2009.

The Senate amendment contained a similar provision (sec. 645 (a)) that would authorize eligible disabled military retirees to receive full concurrent receipt effective on date of enactment of this Act.

The Senate recedes with a technical amendment.

Additional amounts of death gratuity for survivors of certain members of the Armed Forces dying on active duty (sec. 664)

The Senate amendment contained a provision (sec. 641) that would increase the amount of the death gratuity, effective retroactively to October 7, 2001, payable under sections 1475 through 1478 of title 10, United States Code, from $12,000 to $100,000 in all cases in which military members die on active duty. It would also modify section 1967 of title 38, United States Code, that would increase the maximum amount payable under the Servicemembers' Group Life Insurance (SGLI) program. The Senate amendment also contained a provision (sec. 645(c)) that would require that the additional payment of $150,000 authorized under section 1013(e)(2) of division A of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13) be paid to survivors of all military personnel who died on or after October 7, 2001.

The House bill contained a provision (sec. 1523) that would authorize, effective October 1, 2005, an increased death gratuity of $100,000 to be paid to designated beneficiaries of military deaths

resulting from wounds, injuries, and illnesses incurred as a result of combat-related circumstances.

The House recedes with an amendment that would delete modification of the SGLI program, and provide that amounts for payments of the increased death gratuity after the date of the enactment of this Act for deaths occurring before the date of the date of enactment of this Act be derived from supplemental appropriations for the Department of Defense for fiscal year 2006 for military operations in Iraq and Afghanistan and the global war on terrorism contingent upon such appropriations being enacted.

The conferees note that the Servicemembers' Group Life Insurance Enhancement Act of 2005 (Public Law 109–80), which was enacted on September 30, 2005, increased the maximum amount of coverage available under the SGLI program to $400,000 and modified the spousal notice provisions.

Child support for certain minor children of retirement-eligible members convicted of domestic violence resulting in death of child's other parent (sec. 665)

The House bill contained a provision (sec. 654) that would authorize the payment of child support from a member's disposable retired pay to a dependent child of the member when the member's retired pay eligibility has been terminated because of the member's abuse of a spouse that resulted in the death of the spouse. The dependent child would become eligible to receive child support after effective service of a court order providing for such payment.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Comptroller General report on actuarial soundness of the Survivor Benefit Plan (sec. 666)

The House bill contained a provision (sec. 656) that would allow veterans who elect insurable interest coverage under the Survivor Benefit Plan (SBP) to redesignate a beneficiary if their originally-named beneficiary predeceases them.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Comptroller General to submit a report by July 31, 2006, on the actuarial soundness of the SBP. The elements of the report would include an assessment of the implications for the actuarial soundness of the SBP program of recent SBP legislative changes and projected required levels of government contributions and payments to the SBP program; and an assessment of the implications of permitting SBP program participants to designate a new insurable interest beneficiary if a previously designated beneficiary predeceases them and also of repealing the required reduction of the monthly SBP annuity by dependency and indemnity compensation.

Subtitle E—Commissary and Nonappropriated Fund Instrumentality Benefits

Increase in authorized level of supplies and services procurement from overseas exchange stores (sec. 671)

The House bill contained a provision (sec. 661) that would authorize an increase from $50,000 to $100,000 of the dollar limit for purchases by defense entities from military exchanges for goods and services outside the United States.

The Senate amendment contained a similar provision (sec. 325).

The Senate recedes.

Requirements for private operation of commissary store functions (sec. 672)

The House bill contained a provision (sec. 662) that would establish a moratorium on studies to compare the cost effectiveness of commissary operations employing federal civilian employees and such operations employing private sector employees through December 31, 2010.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would establish the moratorium on such studies through December 31, 2008.

Provision of and payment for overseas transportation services for commissary and exchange supplies and products (sec. 673)

The House bill contained a provision (sec. 664) that would mandate that appropriated funds be used to pay for all expenses to ship exchange goods to overseas locations for sale to military personnel and their families.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment to add exchange products to the authority for overseas transportation.

Compensatory time off for certain nonappropriated fund employees (sec. 674)

The House bill contained a provision (sec. 665) that would authorize managers to grant nonappropriated fund employees compensatory time off instead of overtime pay for overtime work when requested by the employee.

The Senate amendment contained a similar provision (sec. 1102).

The Senate recedes.

Rest and Recuperation Leave Programs (sec. 675)

The Senate amendment contained a provision (sec. 342) that would authorize $7.0 million for Operation and Maintenance, Defense-wide activities for the reimbursement of expenses of the Armed Forces Recreation Centers related to utilization of the facilities under official Rest and Recuperation Leave Programs.

The House bill contained no similar provision.

The House recedes.

Subtitle F—Other Matters

Temporary Army authority to provide additional recruitment incentives (sec. 681)

The Senate amendment contained a provision (sec. 673) that would authorize the Secretary of Defense to develop and initiate incentives not otherwise authorized by law to encourage military service. The provision, among other conditions, would require the Secretary to submit plans describing proposed projects to Congress not later than 30 days before implementation. The authority to conduct projects under this provision would terminate not later than the end of the 3-year period beginning on the date on which implementation commences. The Secretary would be required to submit to Congress on an annual basis a report on the incentives provided under this authority during the preceding year.

The House bill contained no similar provision.

The House recedes with an amendment that would limit this authority to the Department of the Army and permit no more than four recruitment projects. Recruitment incentives under this authority would be offered for not longer than a 3-year period and required notice would be 45 days before implementation. This provision would be effective until December 31, 2009.

Clarification of leave accrual for members assigned to a deployable ship or mobile unit or other duty (sec. 682)

The House bill contained a provision (sec. 674) that would clarify that service members assigned to a deployable ship or mobile unit, or other designated units may be authorized to accumulate up to 120 days of leave.

The Senate amendment contained a similar provision (sec. 571) that would also authorize accrual of up to 120 days for members who, on or after August 29, 2005, perform duty designated by the Secretary of Defense as qualifying duty for purposes of this provision.

The House recedes.

Expansion of authority to remit or cancel indebtedness of members of the Armed Forces incurred on active duty (sec. 683)

The conferees agree to a provision that would amend sections 4837, 6161, and 9837 of title 10, United States Code, to expand the authority of the service secretaries to remit or cancel indebtedness of members of the Armed Forces incurred on active duty. The provision would authorize the service secretaries, under regulations prescribed by the Secretary of Defense, to forgive indebtedness of officers, as well as enlisted personnel, in cases in which the member is on active duty or in an active status or during the 1-year period beginning on the date a member is discharged or released from active status. The provision would authorize remission or cancellation of debts effective as of October 7, 2001, and expire on December 31, 2007.

Loan repayment program for chaplains in the Selected Reserve (sec. 684)

The Senate amendment contained a provision (sec. 675) that would authorize service secretaries, under regulations prescribed by the Secretary of Defense, to repay certain education loans incurred by chaplains in the Selected Reserve.

The House bill contained no similar provision.

The House recedes with a technical amendment that would permit service regulations to control the types of education loans that would be eligible for repayment under this provision.

Inclusion of Senior Enlisted Advisor for the Chairman of the Joint Chiefs of Staff among senior enlisted members of the Armed Forces (sec. 685)

The House bill contained a provision (sec. 671) that would add the Senior Enlisted Advisor for the Chairman of the Joint Chiefs of Staff to the list of senior enlisted positions designated to receive the highest level of pay for an enlisted member effective on the date on which an enlisted member is appointed to serve in that position.

The Senate amendment contained no similar provision.

The Senate recedes.

Special and incentive pays considered for saved pay upon appointment of members as officers (sec. 686)

The House bill contained a provision (sec. 672) that would update and add to the list of special and incentive pays and allowances that should be considered in determining the amount of pay and allowances of an enlisted grade formerly held by an officer who continues to perform the duties creating the eligibility for such pay and allowances and who may be entitled to saved pay treatment. The provision would clarify that the pay and allowances of an enlisted or warrant officer grade formerly held by an officer may continue to be paid to the officer only when the officer continues to perform the duty that creates the entitlement to, or the eligibility for, the pay or allowance.

The Senate amendment contained a similar provision (sec. 604).

The House recedes with a technical amendment.

Repayment of unearned portion of bonuses, special pays, and educational benefits (sec. 687)

The House bill contained a provision (sec. 673) that would consolidate policies and procedures for repayment of unearned portions of bonuses, special pays, and educational benefits into one section. The provision would also clarify that the services may establish procedures for all such programs for determining the amount of the repayment required and the circumstances under which an exception to the required repayment may be granted.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Rights of members of the Armed Forces and their dependents under Housing and Urban Development Act of 1968 (sec. 688)

The Senate amendment contained a provision (sec. 676) that would amend section 1701 of title 12, United States Code, to require that written notice be provided to homeowners explaining the mortgage and foreclosure rights of servicemembers and their dependents under the Servicemembers' Civil Relief Act (50 U.S.C. 501 et seq.)

The House bill contained no similar provision.

The House recedes with a technical amendment.

Extension of eligibility for SSI for certain individuals in families that include members of the Reserve and National Guard (sec. 689)

The Senate amendment contained a provision (sec. 677) that would amend section 1631(j)(1)(B) of the Social Security Act (42 U.S.C. 1383(j)(1)(B)) by changing from 12 to 24 months the amount of time that the income of certain individuals in families that include members of the reserve and National Guard may exceed prescribed limits for eligibility for Supplemental Security Income (SSI) before re-application for SSI benefits would be required. This provision would only apply to members of reserve components who were called to active duty under sections 12301(d) or 12302 of title 10, United States Code, or section 502(f) of title 32, United States Code.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Information for members of the Armed Forces and their dependents on rights and protections of the Servicemembers Civil Relief Act (sec. 690)

The Senate amendment contained a provision (sec. 654) that would require the services to provide to military members and their families pertinent information on the rights and protections available under the Servicemembers Civil Relief Act (SCRA) (50 U.S.C. App. 501 et seq). This information should be provided during initial orientation training, when members of the reserve are mobilized or individually called or ordered to active duty for periods of more than 1 year, and at other appropriate times. The provision would authorize the services to provide adult dependents of military members information on their rights and protections under the SCRA.

The House bill contained no similar provision.

The House recedes with a technical amendment.

LEGISLATIVE PROVISIONS NOT ADOPTED

Comptroller General report regarding compensation and benefits for reserve component members

The House bill contained a provision (sec. 677) that would require the Comptroller General to prepare a report reviewing the terms and elements of reserve compensation, benefits, and personnel support programs, including the retirement system.

The Senate amendment contained no similar provision.

The House recedes.

Effective date for paid-up coverage under SBP

The Senate amendment contained a provision (sec. 644) that would amend section 1452(j) of title 10, United States Code, to change the effective date for paid-up coverage under the Survivor Benefit Plan from October 1, 2008, to October 1, 2005.

The House bill contained no similar provision.

The Senate recedes.

Increase in maximum rate of assignment incentive pay

The Senate amendment contained a provision (sec. 671) that would authorize and increase the maximum rate of monthly assignment incentive pay from $1,500 to $3,000.

The House bill contained no similar provision.

The Senate recedes because this authorization is included elsewhere in this report.

Provision of information technology services for accommodations provided by non-appropriated fund instrumentalities for wounded members of the Armed Forces and their families

The House bill contained a provision (sec. 663) that would authorize the secretary concerned to provide information technology equipment and Internet access to service members and their families residing in facilities operated by non-appropriated funds while the member receives medical treatment.

The Senate amendment contained no similar provision.

The House recedes.

Repeal of requirement of reduction of SBP survivor annuities by dependency and indemnity compensation

The Senate amendment contained a provision (sec. 643) that would amend sections 1450 and 1451 of title 10, United States Code, to repeal the requirement for reduction of annuities received under the Survivor Benefit Plan (SBP) by the amount of dependency and indemnity compensation paid to beneficiaries under section 1311(a) of title 38, United States Code.

The House bill contained no similar provision.

The Senate recedes.

The conferees believe that a comprehensive assessment of the SBP program is needed. In a separate provision in this report, the Comptroller General is directed to study the SBP including assessments of the implications for the actuarial soundness of recent SBP legislative changes and projected required levels of government contributions and payments to the SBP program, and an assessment of the implications of permitting SBP program participants to designate a new insurable interest beneficiary if a previously designated beneficiary predeceases them and of repealing the required reduction of the monthly SBP annuity by dependency and indemnity compensation.

Revision to eligibility for nonregular service retirement after establishing eligibility for regular retirement

The House bill contained a provision (sec. 652) that would allow service members who are qualified for active duty retirement to continue to serve in an active reserve status and remain eligible for a reserve retirement at age 60 without being required to be formally retired under the applicable active duty authority as required by current law.

The Senate amendment contained no similar provision.

The House recedes.

Special compensation for reserve component members who are also tobacco farmers adversely affected by terms of tobacco quota buyout

The House bill contained a provision (sec. 676) that would require the Secretary of Defense to reimburse members of the reserve component who received reduced compensation under the Fair and Equitable Tobacco Reform Act of 2004 (Public Law 108–357 (title VI)) (7 U.S.C. 518) as a result of their mobilization to serve on active duty. The provision would require the Secretary of Defense, in consultation with the Secretary of Agriculture, to pay members who were producers of quota tobacco for at least 2 of the 3 tobacco market years before 2002 an amount equal to 70 percent of the difference between the amount the member will receive under the Act and the amount the member would have likely received had the member remained a full-time producer of quota tobacco and had not been ordered to active duty.

The Senate amendment contained no similar provision.

The House recedes.

The conferees recognize that certain mobilized reservists, who are full-time tobacco farmers and tobacco quota holders, may have been precluded from qualifying under the Fair and Equitable Tobacco Reform Act of 2004 for benefits as a result of their active duty service. The conferees believe that every effort should be made to fairly compensate reserve and National Guard members whose military service adversely affected their standing under the tobacco reform program. The conferees urge the Secretary of Agriculture, in consultation with the Secretary of Defense, to take appropriate action to develop a means to assure equitable treatment of qualifying members of the reserve and National Guard.

TITLE VII—HEALTH CARE PROVISIONS

ITEMS OF SPECIAL INTEREST

Plan to expedite authorization for use of medical products in an avian or pandemic influenza emergency

The conferees note that the Project BioShield Act of 2004 (Public Law 108–276) provides a framework for authorizing the emergency use of medical products that are not approved by the Food and Drug Administration (FDA) or the Department of Health and Human Services (HHS). The conferees further note that avian and pandemic influenza are an emerging threat to military personnel, dependents of military personnel on military installations, and ci-

vilian personnel within the Department of Defense. Currently, no FDA approved vaccine for avian influenza is available.

Consequently, the conferees direct the Secretary of Defense, in coordination with the Secretary of Health and Human Services, to submit to the Committees on Armed Services of the Senate and the House of Representatives not later than May 1, 2006, a plan to expedite authorization for use of unapproved medical products in an avian or pandemic influenza emergency with respect to military personnel, dependents of military personnel on military installations, and civilian personnel within the Department of Defense.

The plan shall include the following: (1) identification of each element of the Department of Defense that will be responsible for carrying out the plan to expedite authorization for emergency use of medical products; (2) a statement of how and under what circumstances the Department of Defense and the Military Vaccine Agency in particular would collaborate with the Department of Health and Human Services regarding the preparation of the documents to support the filing of an Emergency Use Authorization for the H5N1 influenza vaccine or vaccines for other strains of avian or pandemic influenza; (3) a statement of how the Secretary of Health and Human Services is evaluating the "Criteria For Issuance Authorization" (detailed in Public Law 108–276 § 564c; title 21 U.S.C. § 360bbb–3c) in advance of a declared pandemic influenza emergency; (4) a statement of how and under what circumstances the Secretary of Health and Human Services would plan to expedite approval of diagnostic tools required for responding to a pandemic avian influenza emergency; (5) a statement of how the Secretary of Health and Human Services is monitoring and reviewing, the emergency use authorization, emerging technologies that can rapidly evaluate, analyze, identify, and treat novel and emerging viruses; and (6) a statement of how and under what circumstances the Department of Defense would execute the authorities provided under the Project BioShield Act of 2004 (Public Law 108–276; title 21 U.S.C. § 360bbb–3) to expedite authorization for emergency use of medical products to respond to an avian or pandemic influenza emergency.

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Improvements to Health Benefits for Reserves

Enhancement of TRICARE Reserve Select Program (sec. 701)

The House bill contained a provision (sec. 703) that would authorize enhancements to the TRICARE Reserve Select Program for members of the Selected Reserve who have served on extended active duty since September 11, 2001, and who commit to continued service in the Selected Reserve, as authorized in section 701 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375). The provision would:

(1) allow an eligible member to accumulate earned coverage under TRICARE Reserve Select, if recalled to active duty before the period of health care coverage for which the member is eligible terminates, and complete each period of coverage consecutively;

(2) allow a member of the Selected Reserve who is enrolled in TRICARE Reserve Select and who is separated from service involuntarily, to include involuntary retirement, to complete a period of health care coverage under TRICARE Reserve Select after separation from service;

(3) authorize the Secretary of Defense to establish special circumstances under which members of the Individual Ready Reserve would qualify for enrollment in TRICARE Reserve Select;

(4) allow a member of the Individual Ready Reserve who is unable to find a position in the Selected Reserve and who is otherwise eligible for coverage under this section a period of 1 year in which to find a position in the Selected Reserve, during which the member's eligibility is retained, but coverage would not begin until the member becomes a member of the Selected Reserve;

(5) authorize 6 months of extended health care coverage for family members following the death of a reserve member; and

(6) allow a member 120 days after release from active duty to elect participation in TRICARE Reserve Select.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would allow eligible members of the Selected Reserve to consecutively complete earned periods of TRICARE coverage; allow a member of the Individual Ready Reserve to retain eligibility for coverage for 1 year while finding a position in the Selected Reserve; authorize 6 months of extended health care coverage for family members following the death of a reserve member; and allow 90 days after release from active duty for an eligible member of the Selected Reserve to elect participation in TRICARE Reserve Select.

Expanded eligibility of members of the Selected Reserve under the TRICARE program (sec. 702)

The Senate amendment contained a provision (sec. 705) that would expand eligibility for nearly all members of the Selected Reserve to enroll in TRICARE Standard while in a non-active duty status, whether or not the member had served on extended active duty in support of a contingency. The member would pay a premium equal to 28 percent of the annual premium established by the Secretary of Defense as the basis for such coverage.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize TRICARE Standard coverage for all members of the Selected Reserve, and their families, who commit to continued service in the Selected Reserve. The amendment would also set the level of government subsidy based on new categories of eligibility.

The amendment, combined with enhancements to TRICARE Reserve Select authorized elsewhere in this Act, would establish a multi-tier TRICARE benefit. The highest tier of TRICARE coverage would be for reserves who have served on extended periods of active duty in support of a contingency operation since September 11, 2001, and who commit to continued service in the Selected Reserve.

The amendment would expand eligibility for government-subsidized TRICARE coverage by creating two additional tiers of coverage. One new tier of coverage would authorize members of the Selected Reserve who are not eligible for coverage under TRICARE Reserve Select and who receive unemployment compensation or who do not have access to employer-provided insurance to obtain coverage under the Standard option of TRICARE while in a non-active duty status. The member would pay 50 percent of the annual premium established by the Secretary for such coverage. The coverage would be available as long as the member continues to serve in the Selected Reserve, and would include all benefits of the TRICARE Standard option, including access to military treatment facilities on a space-available basis.

The amendment would further authorize a third tier of coverage for members of the Selected Reserve in a non-active duty status who, though they have not served on extended active duty in support of a contingency and have access to employer-provided health care coverage, elect coverage under TRICARE Standard. In this instance, the member would pay 85 percent of the annual premium established by the Secretary and coverage would be available, as is true for all health care options available to reserves, only as long as the member continues as a drilling member of the Selected Reserve.

The amendment would require that the Secretary implement the new benefits for members of the Selected Reserve not later than October 1, 2006.

The conferees view expanded benefits for members of the Selected Reserve as an opportunity for members of the Selected Reserve and their families, who commit to continued service in the Selected Reserve, to have access to high quality health care coverage under TRICARE while they are in a non-active duty status. The amendment is not intended to replace employer-provided health insurance, or for the member to be made ineligible for or to be persuaded to opt out of employer-provided health insurance based on membership in the reserves.

Subtitle B—TRICARE Program Improvements

Additional information required by surveys on TRICARE Standard (sec. 711)

The House bill contained a provision (sec. 702) that would expand the scope of the survey of the TRICARE Standard health care program that is required by section 723 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136).

The Senate amendment contained a similar provision (sec. 715).

The Senate recedes.

Availability of chiropractic health care services (sec. 712)

The House bill contained a provision (sec.704) that would require the Secretary of Defense to conduct a study of the costs and feasibility of providing chiropractic health care services to the following categories of beneficiaries in the military health care system: active duty and their dependents, reserve component members

and their dependents, and retirees and their dependents. The provision would also require the Secretary to develop a plan not later than March 31, 2006, to provide chiropractic health care services and benefits as a permanent part of the Defense Health Program (including TRICARE), and report to the congressional defense committees not later than March 31, 2006, on the study and plan.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Air Force to complete implementation of chiropractic services for active duty members at 11 sites, which had not opened in accordance with the Department of Defense Report on Chiropractic Health Care Implementation Plan (August 2001). The amendment would authorize the Secretary to identify alternate sites if any of the 11 identified in the Department of Defense report is no longer feasible.

The conferees applaud the efforts of the Army and the Navy to provide chiropractic services to active duty members in accordance with the August 2001 plan, and encourage the Army and Navy to complete implementation at all sites identified in the August 2001 plan as well.

Surviving-dependent eligibility under TRICARE dental plan for surviving spouses who were on active duty at time of death of military spouse (sec. 713)

The House bill contained a provision (sec. 705) that would expand eligibility for survivor benefits under the TRICARE dental plan to include the active duty spouse of a member who dies while on active duty for a period of more than 30 days.

The Senate amendment contained a similar provision (sec. 703).

The Senate recedes.

Exceptional eligibility for TRICARE Prime Remote (sec. 714)

The House bill contained a provision (sec. 706) that would authorize the Secretary of Defense to waive the requirement in section 1079(p) of title 10, United States Code, that a dependent eligible for coverage under the TRICARE Prime Remote program reside with the member, if the Secretary determines that exceptional circumstances exist that warrant such coverage.

The Senate amendment contained no similar provision.

The Senate recedes.

Increased period of continued TRICARE Prime coverage of children of members of the uniformed services who die while serving on active duty for a period of more than 30 days (sec. 715)

The Senate amendment contained a provision (sec. 704) that would authorize any dependent child of a deceased service member to continue to receive benefits under TRICARE Prime as if the service member parent were still alive, and without annual premiums, until the age of 21 or 23 if enrolled in an educational program.

The House bill contained no similar provision.

The House recedes.

TRICARE Standard in TRICARE regional offices (sec. 716)

The Senate amendment contained a provision (sec. 711) that would require the designation of a position in each TRICARE regional office for the purpose of assisting beneficiaries who use the Standard option under the TRICARE program.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify that the TRICARE regional offices would be responsible for the monitoring, oversight, and improvement of the Standard option. The amendment would require an annual report to the Committees on Armed Services of the Senate and the House of Representatives on those activities, including actions taken by the Department of Defense to address challenges that have been identified by health care providers and beneficiaries with respect to use of the TRICARE Standard option.

Qualifications for individuals serving as TRICARE regional directors (sec. 717)

The Senate amendment contained a provision (sec. 718) that would require that, effective on the date of enactment of this Act, any individual serving in the position of TRICARE Regional Director must be either a general or flag officer, or Department of Defense civilian in the Senior Executive Service, and have at least 10 years of health care experience.

The House bill contained no similar provision.

The House recedes with an amendment that would require that the qualifications apply to persons selected for such positions as of the date of enactment of this Act, and clarify that a non-Department of Defense civilian who possesses the required experience may be selected to serve in the position of TRICARE Regional Office Director.

Subtitle C—Mental Health-Related Provisions

Program for mental health awareness for dependents and pilot project on Post-Traumatic Stress Disorder (sec. 721)

The House bill contained a provision (sec. 718) that would require the Secretary of Defense to develop a program to increase awareness of the availability of mental health services for dependents of members of the Armed Forces in both the active and reserve components whose sponsor has served or will serve in a combat theater of operations. The provision would require the Secretary to evaluate whether the effectiveness of the mental health awareness program would be improved by providing materials in languages other than English.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary to develop a pilot project on Post-Traumatic Stress Disorder (PTSD). The pilot project would be designed to evaluate Internet-based tools available to military and civilian health care providers for early diagnosis and treatment of PTSD, and Internet tools to assist family members in the identification of the emergence of PTSD. The amendment would require a report to the con-

gressional defense committees not later than June 1, 2006, on the pilot project.

Pilot projects on early diagnosis and treatment of Post-Traumatic Stress Disorder and other mental health conditions (sec. 722)

The Senate amendment contained a provision (sec. 732) that would require the Secretary of Defense to carry out three pilot projects on early diagnosis and treatment of Post-Traumatic Stress Disorder and other mental health conditions.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the Secretary to carry out two pilot projects under this section, which are related to clinical diagnosis and treatment of active and reserve members. Elsewhere in this Act, the Department of Defense Task Force on Mental Health is required to identify the projects in its report. A pilot project to facilitate Internet-based diagnosis and treatment of Post-Traumatic Stress Disorder and other mental health conditions is required elsewhere in this act.

Department of Defense task force on mental health (sec. 723)

The Senate amendment contained a provision (sec. 733) that would require the Secretary of Defense to establish a task force to examine mental health issues in the Armed Forces. The task force would consist of 14 members appointed by the Secretary, and would be required to develop a long-term plan to improve mental health services provided to members of the Armed Forces.

The House bill contained no similar provision.

The House recedes with an amendment that would require that persons appointed to the task force have expertise in national mental health policy and military personnel matters, and that such members would include at least one family member of a member of the Armed Forces who has experience working with military families. The amendment would also require the task force to identify pilot projects on early diagnosis and treatment of Post-Traumatic Stress Disorder and other mental health conditions authorized elsewhere in this Act, as well as to evaluate the efficacy of programs to ensure a seamless transition of care for members on active duty from the Department to the Department of Veterans Affairs. The amendment would require a report on the efficiency of pre- and post- deployment mental health screening, including mental health screenings for members of the Armed Forces who have experienced multiple deployments. The amendment would require the Secretary to develop a plan based on the recommendations of the task force, and submit the plan to the Committees on Armed Services of the Senate and House of Representatives not later than 6 months after receipt of the task force report.

Subtitle D—Studies and Reports

Study relating to predeployment and postdeployment medical exams of certain members of the Armed Forces (sec. 731)

The House bill contained a provision (sec. 719) that would require the Secretary of Defense to conduct a study of the effective-

ness of self-administered surveys included in predeployment and postdeployment medical exams of members of the Armed Forces.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require that the study on the effectiveness of the surveys include the mental health portion of the self-administered surveys, and would require the Secretary to submit a report on the results of their study to the Committees on Armed Services of the Senate and the House of Representatives no later than 120 days after the date of enactment of this Act.

Requirements for physical examinations and medical and dental readiness for members of the Selected Reserve not on active duty (sec. 732)

The Senate amendment contained a provision (sec. 531) that would require a comprehensive physical examination on an annual basis for members of the Selected Reserve.

The House bill contained no similar provision.

The House recedes with an amendment that would require a comprehensive medical readiness health and dental assessment on an annual basis and physical examinations as the Secretary of Defense deems appropriate, and would require an annual report to the Secretary concerned of the medical and dental readiness of the member to perform military duties.

Report on delivery of health care benefits through military health care system (sec. 733)

The Senate amendment contained a provision (sec. 712) that would require the Secretary of Defense to submit to the congressional defense committees a report on the delivery of health care benefits through the military health care system. The report would include recommendations for legislative or administration action, as the Secretary considers necessary, to improve the efficiency and quality of the military health care system.

The House bill contained no similar amendment.

The House recedes.

Comptroller General studies and report on differential payments to children's hospitals for health care for children dependents and maximum allowable charge for obstetrical care services under TRICARE (sec. 734)

The Senate amendment contained a provision (sec. 713) that would require the Comptroller General to conduct a study of the effectiveness of the Department of Defense system of differential payments to children's hospitals for health care services for the dependent children of military members. The Secretary of Defense would be required to report to the congressional defense committees not later than November 1, 2006, on any legislative proposals recommended by the Comptroller General and the costs associated with their implementation.

The House bill had no similar provision.

The House recedes with an amendment that would require an additional study by the Comptroller General of the participation of civilian providers of obstetrical services in the TRICARE program,

and of the effectiveness of the payment system under TRICARE for obstetrical care services.

Report on the Department of Defense AHLTA global electronic health record system (sec. 735)

The Senate amendment contained a provision (sec. 719) that would require the Secretary of Defense to submit a report to Congress on the Department of Defense Composite Health Care System II.

The House bill contained no similar provision.

The House recedes with an amendment that would remove the requirement for the report to include a description of the amounts obligated and required for the system, and to incorporate the new name, AHLTA, of the Department of Defense electronic health record system.

The conferees applaud the Department for its development of an electronic health record system for the military health care system, and join in support of the Department's vision for a continuously updated digital medical record that would be completely transferable electronically to the Veterans' Health Administration. The conferees believe it is critical that the Department adhere to the schedule for full implementation of the AHLTA system in 800 military health clinics and 70 military hospitals throughout the world by December 2006.

Comptroller General study and report on Vaccine Healthcare centers (sec. 736)

The Senate amendment contained a provision (sec. 720) that would require the Secretary of Defense to maintain a joint military medical center of excellence focusing on the medical needs arising from mandatory military vaccinations. The centers would provide medical assistance to individuals receiving mandatory military vaccinations and related research and educational activities.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Comptroller General to conduct a study of the Vaccine Healthcare Centers operated by the Department of Defense, and to submit its findings and recommendations no later than May 30, 2006.

Report on adverse health events associated with use of anti-malarial drugs (sec. 737)

The Senate amendment contained a provision (sec. 731) that would require the Secretary of Defense to conduct a study of adverse health events that may be associated with the use of anti-malarial drugs, including mefloquine.

The House bill contained no similar provision.

The House recedes with an amendment to require that the study include a comparison of health and mental health events, which may be associated with different anti-malarial drugs. The conferees expect that in conducting the study the Secretary will consult with epidemiological and clinical researchers from other governmental organizations, as well as with researchers outside of the Federal Government.

Report on Reserve dental insurance program (sec. 738)

The Senate amendment contained a provision (sec. 1508) that would require the Secretary of Defense to study and report to the congressional defense committees by February 1, 2007, on the most effective mechanism or mechanisms for paying premiums for the Reserve dental insurance program, and to assess the effectiveness of mechanisms utilized to inform members of the reserve components of the availability and benefits of the program.

The House bill contained no similar provision.

The House recedes.

Demonstration project study on Medicare Advantage regional preferred provider organization option for TRICARE-medicare dual-eligible beneficiaries (sec. 739)

The conferees agree to a provision that would require the Secretary of Defense to conduct a study to evaluate the application of the managed care methods under the new Medicare Advantage program for TRICARE-medicare dual eligible beneficiaries. The provision would require the Secretary to develop a plan to carry out the project only if the Secretary determines that the project is feasible, cost effective, and in the best interests of TRICARE-medicare dual eligible beneficiaries and of the Department of Defense.

Pilot projects on pediatric early literacy among children of members of the Armed Forces (sec. 740)

The Senate amendment contained a provision (sec. 585) that would authorize the Secretary of Defense to conduct pilot projects at up to 20 military medical treatment facilities to assess the feasibility of encouraging pediatric literacy among children of members of the Armed Forces utilizing the "Reach Out and Read" model of pediatric early literacy.

The House bill contained no similar provision.

The House recedes with an amendment that would provide a general authority for such pilot projects.

The conferees expect that in the implementation of the pilot projects, the Secretary would consult with programs such as the Reach Out and Read National Center for advice and assistance in development of effective pediatric literacy projects in a military health care setting.

Subtitle E—Other Matters

Authority to relocate patient safety center; renaming MedTeams program (sec. 741)

The House bill contained a provision (sec. 711) that would eliminate the requirement that the Department of Defense Patient Safety Center be located within the Armed Forces Institute of Pathology. The provision would also remove the name of a trademarked product used in an ongoing medical program.

The Senate amendment contained a similar provision (sec. 717).

The Senate recedes.

Modification of health care quality information and technology enhancement reporting requirement (sec. 742)

The House bill contained a provision (sec. 712) that would modify the annual health care quality reporting requirement of the Department of Defense as required by section 723 of the National Defense Authority Act for Fiscal Year 2000 (Public Law 106–65) to better align the report with current standards in health care quality.

The Senate amendment contained a similar provision (sec. 716).

The Senate recedes with an amendment that would add a reporting requirement on measures of timeliness and accessibility of health care.

The conferees are concerned that military medical leaders at all levels must continue to emphasize accountability and vigilance concerning the quality of military health care services, including the prompt and just disposition of adverse events. Emphasis on cost should never rise to a higher level of priority than the quality of services provided.

The conferees are also concerned that the services provided by civilian networks and other contracted civilian providers be of equally high quality, and encourages the Department to examine health care staffing standards such as those promulgated by the Joint Commission on the Accreditation of Healthcare Organizations to ensure continued high quality standards by civilian providers of care.

Correction to eligibility of certain reserve officers for military health care pending active duty following commissioning (sec. 743)

The House bill contained a provision (sec. 713) that would ensure that Reserve Officers' Training Corps (ROTC) graduates have access to military health benefits while awaiting active duty orders.

The Senate amendment contained a similar provision (sec. 701).

The Senate recedes.

Prohibition on conversions of military medical and dental positions to civilian medical positions until submission of certification (sec. 744)

The House bill contained a provision (sec. 714) that would prohibit the secretary of a military department from converting any military medical position to a civilian medical position until the Secretary of Defense submits a certification to the Committees on Armed Services of the Senate and the House of Representatives that such conversions will not affect health care quality or access. The provision would also require the Comptroller General to conduct a study on the effect of such conversions on the Defense Health Program, and report those findings to Congress not later than March 1, 2006.

The Senate amendment contained a similar provision (sec. 572) that would prohibit the conversion of any medical or dental military position to a civilian position until 90 days after receipt by Congress of a certification by the Secretary of Defense that such conversions did not increase civilian health care costs; that the con-

versions were in support of joint medical and dental readiness requirements of the uniformed services; and that adequate numbers of civilian providers were available to fill civilian positions based on market surveys.

The Senate recedes with an amendment that would require the certification of both medical and dental military position conversions, and would require that the Secretary of Defense submit a report to Congress along with the required certification on actions taken in response to the recommendations of the Comptroller General study.

Clarification of inclusion of dental care in medical readiness tracking and health surveillance program (sec. 745)

The House bill contained a provision (sec. 715) that would clarify that dental readiness is included in the requirement for medical tracking and surveillance activities authorized in the Ronald W. Reagan National Defense Authorization Act for Fiscal year 2005 (Public Law 108–375).

The Senate amendment contained no similar provision.

The Senate recedes.

Cooperative outreach to members and former members of the naval service exposed to environmental factors related to sarcoidosis (sec. 746)

The House bill contained a provision (sec. 716) that would require the Secretary of the Navy, in coordination with the Secretary of Veterans Affairs, to conduct an outreach program to contact members and former members of the naval service who may have increased risk of sarcoidosis as a result of having been exposed to particles resulting from the removal of nonskid coating used on naval ships.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would clarify that the Secretary of the Navy shall attempt to reach as many members and former members of the naval service as possible who may have had such exposure.

Repeal of requirement for Comptroller General reviews of certain Department of Defense-Department of Veterans Affairs projects on sharing of health care resources (sec. 747)

The Senate amendment contained a provision (sec. 714) that would repeal certain reporting requirements for the Comptroller General on defense and veterans affairs health resources sharing projects.

The House bill contained no similar provision.

The House recedes.

Pandemic avian flu preparedness (sec. 748)

The Senate amendment contained a provision (sec. 722) that would require the Secretary of Defense to report to the congressional defense committees on efforts within the Department of Defense to prepare for pandemic influenza, including avian flu.

The House bill contained no similar provision.

The House recedes with an amendment that would expand the report requirements to include acceleration of medical research and development activities.

Follow up assistance for members of the Armed Forces after preseparation physical examinations (sec. 749)

The Senate amendment contained a provision (sec. 1603) that would require the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, to assist a member of the Armed Forces in obtaining necessary follow-up health care services, which are required as a result of a preseparation physical examination. The provision would also require the Secretary to provide information on private sector sources of care and assistance to enroll in the health care system of the Department of Veterans Affairs.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify that the follow-up services would be obtained from the Department of Veterans Affairs.

Policy on role of military medical and behavioral science personnel in interrogation of detainees (sec. 750)

The Senate amendment contained a provision (sec. 1071) that would require the Secretary of Defense to establish a policy on the role of military medical and behavioral science personnel in the interrogation of persons detained by the Armed Forces.

The House bill contained no similar provision.

The House recedes.

The conferees note that the Department of Defense has published Department of Defense Directive 3115.09, "DoD Intelligence Interrogations, Detainee Debriefings and Tactical Questioning" (November 3, 2005), which provides limited guidance on detainee medical issues and refers to standards and procedures set forth by the Assistant Secretary of Defense for Health Affairs (ASD (HA)). The conferees are concerned that the policy on "Medical Program Principles and Procedures for the Protection and Treatment of Detainees in the Custody of the Armed Forces of the United States," dated June 3, 2005, which was issued by the ASD (HA), does not fully address all medical issues, including the role of medical and behavioral personnel in interrogation, and the use and release of detainee medical information.

The conferees expect that in the development of the policy required by this section, the Secretary of Defense will consult with and consider the views of national and international medical and health care professional organizations that are examining the professional ethics that govern their members' work.

The conferees expect that any policy promulgated by the Secretary of Defense concerning the role of medical or behavioral science personnel in interrogation-related matters will reflect the same applicability to DoD civilians, DoD contractors and non-DoD civilians as required by Department of Defense Directive 3115.09.

LEGISLATIVE PROVISIONS NOT ADOPTED

Comptroller General report on expanded partnership between the Department of Defense and the Department of Veterans Affairs on the provision on health care services

The Senate amendment contained a provision (sec. 723) that would require the Comptroller General to provide a report to the appropriate committees of Congress that would contain an overview of the current health care systems of the Department of Defense and the Department of Veterans Affairs; a comparative analysis of the characteristics of each system; and an assessment of the advantages and disadvantages of an expanded partnership between the two Departments for the purpose of providing health care services to military retirees and their dependents.

The House bill contained no similar provision.

The Senate recedes.

Early identification and treatment of mental health and substance abuse disorders

The House bill contained a provision (sec. 717) that would authorize the Secretary of Defense to carry out activities to foster the early identification and treatment of mental health and substance abuse problems experienced by members of the Armed Forces, with emphasis on those who have served in a theater of combat operations in the preceding 12 months. The activities would focus on changing attitudes within the Armed Forces regarding mental health and substance abuse treatment, and would include informational messages directed to military members, their family members, commanders, and supervisory personnel.

The Senate amendment contained no similar provision.

The House recedes.

The Department of Defense Task Force on Mental Health authorized elsewhere in this Act is directed to assess the adequacy of early identification and treatment of mental health and substance abuse problems through the use of internal mass media communication, as well as to assess other tools intended to change attitudes within the Armed Forces regarding mental health and substance abuse treatment.

Limitation on deductible and copayment requirements for nursing home residents under the pharmacy benefits program

The Senate amendment contained a provision (sec. 702) that would limit the out-of-pocket pharmacy expenses for a beneficiary who is a resident of a nursing home and who is required, by state law, to use nursing home pharmacy services that are not part of the pharmacy network under TRICARE.

The House bill contained no similar provision.

The Senate recedes.

Mental health screening of members of the Armed Forces for Post-Traumatic Stress Disorder and other mental health conditions

The Senate amendment contained a provision (sec. 574) that would require the Secretary of Defense to perform mental health screenings on each member of the Armed Forces who is deployed

in a combat operation or to a combat zone. Such screenings would occur prior to deployment, and at 30 and 120 days after the date of the member's return from the deployment.

The House bill contained no similar provision.

The Senate recedes.

A requirement to assess the efficacy of pre- and post-deployment mental health screening is included in the Department of Defense Task Force on Mental Health authorized elsewhere in this Act.

Services of mental health counselors

The House bill contained a provision (sec. 701) that would allow mental health counselors to be reimbursed for services provided to TRICARE beneficiaries without prior physician referral or supervision. The provision would also permit mental health counselors to enter into personal service contracts with the Department of Defense and require that such counselors meet the licensure or certification requirements for "health care professional" established by section 1094 of title 10, United States Code.

The Senate amendment contained a provision (sec. 721) that would authorize mental health counselors who are licensed by a State to provide services without physician referral or supervision in "medically underserved areas" pursuant to section 332 of the Public Health Service Act (42 U.S.C. 254e). The amendment would authorize personal services contracts, and also require the Secretary of Defense to establish rules concerning credentialing or certification of participating mental health counselors and payment rates.

The conference report does not include either provision.

The conferees recognize the valuable services that mental health counselors provide for valid mental health disorders under the TRICARE program. The Department of Defense estimates that, on an annual basis, 28,000 TRICARE beneficiaries have an average of seven visits to mental health counselors, in accordance with existing requirements for physician referral and supervision. The conferees encourage the Department to promote even greater utilization of licensed mental health counselors, where appropriate, as part of an integrated health care team, and to examine ways to make as efficient as possible the method of communication among primary care and mental health care providers involved in the treatment of valid mental health disorders in the TRICARE program.

The conferees direct the Department report to the Committees on Armed Services of the Senate and the House of Representatives within 120 days of the date of enactment of this Act on actions taken to improve the efficiency and effectiveness of procedures facilitate physician referral and supervision of licensed mental health counselors. The report shall include a description of "best practices" employed throughout the military health system to ensure access to services provided by mental health counselors under the TRICARE program. The conferees encourage the Department to monitor closely the progress within the mental health community toward achievement of a national standard for graduate education accreditation and national professional accreditation, to include

uniform professional credentials for licensed mental health counselors. The report should also review the quality of care being provided under the program.

Study and report on civilian and military partnership project

The Senate amendment contained a provision (sec. 724) that would require the Secretary of Defense to conduct a study on the feasibility of conducting a military and civilian partnership project in which Department of Defense and civilian health care providers would provide services to military personnel and civilians at a military medical facility.

The House bill contains no similar provision.

The Senate recedes.

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

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Provisions Relating to Major Defense Acquisition Programs

Requirement for certification before major defense acquisition program may proceed to Milestone B (sec. 801)

The House bill contained a provision (sec. 801) that would require the Secretary of Defense to certify that a major defense acquisition program meets certain criteria (including technological maturity requirements) before it receives Milestone B approval, or key Decision Point B approval in the case of a space program. The Secretary could waive the certification requirement for national security reasons.

The Senate amendment contained two similar provisions (sections 809 and 858). Section 809 would require the Department of Defense to complete an analysis of alternatives before commencing a major defense acquisition program. Section 858 would extend an existing requirement for annual reports on major defense acquisition programs that fail to meet technological maturity requirements.

The Senate recedes with an amendment that would: (1) incorporate the requirement for an analysis of alternatives into the House provision; (2) require certification or waiver by the milestone decision authority, rather than the Secretary; and (3) authorize waiver of the certification requirement only if, absent the waiver, the Department of Defense would be unable to meet critical national security objectives.

Requirements applicable to major defense acquisition programs exceeding baseline costs (sec. 802)

The House bill contained two provisions (secs. 802 and 803) that would modify the oversight requirements for major defense acquisition programs (MDAPs) in sections 2433 and 2435 of title 10, United States Code. Section 802 would require that the Secretary of Defense conduct an analysis of alternatives for any MDAP for which the program acquisition unit cost or the procurement unit cost rises by 15 percent over the baseline estimate. Section 803

would restrict the circumstances in which the Secretary may modify a baseline estimate.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would: (1) amend section 2435 to add a new term—"original Baseline Estimate"—and to restrict the circumstances in which an original baseline estimate may be modified; (2) add two new terms—"significant cost growth" and "critical cost growth"—to section 2433; (3) define significant cost growth and critical cost growth by reference to both the current baseline estimate for an MDAP and the original baseline estimate for the program; and (4) require additional analysis and explanation (but not a formal analysis of alternatives) for any MDAP that experiences critical cost growth.

Taken together, these changes would tighten requirements for flagging programs that are experiencing problematic cost growth and ensure more rigorous review and analysis of these programs. The conferees believe that the added discipline imposed by these provisions should encourage the Department of Defense both to establish more realistic and achievable cost and performance estimates at the outset of MDAPs and to more aggressively manage MDAPs to avoid undesirable cost growth on these programs.

Requirements for determination by Secretary of Defense and notification to Congress before procurement of major weapon systems as commercial items (sec. 803)

The Senate amendment contained a provision (sec. 804) that would prohibit the purchase of a major weapon system as a commercial item unless such purchase is specifically authorized by Congress.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense, prior to any major weapon system being purchased under procedures established for the procurement of commercial items, to: (1) determine that a weapon system meets the definition of a commercial item; (2) determine that it is necessary to meet national security objectives to purchase such weapon system as a commercial item; and (3) notify congressional defense committees at least 30 days prior to the purchase or the treatment of the major weapon system as a commercial item.

Reports on significant increases in program acquisition unit costs or procurement unit costs of major defense acquisition programs (sec. 804)

The Senate amendment contained a provision (sec. 807) that would require the Secretary of Defense to report to the congressional defense committees on the acquisition status of major defense acquisition programs whose costs have exceeded by more than 50 percent the original baseline projection of such costs.

The House bill contained no similar provision.

The House recedes with an amendment that would extend the time for the report.

Report on use of lead system integrators in the acquisition of major systems (sec. 805)

The Senate amendment contained a provision (sec. 809A) that would require the Secretary of Defense to report to the congressional defense committees on actions taken or to be taken by the Department of Defense regarding the use of lead system integrators for the acquisition of major systems.

The House bill contained no similar provision.

The House recedes with an amendment that would extend the time for the report, and would also make technical changes.

Congressional notification of cancellation of major automated information systems (sec. 806)

The Senate amendment contained a provision (sec. 809D) that would require the Secretary of Defense to report to the congressional defense committees no less than 60 days before any proposed change to the acquisition strategy of any major automated information system, as defined by Department of Defense regulations.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Subtitle B—Acquisition Policy and Management

Internal controls for procurements on behalf of the Department of Defense (sec. 811)

The Senate amendment contained a provision (sec. 801) that would require the Department of Defense Inspector General, in consultation with the Inspectors General of nondefense agencies, to determine whether the policies, procedures, and internal controls of non-defense agencies for purchases on behalf of the Department of Defense are adequate to ensure compliance with defense procurement requirements of law and regulation.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify the language of the provision and limit the joint reviews to the Department of the Interior, the Department of the Treasury, and the National Aeronautics and Space Administration.

Management structure for the procurement of contract services (sec. 812)

The Senate amendment contained a provision (sec. 802) that would require the secretary of each military department to establish a Contract Support Acquisition Center to act as the executive agent for the acquisition of contract services for that military department. The Secretary of Defense would be required to establish an additional acquisition center within the Defense Logistics Agency to act as the executive agent for the acquisition of contract services by the defense agencies.

The House bill contained no similar provision.

The House recedes with an amendment that would rewrite section 2330 of title 10, United States Code, to strengthen the requirement for the Secretary to implement a management structure for the procurement of contract services for the Department of Defense.

Section 2330, as amended, would establish a senior official responsible for the management of the acquisition of contract services for each of the military departments and for the defense agencies and components outside the military departments. Under the amended section 2330, the Under Secretary of Defense for Acquisition, Technology, and Logistics would be responsible for developing and maintaining policies, procedures, and best practices guidelines for the acquisition of contract services, while the senior officials responsible for the acquisition of contract services would be responsible for the implementation of those policies, procedures, and guidelines by the military departments and defense agencies. Each senior official would be required to assign responsibility for the review and approval of procurements to specific individuals in the Department, subject to the direction, supervision, and oversight of the senior official. This provision would give the Department flexibility as to the number, qualifications, and location of officers and employees authorized to make day-to-day decisions regarding the acquisition of contract services while ensuring that, in making such decisions, these officers and employees are subject to the direction, supervision, and control of an acquisition chain of command.

The conference amendment would provide for phased implementation of the amended section 2330 to ensure that the Department has the time needed to fully implement the new requirements.

Report on service surcharges for purchases made for military departments through other Department of Defense agencies (sec. 813)

The Senate amendment contained a provision (sec. 805) that would require the Department of Defense to review and report on service charges imposed on one component of the Department for purchases made through another component of the Department.

The House bill contained no similar provision.

The House recedes with an amendment that would modify the timing of the reporting requirement.

Review of defense acquisition structures and capabilities (sec. 814)

The Senate amendment contained a provision (sec. 806) that would require the Defense Acquisition University, acting under the direction of the Under Secretary of Defense for Acquisition, Technology, and Logistics, to review and report on the capabilities and shortfalls of the acquisition organizations of the military departments and defense agencies.

The House bill contained no similar provision.

The House recedes with a clarifying amendment that would address the scope of the study.

Modification of requirements applicable to contracts authorized by law for certain military materiel (sec. 815)

The Senate amendment contained a provision (sec. 808) that would modify section 2401 of title 10, United States Code, with respect to requirements for authorization by law of certain contracts for leasing military equipment.

The House bill contained no similar provision.

The House recedes.

Guidance on use of tiered evaluations of offers for contracts and task orders under contracts (sec. 816)

The Senate amendment contained a provision (sec. 809C) that would require the Secretary of Defense to prescribe guidance on the use of tiered evaluations of offers for contracts and for task orders under contracts.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Joint policy on contingency contracting (sec. 817)

The House bill contained a provision (sec. 813) that would require the establishment of a contingency contracting corps.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, to develop a joint policy for contingency contracting during combat operations and post-conflict operations.

Acquisition strategy for commercial satellite communication services (sec. 818)

The Senate amendment contained a provision (sec. 809B) that would require the Secretary of Defense to submit a report to the congressional defense committees, not later than 6 months after the date of the enactment of this act, on the proposed strategy of the Department of Defense for acquiring commercial satellite communications services.

The House bill contained no similar provision.

The House recedes with a clarifying amendment that would further define the spend analysis as required under the Senate provision.

Authorization of evaluation factor for defense contractors employing or subcontracting with members of the selected reserve of the reserve components of the Armed Forces (sec. 819)

The House bill contained a provision (sec. 820A) that would require the Department of Defense for all contracts for the procurement of goods and services to establish a source selection evaluation factor which favors entities that employ members of the Selected Reserve of the reserve components of the Armed Forces.

The House Senate amendment contained no similar provision.

The Senate recedes with an amendment that would provide discretionary authority to the Secretary of Defense to use an evaluation factor related to the employment of members of the Selected Reserve.

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

Participation by Department of Defense in acquisition workforce training fund (sec. 821)

The House bill contained a provision (sec. 822) that would enable the Department of Defense to contribute to, and benefit from, the acquisition workforce training fund.

The Senate amendment contained a similar provision (sec. 831).

The Senate recedes with an amendment that would ensure that the Federal Acquisition Institute and the Defense Acquisition University have appropriate flexibility in the use of the acquisition workforce training fund.

Increase in cost accounting standard threshold (sec. 822)

The House bill contained a provision (sec. 823) that would amend section 26(f)(2)(A) of the Office of Federal Procurement Policy Act (41 U.S.C. 403 et seq.) to increase the cost accounting standard threshold to $550,000, which would correspond with the current Truth in Negotiations Act (Public Law 87–653) threshold.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Modification of authority to carry out certain prototype projects (sec. 823)

The Senate amendment contained a provision (sec. 844) that would prohibit the use of the authority of section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160) for any prototype project that is expected to cost in excess of $100.0 million.

The House bill contained no similar provision.

The House recedes with an amendment that would allow the use of section 845 for a prototype project in excess of $20.0 million but less than $100.0 million only if the senior procurement executive for the agency determines that the use of the authority is essential to promoting the success of the prototype project, and in excess of $100.0 million only if the Under Secretary of Defense determines that the use of the authority is essential to meet critical national security objectives and notifies the congressional defense committees of the determination at least 30 days before the authority is exercised.

Increased limit applicable to assistance provided under certain Procurement Technical Assistance Programs (sec. 824)

The Senate amendment contained a provision (sec. 847) that would increase from $150,000 to $300,000 the maximum grant for a statewide program under the Procurement Technical Assistance Program authorized by section 2414 of title 10, United States Code.

The House bill contained no similar provision.

The House recedes.

Subtitle D—United States Defense Industrial Base Provisions

Clarification of exception from Buy American requirements for procurement of perishable food for establishments outside the United States (sec. 831)

The Senate amendment contained a provision (sec. 811) that would clarify that the exception from the requirements of section 2533a, title 10, United States Code, for procurement of perishable food for establishments outside the United States applies to procurements for an overseas defense facility, even if the procurements are not conducted by such a facility.

The House bill contained no similar provision.

The House recedes.

Training for defense acquisition workforce on the requirements of the Berry Amendment (sec. 832)

The Senate amendment contained a provision (sec. 834) that would require the training of appropriate members of the defense acquisition workforce in the requirements of the Berry Amendment (10 U.S.C. 2533a).

The House bill contained no similar provision.

The House recedes with a technical amendment.

Amendments to domestic source requirements relating to clothing materials and components covered (sec. 833)

The House bill contained a provision (sec. 824) that would amend section 2533a of title 10, United States Code (known as the "Berry Amendment") to: (1) require the Secretary of Defense to notify the public when the Secretary exercises a waiver; and (2) clarify that the term "clothing" also includes "materials and components thereof, other than sensors, electronics, or other items added to, and not normally associated with, clothing".

The Senate amendment contained no similar provision.

The Senate recedes.

The conferees note that section 2533a (b)(1)(B) of title 10, United States Code, as modified by this section, does not cover small arm protective inserts ("SAPI plates") for body armor because these inserts are "added to, and not normally associated with, clothing".

Subtitle E—Other Matters

Review and report on Department of Defense efforts to identify contract fraud, waste, and abuse (sec. 841)

The Senate amendment contained a provision (sec. 823) that would establish a risk assessment team to assess the vulnerability of Department of Defense contracts to fraud, waste, and abuse and require the Secretary of Defense to develop an action plan to address areas of vulnerability identified by the risk assessment team.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Government Accountability Office to review ongoing efforts by the Department to identify and assess the areas of vulnerability to contract fraud, waste, and abuse.

Extension of contract goal for small disadvantaged businesses and certain institutions of higher education (sec. 842)

The Senate amendment contained a provision (sec. 841) that would extend section 2323 of title 10, United States Code, for 3 years. Section 2323 establishes a 5 percent goal for Department of Defense contracting with small disadvantaged businesses and certain institutions of higher education.

The House bill contained no similar provision.

The House recedes.

Extension of deadline for report of advisory panel on laws and regulations on acquisition practices (sec. 843)

The Senate amendment contained a provision (sec. 848) that would extend for an additional year the deadline for a final report by the acquisition panel established in section 1423(d) of the Services Acquisition Reform Act of 2003 (title XIV of the National Defense Authorization Act for Fiscal Year 2004; Public Law 108–136). The Senate provision would also require an interim report by the panel.

The House bill contained no similar provision.

The House recedes with an amendment that would extend by 6 months the deadline for a final report by the acquisition panel.

Exclusion of certain security expenses from consideration for purpose of small business size standards (sec. 844)

The Senate amendment contained a provision (sec. 849) that would require the Administrator of the Small Business Administration to review the application of size standards for small businesses performing contracts in Iraq, Afghanistan, and other combat zones and determine whether such standards should be adjusted to reflect additional security requirements.

The House bill contained no similar provision.

The House recedes.

Disaster relief for small business concerns damaged by drought (sec. 845)

The Senate amendment contained a provision (sec. 852) that would clarify the authority of the Small Business Administration (SBA) to provide emergency assistance, through disaster loans, to non-farm-related small businesses that have suffered substantial economic harm from drought. Currently, in cases of drought, the SBA takes the position that it is only authorized to provide disaster loans to businesses whose revenue is tied to farming and agriculture.

The House bill contained no similar provision.

The House recedes.

Extension of limited acquisition authority for the Commander of the United States Joint Forces Command (sec. 846)

The Senate amendment contained a provision (sec. 856) that would extend for 2 years limited acquisition authority of the Commander, U.S. Joint Forces Command, to acquire systems and to modify this authority for systems with operation and maintenance expenditures under $2.0 million.

The House bill contained no similar provision.

The House recedes with an amendment that would provide for a 2-year extension of authority.

Civilian Board of Contract Appeals (sec. 847)

The House bill contained a title (title XIV) that would establish civilian and defense boards of contract appeals and transfer personnel and functions to these boards from the existing boards of contract appeals.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would consolidate the existing boards of contract appeals for civilian agencies into a new Civilian Board of Contract Appeals. The provision would give the civilian board jurisdiction over contract appeals from non-defense agencies and ensure that the board could, with the concurrence of the heads of affected agencies, assume responsibility for any other functions previously performed by the boards of contract appeals for civilian agencies.

The conference agreement would make no change to the Armed Services Board of Contract Appeals (ASBCA), because the ASBCA already has consolidated jurisdiction for contract appeals from the Department of Defense, the Department of the Army, the Department of the Navy, the Department of the Air Force, and the National Aeronautics and Space Administration.

Statement of policy and report relating to contracting with employers of persons with disabilities (sec. 848)

The House bill contained a provision (sec. 815) that would extend for 1 year the requirements of section 853 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375) regarding contracting with the blind and severely disabled. The House provision would also require the Secretary of Defense and the Secretary of Education to develop and jointly issue a statement of policy regarding the implementation of the relevant statutory requirements and to report the results to Congress.

The Senate amendment contained a similar provision (sec. 845) that would extend the requirements of section 853 for 1 year.

The Senate recedes with an amendment that would require that the policy and report be developed and issued jointly by the Secretary of Defense, the Secretary of Education, and the Committee for Purchase, which is responsible for administering programs for the blind and severely disabled under the Javitz-Wagner-O'Day Act (41 U.S.C. 46 et seq.).

Study on Department of Defense contracting with small business concerns owned and controlled by service-disabled veterans (sec. 849)

The House bill contained a provision (sec. 816) that would require the Department of Defense to conduct a study on contracting with small businesses owned by service-disabled veterans.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment on the scope of the study.

LEGISLATIVE PROVISIONS NOT ADOPTED

Applicability of statutory executive compensation cap made prospective

The House bill contained a provision (sec. 811) that would address the applicability of the executive compensation cap in section 808 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85).

The Senate amendment contained no similar provision.

The House recedes.

Buy America requirement for procurements of goods containing components

The House bill contained a provision (sec. 818) that would preclude the Secretary of Defense from prospectively waiving the Buy American Act (41 U.S.C. 10 et seq.) based on a reciprocal defense procurement Memorandum of Understanding with a foreign country.

The Senate amendment contained no similar provision.

The House recedes.

Clarification of rapid acquisition authority to respond to combat emergencies

The Senate amendment contained a provision (sec. 843) that would amend section 806 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314) to give the Department of Defense greater flexibility to address combat emergencies.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that the Senate provision adding a new category of statutes and regulations that are waivable to prevent combat fatalities was not necessary, because the Department may already waive any provision of law, policy, directive, or regulation addressing the solicitation and selection of sources pursuant to the authority in section 811 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375) for the procurement of equipment urgently needed to eliminate a combat deficiency that has resulted in combat fatalities.

Conditional waiver of domestic source or content requirements for certain countries with reciprocal procurement agreements with the United States

The Senate amendment contained a provision (sec. 812) that would authorize the Secretary of Defense to annually determine whether a foreign country with a reciprocal defense procurement Memorandum of Understanding or agreement with the United States has qualitatively or quantitatively increased defense exports to China. If it is determined that no qualitative or quantitative increase has occurred in the previous year, the Secretary may on an annual basis waive the application of statutory domestic source requirements and domestic content requirements, provided that: (1) the application of the requirements would impede the reciprocal procurement of defense items under a Memorandum of Under-

standing between the United States and another country; and (2) the other country does not discriminate against items produced in the United States to a greater degree than the United States discriminates against items produced in that country.

The House bill contained no similar provision.

The Senate recedes.

Consistency with United States obligations under trade agreements

The Senate amendment contained a provision (sec. 813) that would require that no provision of this Act, or any amendment made by this Act, shall apply if the Secretary of Defense, in consultation with the Secretary of Commerce, the U.S. Trade Representative, and the Secretary of State, determines that the application of the provision would be inconsistent with international trade agreements of the United States.

The House bill contained no similar provision.

The Senate recedes.

Contracting incentive for small power plants on former military bases

The Senate amendment contained a provision (sec. 857) that would extend the authorized period for contract for certain public utility services from 10 years to 20 years, provided that such services are procured from a small power plant located on a qualified HUBZone base closure area.

The House bill contained no similar provision.

The Senate recedes.

Contractors on the battlefield

The House bill contained a title (title XVI) that would establish certain requirements for contractors on the battlefield, including contractors accompanying the force and contractors not accompanying the force.

The Senate amendment contained no similar provision.

The House recedes.

The conferees note that subsequent to action on the House bill, the Secretary of Defense issued regulations addressing the issue of contractors on the battlefield. However, the regulations issued by the Secretary apply only to contractors accompanying the force.

The conferees believe that it is important for the Department of Defense to address issues raised by the presence on the battlefield of contractors not accompanying the force. This term includes contractors and subcontractors at any tier under a contract with any federal government agency, if the work to be performed is related to private security, reconstruction, humanitarian assistance, peacekeeping, or other activities in an area of responsibility of a commander of a combatant command in which there are ongoing combat operations or there is a significant risk that contractor employees could come under hostile fire.

Accordingly, the conferees direct the Secretary to revise all relevant policy, guidance, and instructions issued pursuant to section 1205 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375) to address security issues raised by contractors not accompanying the force. The re-

vised guidance should, at a minimum, address the following issues: (1) measures to ensure that security issues raised by contractors not accompanying the force are addressed in integrated planning by the combatant commanders; (2) measures to ensure visibility and accountability of employees of contractors not accompanying the force (including accounting for U.S. nationals, local nationals, and third-party nationals); (3) measures to ensure the communication of relevant threat information to contractors not accompanying the force; (4) measures addressing force protection and weapons issuance issues for contractors not accompanying the force (including accounting for the number and qualifications of all personnel carrying weapons); and (5) measures to ensure that the data gathered in the implementation of this guidance is kept and maintained in a central location for a reasonable period of time.

Domestic source restriction for lithium ion cells and batteries

The House bill contained a provision (sec. 819) that would add lithium ion cells and batteries to the list of items subject to domestic source requirements under section 2534 of title 10, United States Code.

The Senate amendment contained no similar provision.

The House recedes.

Ensuring transparency in federal contracting

The Senate amendment contained a provision (sec. 854) that would require publication of information on federal contractor penalties and violations and a report listing all federal sole source contracts related to Iraq reconstruction.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that in November 2003, the Government Accountability Office (GAO) provided the congressional defense committees a status briefing on the extent of competition for Iraq reconstruction contracts. GAO subsequently issued a June 1, 2004, report entitled "Rebuilding Iraq: Fiscal Year 2003 Contract Award Procedures and Management Challenges". The conferees direct GAO to update this work, not later than 270 days after the date of enactment of this Act, to address subsequent awards of contracts and task orders for Iraq reconstruction.

Fair access to multiple-award contracts

The Senate amendment contained a provision (sec. 851) that would address the issue of small business participation in task orders and delivery orders awarded under government-wide acquisition contracts and other multiple award contracts.

The House bill contained no similar provision.

The Senate recedes.

Increased flexibility for designation of critical acquisition positions in defense acquisition workforce

The House bill contained a provision (sec. 821) that would address the designation of critical acquisition positions under the Defense Acquisition Workforce Improvement Act (10 U.S.C. 1731 et seq.).

The Senate amendment contained no similar provision.

The House recedes.

The conferees note that this issue was addressed in section 812 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375).

Limitation and reinvestment authority relating to reduction of the defense acquisition and support workforce

The Senate amendment contained a provision (sec. 832) that would require a 15 percent increase in the defense acquisition and support workforce during fiscal years 2006 through 2008.

The House bill contained no similar provision.

The Senate recedes.

Modification and extension of pilot program on share-in-savings contracts

The Senate amendment contained a provision (sec. 809I) that would extend and modify the authority to conduct share-in-savings contracts at the Department of Defense.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that the Department has never used its authority to implement share-in-savings contracts for information technology solutions. The conferees direct the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives regarding the utility of share-in-savings contracts and any steps that may be necessary and appropriate to make share-in-savings contracting a viable, effective, and desirable contacting method for use by the Department. The report shall be submitted by October 1, 2006.

Pilot program to expand public-private partnerships for research and development

The Senate amendment contained a provision (sec. 846) that would establish a 3-year pilot program giving specified Department of Defense organizations the ability to enter into public-private partnerships for research and development activities.

The House bill contained no similar provision.

The Senate recedes.

Prohibition on defense contractors requiring licenses or fees for use of military likenesses and designations

The House bill contained a provision (sec. 820) that would prohibit defense contractors from requiring licenses or fees for the use of military likenesses and designations.

The Senate amendment contained no similar provision.

The House recedes.

Prohibition on procurement from beneficiaries of foreign subsidies

The House bill contained a provision (sec. 817) that would prohibit the Secretary of Defense from entering into a contract with a foreign person (including a joint venture, cooperative organization, partnership, or contracting team with that foreign person), which has received a subsidy from the government of a foreign

country that is a member of the World Trade Organization, if the United States has requested a consultation with that foreign country on the basis that the subsidy is prohibited under the Agreement on Subsidies and Countervailing Measures.

The Senate amendment contained no similar provision.

The House recedes.

Radio Frequency Identifier Technology

The Senate amendment contained a provision (sec. 853) that would require the Secretary of Defense to develop and implement a strategy to educate the small business community regarding radio frequency identifier technology requirements, compliance, standards, and opportunities. The provision would also require the Secretary to report to the congressional defense committees on the status of efforts to establish requirements for radio frequency identifier technology for Department of Defense contracting.

The House bill contained no similar provision.

The Senate recedes.

The conferees direct the Secretary to: (1) develop and implement a strategy to educate the small business community on radio frequency identifier technology requirements; and (2) report to the congressional defense committees not later than October 1, 2006, on the strategy and the extent to which it has been implemented.

Rapid acquisition authority to respond to defense intelligence community emergencies

The House bill contained a provision (sec. 825) that would provide the Secretary of Defense with rapid acquisition authority to procure intelligence capabilities that would enhance national security.

The Senate amendment contained no similar provision.

The House recedes.

Reports on certain defense contracts in Iraq and Afghanistan

The Senate amendment contained a provision (sec. 824) that would: (1) require quarterly reports from the Secretary of Defense on audit findings regarding costs incurred on contracts for security and reconstruction activities in Iraq and Afghanistan; and (2) establish requirements for withholding payments and releasing funds on such contracts.

The House bill contained no similar provision.

The Senate recedes.

The conferees direct the Government Accountability Office to report to the congressional defense committees not later than 270 days after the date of enactment of this Act on audit findings regarding costs incurred on contracts for security and reconstruction activities in Iraq and Afghanistan. The report should address costs found to be questioned or unsupported, funds withheld from contractors, and measures taken by the Department of Defense to settle disputes with contractors with regard to such costs.

Requirement for contracting operations to be included in interagency planning related to stabilization and reconstruction

The House bill contained a provision (sec. 814) that would require the Secretary of Defense to include contracting operations in all relevant interagency planning operations of the Department of Defense related to stabilization and reconstruction operations.

The Senate amendment contained no similar provision.

The House recedes.

Requirements for defense contractors relating to certain former Department of Defense officials

The Senate amendment contained a provision (sec. 821) that would require companies that receive defense contracts in excess of $10.0 million (other than contracts for the procurement of commercial items) to report to the Department of Defense on an annual basis on former Department officials who receive compensation from the contractor.

The House bill contained no similar provision.

The Senate recedes.

The conferees expect the General Accountability Office to address the need, if any, for a reporting requirement of this type in the context of the review of the Department's efforts to identify contract fraud, waste, and abuse, as required by section 841.

Review of certain contractor ethics matters

The Senate amendment contained a provision (sec. 822) that would require the Secretary of Defense to review certain contractor ethics matters.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that the advisory panel on acquisition laws, regulations, and practices established pursuant to the Services Acquisition Reform Act of 2003 (title XIV of Public Law 108–136) (the "SARA panel") is currently considering these issues. The conferees expect the Department of Defense to review all issues addressed by the SARA panel upon the conclusion of that panel's work.

Sense of Senate on applicability of competition exceptions to eligibility of National Guard for financial assistance for performance of additional duties

The Senate amendment contained a provision (sec. 809J) that would express the sense of the Senate on the circumstances in which the Secretary of Defense may provide financial assistance to the Army National Guard for the performance of certain duties without the use of competitive procedures.

The House bill contained no similar provision.

The Senate recedes.

The conferees agree that section 806 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375) already makes the competition requirement in section 113 of title 32, United States Code, subject to the exceptions in section 2304(c) of title 10, United States Code. Section 806 ensures that procedures other than competitive procedures are available for the selection of National Guard activities in the same cir-

cumstances and to the same extent as such procedures are available for the selection of any other entity.

Small business contracting in overseas procurements

The Senate amendment contained a provision (sec. 850) that would address the issue of small business participation in overseas procurement.

The House bill contained no similar provision.

The Senate recedes.

Technical amendments relating to defense acquisition workforce improvements

The Senate amendment contained a provision (sec. 833) that would make minor technical changes to the newly revised Defense Acquisition Workforce Improvement Act (DAWIA), chapter 87 of title 10, United States Code, enacted by section 812 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375).

The House bill contained an identical provision (sec. 1046) that would include various technical and clerical amendments.

The Senate recedes.

The changes recommended by the Senate provision will be included in the section of the bill on technical and clerical amendments.

Temporary Inapplicability of the Berry Amendment to Procurements of Specialty Metals that are used to Produce Force Protection Equipment

The Senate amendment contained a provision (sec. 809E) that would temporarily make the requirements of section 2533a inapplicable for 2 years, title 10, United States Code, to not apply for two years the requirements of section 2533a, title 10, United States Code, to procurements of specialty metals used to produce force protection equipment needed to prevent combat fatalities in Iraq and Afghanistan.

The House bill contained no similar provision.

The Senate recedes.

Termination of Program

The Senate amendment contained a provision (sec. 855) that would terminate the small business competitive demonstration program.

The House bill contained no similar provision.

The Senate recedes.

Use of commercially available online services for federal procurement of commercial items

The House bill contained a provision (sec. 812) that would require the use of commercially available online procurement services, including reverse auction services, to purchase commercial items to the maximum extent practicable.

The Senate amendment contained no similar provision.

The House recedes.

The conferees note that online procurement services, such as reverse auction services, are appropriate for the acquisition of some types of commercial items, but may not be suitable for others. For example, items that call for technical solutions, require modification, or will be acquired on a basis other than low-cost are unlikely to be suited to acquisition through reverse auction methods. There may be cases in which the use of commercially available online procurement services could limit access to federal agency contracts.

The conferees direct the Administrator for Federal Procurement Policy, in consultation with the Federal Acquisition Regulatory Council established pursuant to section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421), to review the use of online procurement services, such as reverse auction services, and identify: (1) types of commercial item procurements that are suitable for the use of such services; and (2) features that should be provided by online procurement services that are used by federal agencies.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

ITEMS OF SPECIAL INTEREST

The current state of military space

Despite the opportunities identified for the future of military space highlighted by the 2001 Space Commission, the conferees believe the Department of Defense response has been disappointing. The conferees see fundamental shortfalls and a lack of sufficient improvement in three areas that diminish U.S. preeminence in space and threaten national security. These areas include the development of a fully qualified and competent space cadre; improvements in the acquisition system that will restore confidence in the development of our space systems; and the creation of Operationally Responsive Space (ORS) systems.

The development of a qualified and competent space cadre has received growing attention, particularly in the Air Force. Initiatives such as National Security Space Institute and Space Education Consortium at Air Force Space Command as well as the Joint Space Studies Center at Air University are commendable efforts. The conferees are concerned, however, about the breadth and depth of the current plan for development of a space cadre, specifically in the area of education and training, in addressing the role of academia and industry in a space cadre. The conferees believe the accumulation of skills and competencies of government, academia, and industry represent a comprehensive view of the military space community for the United States. As such, the conferees recommend that the Department be more aggressive in developing programs and partnerships across the U.S. government, industry, and academia.

While the Department has taken positive steps to improve the current space acquisition system, it is not yet apparent what impact these initiatives might have on the performance of space acquisition. As a result, the conferees will maintain this issue at the forefront of congressional interests. Moreover, the conferees rec-

ommend that the Department engage those issues not yet fully addressed. Those include the requisite workforce size and skills, subcontractor management, and technical maturity of acquisition projects. Additionally, the conferees recommend that the Department develop an alternative and complementary business model for space acquisition and system deployment that will increase the production rate of space systems and lower costs.

The conferees believe ORS, the ability to assemble and launch a desired space-based capability on demand in a cost effective manner, has the potential to truly transform military space. The conferees believe that ORS will provide many new benefits to the military space community. The conferees also believe that ORS will stimulate the production of simpler, shorter living satellites, thus dramatically reducing current costs and shortening schedules. Additionally, low cost launch and "plug and play" satellite development will create the ability to refresh systems with new technology and fly constellations optimized for theater commanders. The conferees are disappointed in the progress achieved and are concerned about a lack of vision and initiative by the Department in this area. The conferees believe ORS will transform the battlefield and the way the warfighter thinks of space and, as such, strongly encourage the Air Force to embrace this concept and the Department to consider this in the development of the Quadrennial Defense Review.

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—General Department of Defense Management Matters

Parity in pay levels among Under Secretary Positions (sec. 901)

The House bill contained a provision (sec. 901) that would raise the positions of the under secretaries of the three military departments to Level III of the Executive Schedule, the same level as the positions of the under secretaries of defense.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Expansion of eligibility for leadership of Department of Defense Test Resource Management Center (sec. 902)

The Senate amendment contained a provision (sec. 241) that would eliminate the requirement that the director and the deputy director of the Defense Test Resource Management Center be selected by the Secretary of Defense from among current and former civilian and military employees of the Department of Defense.

The House bill contained a similar provision (sec. 902).

The House recedes.

Standardization of authority for acceptance of gifts and donations for Department of Defense regional centers for security studies (sec. 903)

The House bill contained a provision (sec. 903) that would streamline the management of Department of Defense regional centers for security studies, including providing uniform and con-

sistent authorities under which those centers may accept gifts and donations.

The Senate amendment contained a provision (sec. 921) that would provide uniform authority for the Secretary of Defense to accept gifts and donations on behalf of each of the Department of Defense regional centers for security studies.

The House recedes with a clarifying amendment.

Directors of Small Business Programs in Department of Defense of military departments (sec. 904)

The Senate amendment contained a provision (sec. 901) that would change the title of the Department of Defense's "Office of Small and Disadvantaged Business Utilization" to the "Office of Small Business Programs" to more clearly represent the office's span of authority.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Plan to defend the homeland against cruise missiles and other low-altitude aircraft (sec. 905)

The Senate amendment contained a provision (sec. 902) that would direct the Secretary of Defense to develop a plan for the defense of the United States against cruise missiles, unmanned aerial vehicles, and other low-altitude aircraft. The provision would also establish an executive agent in the Department of Defense to manage the acquisition of capabilities necessary to defend the homeland against these threats.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary to prepare and submit the plan to Congress within 6 months of enactment of the act. Instead of requiring the Secretary to designate an executive agent, the amendment would require the Secretary to identify in the plan an official or office within the Department to be responsible for coordinating the implementation of the plan from both an operational and acquisition perspective.

Provision of audiovisual support services by White House Communications Agency on nonreimbursable bases (sec. 906)

The Senate amendment contained a provision (sec. 903) that would clarify the mission of the White House Communications Agency to include audiovisual support services for the President.

The House bill contained no similar provision.

The House recedes with a technical amendment that would change the date of enactment to conform with passage of this Act.

Report on establishment of a Deputy Secretary of Defense for Management (sec. 907)

The Senate amendment contained a provision (sec. 905) that would require the Secretary of Defense to select two Federally Funded Research and Development Centers to conduct independent studies of the feasibility and advisability of establishing a Deputy Secretary of Defense for Management. Each study under this section would be delivered to the Secretary and the congressional defense committees not later than March 15, 2006. Each study re-

quired by this section would address the extent to which the establishment of a Deputy Secretary of Defense for Management would improve the management of the Department of Defense; expedite the process of management reform in the Department; and enhance the implementation of business systems modernization in the Department.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Responsibility of the Joint Chiefs of Staff as military advisers to the Homeland Security Council (sec. 908)

The Senate amendment contained a provision (sec. 907) that would designate the Chairman of the Joint Chiefs of Staff as the principal military adviser to the Homeland Security Council.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Improvement in health care services for residents of Armed Forces Retirement Home (sec. 909)

The Senate amendment contained a provision (sec. 642) that would require certain management changes within the Armed Forces Retirement Home and expanded physician, dental, and transportation services.

The House bill contained no similar provision.

The House recedes with an amendment that would require that a physician and dentist be available at each facility of the retirement home during daily business hours, and that daily scheduled transportation to nearby medical facilities be available at no cost. The amendment would require the development of health care access standards by the Chief Operating Officer and would also require an assessment by the Comptroller General on monitoring and oversight of health care services for residents of the retirement home.

Subtitle B—Space Activities

Space Situational Awareness Strategy and space control mission review (sec. 911)

The House bill contained a provision (sec. 911) that would direct the Secretary of Defense to develop a formal strategy, systems architecture, and a capabilities roadmap for space situational awareness, and update the strategy every two years.

The Senate amendment contained a provision (sec. 911) that would require the Secretary to establish an independent panel to assess Department of Defense space control activities, including space situational awareness.

The Senate recedes with an amendment that would direct the Secretary to provide for an independent review and assessment of Department requirements for its space control mission.

Military satellite communications (sec. 912)

The House bill contained a provision (sec. 912) that would direct the National Security Space Office to conduct an independent assessment of options to evolve the capabilities of the Advanced Ex-

tremely High Frequency and Wideband Gapfiller Systems until the high-risk technologies proposed for the Transformational Satellite Communications System can be further developed and matured.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Operationally responsive space (sec. 913)

The House bill contained a provision (sec. 913) that would direct the Secretary of Defense to create or designate an organization to focus the development of payload technology for small satellites. This organization would develop an annual master plan describing focus areas for technology development, and distribute appropriated funds for projects within those focus areas.

The Senate amendment contained no similar provision.

The Senate recedes.

Report on use of Space Radar for topographical mapping for scientific and civil purposes (sec. 914)

The Senate amendment contained a provision (sec. 1045) that would direct the Secretary of Defense to submit a report to the congressional defense committees, not later than January 15, 2006, on the feasibility and advisability of utilizing the Space Radar for civil purposes.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Sense of Congress regarding national security aspect of United States preeminence in human spaceflight (sec. 915)

The Senate amendment contained a provision (sec. 1086) that would express the sense of the Senate that it is in the national security interest of the United States to maintain preeminence in human spaceflight.

The House bill contained no similar provision.

The House recedes with a clarifying amendment that would express the sense of Congress.

Subtitle C—Chemical Demilitarization Program

Clarification of cooperative agreement authority under chemical demilitarization program (sec. 921)

The House bill contained a provision (sec. 922) that would clarify that the authority conferred upon the Secretary of Defense by section 1521c(4) of title 50, United States Code, applies to cooperative agreements with federally-recognized Indian tribal governments, as well as state and local governments.

The Senate amendment contained a similar provision (sec. 3114).

The House recedes with a technical amendment.

Chemical demilitarization facilities (sec. 922)

The Senate amendment contained a provision (sec. 213) that would provide the Secretary of Defense authority to use fiscal year 2006 research and development funds available for chemical weapons demilitarization activities under the Assembled Chemical

Weapons Alternative (ACWA) program to carry out construction projects for facilities necessary to support chemical demilitarization operations at Pueblo Army Depot, Colorado, and Blue Grass Army Depot, Kentucky.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

The conferees note that this provision provides unusual flexibility to the Department of Defense. It was included in response to a late request from the Department in order to permit important chemical demilitarization activities to proceed without further delay. The provision permits a one-time authorization to use fiscal year 2006 research, development, test, and evaluation funds for military construction at the ACWA sites. The conferees expect the Department to request funding for these projects in the proper military construction accounts in the fiscal year 2007 and future years budget submissions. The conferees also expect the Department to submit the required 1391 forms for these military construction projects.

The conferees strongly urge the Department and the administration to take all steps necessary to ensure that the chemical demilitarization programs receive the management attention, priority, and resources required to ensure that the United States meets its obligations under the Chemical Weapons Convention to destroy its chemical weapons stockpile by April 2012, and that it does so safely and efficiently.

Subtitle D—Intelligence-Related Matters

Department of Defense strategy for open source intelligence (sec. 931)

The House bill contained a provision (sec. 931) that would direct the Secretary of Defense to create and submit to Congress a strategy for the use of open source intelligence by January 31, 2006. The strategy would have 10 components focusing on application of open source intelligence in the intelligence process, as well as associated management, training, and personnel issues.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would change the reporting date from January 31, 2006, to 180 days after enactment of this Act.

Comprehensive inventory of Department of Defense intelligence and intelligence-related programs and projects (sec. 932)

The House bill contained a provision (sec. 932) that would require the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives, the Senate Select Committee on Intelligence, and the House Permanent Select Committee on Intelligence that would provide a comprehensive inventory of Department of Defense intelligence and intelligence-related programs and projects. The Secretary would be required to complete the inventory in consultation with the Director of National Intelligence, where appropriate. The report would not be intended to encompass military operations or military activities. This inventory would be designed to abide by existing proce-

dures for the handling of special access programs referenced in section 119 of title 10, United States Code, and applicable Department directives. The Department would be required to complete the inventory not later than 180 days after enactment of this Act.

The Senate amendment contained no similar provision.

The Senate recedes.

Operational files of the Defense Intelligence Agency (sec. 933)

The Senate amendment contained a provision (sec. 922) that would authorize the Director of the Defense Intelligence Agency (DIA) to exempt specifically defined operational files of certain elements of the DIA from disclosure under the Freedom of Information Act (5 U.S.C. 552), similar to protections currently authorized to other intelligence agencies under Title VII of the National Security Act of 1947 (50 U.S.C. 431 et seq.).

The House bill contained no similar provision.

The House recedes with an amendment that would terminate the authorization on December 31, 2007.

LEGISLATIVE PROVISIONS NOT ADOPTED

Advisory committee on Department of Defense requirements for space control

The Senate amendment contained a provision (sec. 911) that would require the Secretary of Defense to establish an advisory Committee on the current and future space control requirements of the United States, including the means of meeting those requirements.

The House bill contained no similar provision.

The Senate recedes.

American Forces Network

The Senate amendment contained a provision (sec. 904) that would express the sense of the Senate that the men and women of the American Forces Radio and Television Service and the American Forces Network should be commended for providing a vital service to the military community worldwide and that the programming mission, themes, and practices of the Department of Defense have fairly and responsively fulfilled their mission and contributed immeasurably to high morale and quality of life. The amendment would also authorize the Secretary of Defense to appoint an ombudsman of the American Forces Network.

The House bill contained no similar provision.

The Senate recedes.

Prohibition on implementation of certain orders and guidance on functions and duties of the General Counsel and the Judge Advocate General of the Air Force

The Senate amendment contained a provision (sec. 923) that would prohibit the obligation or expenditure of funds authorized by the National Defense Authorization Act for Fiscal Year 2006 to implement or enforce either the Secretary of the Air Force order of May 15, 2003, entitled "Functions and Duties of the General Counsel and the Judge Advocate General," or any internal operating in-

struction or memorandum issued by the General Counsel of the Department of the Air Force in reliance upon the May 15, 2003, order.

The House bill contained no similar provision.

The Senate recedes.

On July 14, 2005, the Acting Secretary of the Air Force issued a new order on the subject of the functions and duties of the General Counsel and the Judge Advocate General. This order by its terms supersedes the May 15, 2003, order, and does not contain the objectionable language contained in the earlier order. It appears that no final instruction or memorandum was ever issued by the General Counsel of the Department in reliance on the May 15, 2003, order.

The conferees will continue to monitor the situation in the Department to ensure that the Secretary of the Air Force, the Chief of Staff of the Air Force, and commanders continue to have access to independent legal advice from the Judge Advocate General and judge advocates in the field, as required by section 574 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law No. 108–375).

Redesignation of the Department of the Navy as the Department of the Navy and Marine Corps

The House bill contained a provision (sec. 904) that would redesignate the Department of the Navy as the Department of the Navy and Marine Corps and the Secretary of the Navy as the Secretary of the Navy and Marine Corps.

The Senate amendment contained no similar provision.

The House recedes.

Transfer to Secretary of the Army of responsibility for Assembled Chemical Weapons Alternatives program

The House bill contained a provision (sec. 921) that would transfer program management responsibility for the Assembled Chemical Weapons Alternatives program from the Under Secretary of Defense for Acquisition, Technology, and Logistics to the Secretary of the Army by January 1, 2006.

The Senate amendment contained no similar provision.

The House recedes.

United States Military Cancer Institute

The Senate amendment contained a provision (sec. 924) that would establish a United States Military Cancer Institute within the Uniform Services University of the Health Sciences. The Institute would be composed of clinical and basic scientists in the Department of Defense who have expertise in research, patient care, and education relating to the disease of cancer; and would carry out research studies on the epidemiological features of cancer.

The House bill contained no similar provision.

The Senate recedes.

The conferees acknowledge that the institute exists without authorization in statute, and that Department of Defense appropriations are provided to the institute for support of its cancer research activities.

TITLE X—GENERAL PROVISIONS

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Financial Matters

Transfer authority (sec. 1001)

The House bill contained a provision (sec. 1001) that would provide $4.0 billion in transfer authority among accounts in division A of this Act for fiscal year 2006.

The Senate amendment contained a similar provision (sec. 1001).

The conferees agree to provide $3.5 billion in transfer authority.

Authorization of emergency supplemental appropriations for fiscal years 2005 and 2006 (sec. 1002)

The House bill contained a provision (sec. 1002) that would authorize emergency supplemental appropriations pursuant to title I and chapter 2 of title IV of division A of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13).

The Senate amendment contained a similar provision (sec. 1005).

The Senate amendment also contained a provision (sec. 1008) that would authorize emergency appropriations contained in the two emergency supplemental appropriations to meet needs arising from Hurricane Katrina, the supplemental appropriations for avian flu preparedness, the amounts reallocated from hurricane-related disaster relief, and the amounts for humanitarian assistance for earthquake victims in Pakistan. The Senate amendment would require reports on the expenditure of these funds and on assistance given to the earthquake victims in Pakistan.

The conferees agree to the authorization of emergency supplemental appropriations contained in both the House and Senate provisions. The conferees also require reports on the expenditure of these funds and on assistance given to the earthquake victims in Pakistan.

Increase in fiscal year 2005 general transfer authority (sec. 1003)

The House bill contained a provision (sec. 1003) that would provide $6.185 billion in transfer authority among accounts in division A of this Act for fiscal year 2005.

The Senate amendment contained an identical provision (sec. 1006).

The conference agreement includes this provision.

Reports on feasibility and desirability of capital budgeting for major defense acquisition programs (sec. 1004)

The House bill contained a provision (sec. 1004) that would require the Secretary of Defense and the secretaries of the military departments to submit a report to the congressional defense committees on the feasibility and desirability of capital budgeting for major defense acquisition programs by July 1, 2006.

The Senate amendment contained no similar provision.

The Senate recedes.

United States contribution to NATO common-funded budgets in fiscal year 2006 (sec. 1005)

The Senate amendment contained a provision (sec. 1003) that would authorize the U.S. contribution to North Atlantic Treaty Organization (NATO) common-funded budgets for fiscal year 2006, including the use of unexpended balances. The resolution of ratification for the Protocol to the North Atlantic Treaty of 1949 on the Accession of Poland, Hungary, and the Czech Republic contained a provision (section 3(2)(c)(ii)) requiring a specific authorization for U.S. payments to the common-funded budgets of NATO for each fiscal year, beginning in fiscal year 1999, that payments exceed the fiscal year 1998 total.

The House bill contained no similar provision.

The House recedes.

Subtitle B—Naval Vessels and Shipyards

Conveyance, Navy drydock, Seattle, Washington (sec. 1011)

The House bill contained a provision (sec. 1011) that would authorize the Secretary of the Navy to sell the yard floating drydock YFD–70, located in Seattle, Washington, to Todd Pacific Shipyards Corporation, provided that the drydock remain at the facilities of Todd Pacific Shipyards Corporation until at least September 30, 2010. The provision would require the purchaser to pay to the United States an amount equal to the fair market value as determined by the Secretary, that the transfer would be at no cost to the United States, and include any additional terms and conditions the Secretary considers appropriate to protect the interests of the United States.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would authorize the Secretary to convey, instead of sell, the drydock, and that would require the purchaser to provide compensation, instead of payment, to the United States, equal to the fair market value of the drydock.

Conveyance, Navy drydock, Jacksonville, Florida (sec. 1012)

The House bill contained a provision (sec. 1012) that would authorize the Secretary of the Navy to sell the medium auxiliary floating drydock SUSTAIN (AFDM–7), located in Duval County, Florida, to the Atlantic Marine Property Holding Company, provided that the drydock remain at the facilities of the Atlantic Marine Holding Company until at least September 30, 2010. The provision would require the purchaser to pay to the United States an amount equal to the fair market value as determined by the Secretary, that the transfer be at no cost to the United States, and include any additional terms and conditions the Secretary considers appropriate to protect the interests of the United States.

The Senate amendment contained a similar provision (sec. 1022).

The House recedes with an amendment that would authorize the Secretary to convey, instead of sell, the drydock, and that would require the purchaser to provide compensation, instead of payment, to the United States, equal to the fair market value of the drydock.

Conveyance, Navy drydock, Port Arthur, Texas (sec. 1013)

The House bill contained a provision (sec. 1013) that would authorize the Secretary of the Navy to convey, without consideration, the inactive medium auxiliary floating drydock AFDM–2, currently administered through the National Defense Reserve Fleet, to the city of Port Arthur, Texas. This conveyance would be subject to the conditions that: (1) the drydock remain at the facilities of the port authority; (2) the conveyance would be at no cost to the United States; and (3) the Secretary could include any other terms and conditions the Secretary considers appropriate to protect the interests of the United States.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would allow the conveyance, but not without consideration. As consideration for the conveyance, the purchaser would be required to provide compensation to the United States the value of which, as determined by the Secretary, is equal to the fair market value of the drydock.

Transfer of battleships U.S.S. Wisconsin and U.S.S. Iowa (sec. 1014)

The House bill contained a provision (sec. 1014) that would waive section 1011 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106) and section 1011 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261) with respect to the battleship U.S.S. *Iowa* (BB–61). The provision would also direct the Secretary of the Navy to strike the U.S.S. *Iowa* from the Naval Vessel Register, and to transfer that vessel to the Port of Stockton, California, subject to the submission of a donation application which is satisfactory to the Secretary, and subject to subsections (b) and (c) of section 7306 of title 10, United States Code.

The Senate amendment contained a provision (sec. 1021) that would authorize the Secretary of the Navy to strike the battleships U.S.S. *Wisconsin* (BB–64) and U.S.S. *Iowa* (BB–1) from the Naval Vessel Register, subject to section 7306 of title 10, United States Code, and transfer those vessels by gift or otherwise. As a condition of the transfers, the provision would require the Secretary of the Navy to have the transferee locate the U.S.S. *Wisconsin* in the Commonwealth of Virginia and the U.S.S. *Iowa* in the State of California. The provision would also waive the requirement for notice-and-wait contained in section 7306(d) of title 10, United States Code. The provision would repeal section 1011 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106) and section 1011 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261).

The House recedes with an amendment that would direct the Secretary of the Navy to require that, as a term of the transfer of these battleships, the transferees shall, if the President declares a

national emergency pursuant to the National Emergencies Act (50 U.S.C. 1601 et seq.), and upon request of the Secretary of Defense, return the respective vessel to the United States. In such a case, the amendment would require that the terms of the agreement require that the title to the vessel or vessels revert immediately to the United States, unless otherwise notified by the Secretary of Defense.

Transfer of ex-U.S.S. Forrest Sherman (sec. 1015)

The House bill contained a provision (sec. 1015) that would require the Secretary of the Navy to transfer the decommissioned destroyer ex-U.S.S. *Forrest Sherman* to the U.S.S. *Forrest Sherman* DD–931 Foundation, Inc., a non-profit organization under the laws of Maryland, subject to the submission of a donation application for that vessel that is satisfactory to the Secretary. The provision would require that the transferee maintain the vessel in a condition satisfactory to the Secretary, that the transfer would be at no cost to the United States, and would allow the Secretary to require additional terms and conditions he considers appropriate. The authorization under this provision would expire 5 years after the enactment of this Act.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would make this transfer discretionary to the Secretary, where he may transfer the ship, instead of being required to do so.

Report on leasing of vessels to meet national defense sealift requirements (sec. 1016)

The House bill contained a provision (sec. 1016) that would amend title 10, United States Code, to prohibit a secretary of a military department from entering a contract for a lease or charter of a vessel for a term of more than 24 months, including all options to renew or extend an existing contract, if the hull, or component of the hull and superstructure of the vessel is constructed in a foreign shipyard. The provision would allow the President to waive this prohibition, when the President determines this waiver to be in the national security interest.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would instead require that the Secretary of Defense submit a report, no later than March 1, 2006, on leasing of vessels to meet national defense sealift requirements to the Committees on Armed Services of the Senate and the House of Representatives. The amendment would include a listing of items that must be included in the report.

Establishment of the U.S.S. Oklahoma memorial and other memorials at Pearl Harbor (sec. 1017)

The House bill contained a provision (sec. 1017) that would require the Secretary of the Navy, in consultation with the Secretary of the Interior, to identify an appropriate site on Ford Island, Hawaii, for the location of a memorial to U.S.S. *Oklahoma* (BB–37), which was sunk during the attack on Pearl Harbor on December 7, 1941.

The Senate amendment contained a similar provision (sec. 1078).

The House recedes with an amendment that would require identification of an appropriate site for the memorial not later than 90 days after enactment of this Act. Additionally, it would require certification that the U.S.S. Oklahoma Memorial Foundation has sufficient funding to complete construction of the memorial and that the memorial and other future memorials at Pearl Harbor meet the requirements set forth in the "Pearl Harbor Naval Complex Design Guidelines and Evaluation Criteria for Memorials of April 2005." The amendment would also authorize the Secretary of the Interior to establish and operate a transportation system linking the U.S.S. Arizona Memorial Visitor Center with historic sites and visitor attractions within the Pearl Harbor Naval Complex, including Ford Island.

Authority to use National Defense Sealift Fund to purchase certain maritime prepositioning ships currently under charter to the Navy (sec. 1018)

The Senate amendment contained a provision (sec. 323) that would authorize the Secretary of Defense to obligate and expend any funds in the National Defense Sealift Fund (NDSF) to exercise purchase options on three Maritime Prepositioning Ship (MPS) vessels under charter to the Navy. The provision would be notwithstanding the provisions of section 2218(f)(1) of title 10, United States Code, which limits the number of vessels built in foreign shipyards that are purchased with the NDSF to five vessels. The provision would also stipulate the vessels that could be purchased as those whose leases expired in fiscal year 2009.

The House bill contained no similar provision.

The House recedes with an amendment that would limit the authority provided by subsection (c)(1) of section 2218 of title 10, United States Code, to purchase no more than six MPS ships currently chartered by the Department of Defense under a 25 year lease. The provision would waive subsection (f)(1) of section 2218 of title 10, United States Code, in the case of the purchase of these six vessels. The provision would also amend section 2218(f)(1) of title 10, United States Code, to state that a vessel built in a foreign shipyard may not be purchased with funds in the NDSF unless specifically authorized by law.

Subtitle C—Counter-Drug Activities

Resumption of reporting requirement regarding Department of Defense expenditures to support foreign counterdrug activities (sec. 1021)

The House bill contained a provision (sec. 1022) that would require the resumption of a reporting requirement for the Secretary of Defense to submit a report detailing expenditures of funds by the Department of Defense during fiscal year 2005 in direct and indirect support of the counterdrug activities of foreign governments.

The Senate amendment contained no similar provision.

The Senate recedes.

Clarification of authority for joint task forces to support law enforcement agencies conducting counterterrorism activities (sec. 1022)

The House bill contained a provision (sec. 1023) that would clarify that a joint task force supporting law enforcement agencies conducting counterdrug activities may use funds available for that activity to also support counterterrorism activities by those law enforcement agencies. The fiscal authority provided here is a clarification of authority for joint task forces to support law enforcement agencies in both counterdrug and counterterrorism missions originally provided by Congress in the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136).

The Senate amendment contained a similar provision (sec. 1032) that would limit the use of funds authorized to be appropriated for counterdrug activities to also support counterterrorism activities to the borders and territorial waters of the United States.

The Senate recedes with an amendment that would make this funding available for fiscal years 2006 and 2007, and require the Secretary of Defense to report on the effect of the availability of such funding on counterdrug and counterterrorism activities and objectives. The conferees believe the Secretary should ensure that counterdrug funding is utilized to fund counterterrorist activities where there is overlap between counterdrug and counterterrorist objectives.

Sense of Congress regarding drug trafficking deterrence (sec. 1023)

The Senate amendment contained a provision (sec. 1081) that would express a sense of the Senate that the Department of Defense fully fund the Counterdrug Tethered Aerostat program and that the Department install a maritime radar on the Lajas, Puerto Rico aerostat.

The House bill contained no similar provision.

The House recedes with an amendment that would change "fully fund" to "should fund" and state that the Department "should" install a maritime radar on the Lajas, Puerto Rico aerostat vice install.

Subtitle D—Matters Related to Homeland Security

Responsibilities of Assistant Secretary of Defense for Homeland Defense relating to nuclear, chemical, and biological emergency response (sec. 1031)

The House bill contained a provision (sec. 1031) that would designate the Assistant Secretary of Defense for Homeland Defense as the Department of Defense official responsible for co-ordinating the Department's emergency response assistance to federal, state, and local government officials dealing with incidents involving chemical, biological, nuclear, radiological, and high yield explosives.

The Senate amendment contained no similar provision.

The Senate recedes.

Testing of preparedness for emergencies involving nuclear, radiological, chemical, biological, and high-yield explosives weapons (sec. 1032)

The House bill contained a provision (sec. 1032) that would designate the Secretary of Homeland Security as the federal official responsible for the preparedness testing of federal, state, and local agencies to respond to emergencies involving chemical, biological, nuclear, and radiological weapons.

The Senate amendment contained no similar provision.

The Senate recedes.

Department of Defense chemical, biological, radiological, nuclear, and high-yield explosives response teams (sec. 1033)

The House bill contained a provision (sec. 1033) that would designate the Secretary of Homeland Security, rather than the Director of the Federal Emergency Management Agency, as the federal official who would request Department of Defense assistance in a weapons of mass destruction emergency response.

The Senate amendment contained no similar provision.

The Senate recedes.

Repeal of Department of Defense emergency response assistance program (sec. 1034)

The House bill contained a provision (sec. 1034) that would repeal the requirement of the Secretary of Defense to carry out a program to train other federal, state, and local agency personnel regarding emergency response to threats or incidents involving weapons of mass destruction. The provision would further designate the Secretary of Homeland Security as the principal federal official responsible for such program.

The Senate amendment contained no similar provision.

The Senate recedes.

Report on use of Department of Defense aerial reconnaissance assets to support Homeland Security border security missions (sec. 1035)

The Senate amendment contained a provision (sec. 1031) that would authorize the Secretary of Defense to use Department of Defense personnel and equipment to conduct aerial reconnaissance within the U.S. Northern Command area of responsibility with unmanned aerial vehicles. The purpose of these operations would be to detect and monitor suspicious air, sea, and surface traffic; and to communicate information on such traffic to appropriate federal, state, and local law enforcement officials.

The House bill contained no similar provision.

The House recedes with a clarifying amendment that would require the Secretary of Defense to submit a report to the Committees of Armed Services of the Senate and the House of Representatives not later than 120 days after the enactment of this Act, in coordination with the Secretary of Homeland Security, containing the results of a study regarding the use of aerial reconnaissance equipment of the Department of Defense in missions in which the Armed Forces support the Department of Homeland Security in performing its international border security mission.

Subtitle E—Reports and Studies

Review of Defense Base Act insurance (sec. 1041)

The Senate amendment contained a provision (sec. 1042) that would require the Secretary of Defense to review current and future needs, options, and risks associated with Defense Base Act (DBA) (42 United States Code, sections 1651–1654) insurance.

The House bill contained no similar provision.

The House recedes.

The conferees note that the Department of Defense recently initiated a 1-year pilot program for a single insurer to provide DBA insurance for all Army Corps of Engineers contractors performing overseas. On November 22, 2005, the Army announced that it had entered a contract under which insurance rates would range from $5.00 to $8.50 per $100.00 of salary cost. This represents considerable savings over the DBA insurance rates between $10.00 and $21.00 per $100.00 of salary cost previously paid by the Department of Defense, as reported by the Government Accountability Office. The conferees believe that the pilot program is an important first step. The report required by this section can help build on that program to develop a DBA contracting mechanism that provides the greatest benefits to the federal government and its contractor employees overseas.

Report on Department of Defense response to findings and recommendations of Defense Science Board Task Force on High Performance Microchip Supply (sec. 1042)

The Senate amendment contained a provision (sec. 1044) that would require the Department of Defense to submit a plan to sustain U.S. leadership in semiconductor manufacturing and technology.

The House bill contained no similar provision.

The House recedes with an amendment that would modify requirements on preparation and submission of the report.

The conferees note that Department missions and strategies depend heavily on semiconductor microelectronics. These microelectronics range from extremely high performance military unique systems to commodity microelectronics that are used in standard commercial computers, radios, and other electronics equipment. Given the broad application and importance of ensuring an adequate supply of these components, the conferees urge the Secretary of Defense to consult with other federal departments and agencies, industry, and academic organizations in development of the report required by this provision.

Subtitle F—Other Matters

Commission on the Implementation of the New Strategic Posture of the United States (sec. 1051)

The House bill contained a provision (sec. 1041) that would establish a commission to assess and make recommendations about the implementation of the new strategic posture of the United States. The commission would examine programmatic requirements to achieve the goals set out in the December 31, 2001, Nuclear Pos-

ture Review (NPR) and periodic assessments of the NPR by looking at: the requirements process for strategic forces; how strategic intelligence and other requirements differ from nuclear intelligence and other requirements; the ability of strategic platforms to carry out non-nuclear strike missions; the limits of tactical systems to perform non-nuclear global strategic missions; and an assessment of the ability of the current nuclear stockpile to address the evolving strategic threat environment through 2025. In selecting individuals for appointment to the commission, the Secretary of Defense shall consult with the chairman and ranking minority member of the Committee on Armed Services of the Senate and the chairman and ranking minority member of the Committee on Armed Services of the House of Representatives.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would: (1) limit the time period for the commission's assessment of the ability of the current nuclear stockpile to address the evolving threat environment to 2008, rather than 2025 as contained in the House provision; (2) require the commission to submit its report by June 30, 2007, to the Secretary of Defense and the Committees on Armed Services of the Senate and the House of Representatives containing the commission's recommendations; and (3) terminate the duties of the commission on July 30, 2007.

Reestablishment of EMP Commission (sec. 1052)

The House bill contained a provision (sec. 1042) that would reestablish and extend the life of the Commission to Assess the Threat to the United States from Electromagnetic Pulse (EMP) attack, originally created in the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398).

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would direct the commission to submit its final report by June 30, 2007, on the vulnerability of electric-dependent military and non-military systems in the United States to an EMP attack, giving special attention to the progress of U.S. government agencies and private sector entities in taking steps to protect such systems from attack. The commission is also directed to assess the Department of Defense plan for implementing the recommendations of the commission stemming from its 2004 report to Congress.

Modernization of authority relating to security of defense property and facilities (sec. 1053)

The House bill contained a provision (sec. 1043) that would amend section 21 of the Internal Security Act of 1950 (50 U.S.C. 797) to authorize the delegation of authority to issue security regulations at certain facilities to the civilian directors of those facilities. The provision would also make technical amendments to section 21 to reflect other changes in law made since the enactment of the Internal Security Act.

The Senate amendment contained a provision (sec. 1072) that would amend section 21 of the Internal Security Act of 1950 to authorize the delegation of authority to issue security regulations to civilian directors, and would also amend section 4 of that Act (50

U.S.C. 783) to prohibit persons who knowingly violate laws or regulations regarding the handling of classified information in a manner that could have a significant adverse impact on the national security of the United States from holding security clearances or obtaining access to classified information.

The Senate recedes.

Revision of Department of Defense counterintelligence polygraph program (sec. 1054)

The House bill contained a provision (sec. 1044) that would clarify and make permanent the standards by which the Department of Defense conducts its counterintelligence polygraph program. This provision would also expand the Department's counterintelligence polygraph authority to allow the Department to administer polygraph examinations to individuals whose duties involve assistance in intelligence or military missions where the misuse of information could jeopardize human life or safety; result in the loss of unique or uniquely productive intelligence sources or methods vital to U.S. national security; or compromise technologies, operational plans, and security procedures vital to the strategic advantage of the United States and its allies.

The Senate amendment contained no similar provision.

The Senate recedes.

Preservation of records pertaining to radioactive fallout from nuclear weapons testing (sec. 1055)

The House bill contained a provision (sec. 1050) that would prohibit the destruction of any document in the custody or control of the Department of Defense that is a historical record, or part of a historical record, relating to radioactive fallout from the testing of any nuclear device. The provision would further require the Secretary of Defense to identify, preserve, and publish information contained in such documents.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Technical and clerical amendments (sec. 1056)

The House bill contained a provision (sec. 1046) that would make technical and clerical amendments to various provisions of law.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would strike the portion of section 1046 dealing with the definition of "congressional defense committees," and would make minor technical corrections.

Deletion of obsolete definitions in titles 10 and 32, United States Code (sec. 1057)

The House bill contained a provision (sec. 1047) that would amend titles 10 and 32 of the United States Code to delete the obsolete term "Territory" [capitalized], which referred to Alaska and Hawaii prior to statehood, and to make conforming changes. The provision also changes references to "Puerto Rico" in those titles to "Commonwealth of Puerto Rico" to conform with current usage in other defense-related statutes.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Support for youth organizations (sec. 1058)

The House bill contained a provision (sec. 1049) that would require that no federal law shall be construed to limit the Department of Defense from providing any form of support to certain youth organizations, including the Boy Scouts of America, that would result in less support than was provided by the Department during each of the preceding 4 fiscal years.

The Senate amendment contained a similar provision (sec. 1073) that would authorize the head of a federal agency to waive the application of this provision under certain circumstances, and would amend section 5309 of title 42, United States Code, to require equal access for youth organizations, including the Boy Scouts of America, to designated open forums, limited public forums, or nonpublic forums of states or units of general local government.

The House recedes with a technical amendment.

Special immigrant status for persons serving as translators with United States Armed Forces (sec. 1059)

The House bill contained a provision (sec. 1051) that would authorize the Secretary of Homeland Security to provide special immigrant status to not more than 50 qualified Afghan or Iraqi nationals (and their spouses and children) per fiscal year. This status is limited to such nationals who have worked directly with the U.S. Armed Forces as translators for at least 12 months, have obtained a favorable recommendation from the first flag or general officer in the chain of command of the unit concerned, and have cleared a background check and screening.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would change the reference to "the first flag or general officer in the chain of command" to "a flag or general officer in the chain of command."

Expansion of emergency services under reciprocal agreements (sec. 1060)

The Senate amendment contained a provision (sec. 1084) that would amend section 1856(b) of title 42, United States Code, by expanding the list of services that could be provided by federal agencies to local governments on a reciprocal basis to include emergency services, including basic and advanced life support, hazardous material containment and confinement; and special rescue events involving vehicular and water mishaps; and trench, building, and confined space extractions.

The House bill contained no similar provision.

The House recedes with an amendment that would add "basic medical support" to the list of eligible services.

Renewal of moratorium on return of veterans memorial objects to foreign nations without specific authorization in law (sec. 1061)

The Senate amendment contained a provision (sec. 1085) that would amend section 1051(c) of the National Defense Authorization

Act for Fiscal Year 2000 (Public Law 106–65) to extend the effective date of the moratorium on return of veterans memorial objects to foreign nations through September 30, 2010.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Sense of Congress on national security interest of maintaining aeronautics research and development (sec. 1062)

The Senate amendment contained a provision (sec. 1088) that would express the sense of the Senate regarding the importance to the nation of a strong aeronautics research and development program at the National Aeronautics and Space Administration and at the Department of Defense.

The House bill contained no similar provision.

The House recedes with an amendment to express the sense of Congress on the national security interest of maintaining aeronautics research and development.

Airport certification (sec. 1063)

The conferees agree to a provision that would require specific conditions to be met by a certain airport designated in the provision in order to be eligible to receive approval of an airport layout plan from the Federal Aviation Administration.

Subtitle G—Military Mail Matters

Safe delivery of mail in military mail system (sec. 1071)

The Senate amendment contained a provision (sec. 1061) that would require the Secretary of Defense to promptly develop and implement a plan to ensure that the mail within the military mail system is safe for delivery, and to submit a report to Congress not later than 120 days after the date of enactment of this Act on the safety of mail within the military mail system.

The House bill contained no similar provision.

The House recedes with a technical amendment.

LEGISLATIVE PROVISIONS NOT ADOPTED

Assignment of members of the Armed Forces to assist Bureau of Border Security and Bureau of Citizenship and Immigration Services of the Department of Homeland Security

The House bill contained a provision (sec. 1035) that would authorize the Secretary of Defense to assign members of the Armed Forces to assist Bureau of Border Security and Bureau of Citizenship and Immigration Services of the Department of Homeland Security, in preventing the entry of terrorists, drug traffickers, and illegal aliens into the United States, and to aid in the inspection of cargo, vehicles, and aircraft at points of entry into the United States to prevent the entry of weapons of mass destruction.

The Senate amendment contained no similar provision.

The House recedes.

Coal-to-liquid fuel development plan

The Senate amendment contained a provision (sec. 1090) that would direct the Secretary of Energy to submit a plan on the development of a coal-to-liquid fuel program and would direct the Secretary of Defense to submit a plan to use fuels developed under this program.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that the Department of Defense and the Department of Energy are working together as part of the Department of Defense clean fuels program to develop clean, domestic sources of fuel for Department of Defense applications, particularly for use in turbine engines. The Department of Energy coal-to-liquid fuel program, conducted at the Department of Energy National Energy Technology Laboratory, will be one of the primary programs that will support near-term options to develop clean domestic fuel sources for turbine engines in use by the Department of Defense. The conferees support this collaboration and direct the Secretary of Defense and the Secretary of Energy to report on the progress of their efforts and to develop a plan for the future.

The Secretary of Energy, in coordination with the Secretary of Defense, shall prepare and submit to the Committees on Armed Services, Energy and Natural Resources, and Appropriations of the Senate, and to the Committees on Armed Services, Energy and Commerce, Science, and Appropriations of the House of Representatives, a development plan for the coal-to-liquid fuel program. The development plan shall be prepared taking into consideration: (1) technology needs and developmental barriers; (2) economic and national security effects; (3) environmental standards and carbon capture and storage opportunities; (4) financial incentives; (5) timelines and milestones; (6) diverse regions having coal reserves that would be suitable for liquefaction plants; (7) coal-to-liquid fuel testing to meet civilian and military engine standards and markets; and (8) any roles other federal agencies, state governments, and international entities could play in developing a coal-to-liquid fuel industry, not later than 90 days after the date of enactment of this Act.

The Secretary of Defense, in coordination with the Secretary of Energy, shall prepare and submit to the Committees on Armed Services, Energy and Natural Resources, and Appropriations of the Senate, and to the Committees on Armed Services, Energy and Commerce, Science, and Appropriations of the House of Representatives, a report on the potential use of the fuels by the Department of Defense, not later than 90 days after the date of enactment of this Act.

Delivery of mail addressed to any service member

The Senate amendment contained a provision (sec. 1062) that would require the Secretary of Defense to carry out a program under which mail and packages addressed to any service member shall be delivered to deployed members of the Armed Forces overseas.

The House bill contained no similar provision.

The Senate recedes.

Establishment of National Foreign Language Coordination Council

The Senate amendment contained a provision (sec. 1082) that would establish a National Foreign Language Coordination Council to develop and monitor the implementation of a national foreign language strategy. The strategy would include: (1) an identification of crucial priorities; (2) an identification and evaluation of federal foreign language programs and activities; (3) effective ways to increase public awareness of the need for foreign language skills; (4) recommendations for incentives for educational programs; and (5) coordination of cross-sector efforts. The council would prepare and transmit to the President and the relevant committees of Congress the strategy not later than 18 months after the date of enactment of this Act.

The House bill contained no similar provision.

The Senate recedes.

The conferees have been informed that the Department of State, in coordination with the Department of Defense, Director of National Intelligence, and the Department of Education, has spearheaded a National Security Initiative to develop a long-range strategy to improve our nation's foreign language capabilities. The Department of State, through the Office of the Under Secretary of State for Public Diplomacy, would coordinate the implementation of the strategy.

The conferees commend the interagency working group, which was responsible for developing the strategy, for considering the recommendations made at the National Language Conference held on August 17, 2004, by over 300 leaders and practitioners from federal, state, and local government agencies; academic institutions; business and industry; foreign language interest groups; and foreign nations. The conferees encourage the Department of Defense to engage federal, state, and local agencies and interested private sector organizations during the implementation of the initiative.

Extension of Department of Defense authority to support counterdrug activities

The House bill contained a provision (sec. 1021) that would extend the authorization from 2006 to 2011.

The Senate amendment contained no similar provision.

The House recedes.

Grant of federal charter to Korean War Veterans Association, Incorporated

The Senate amendment contained a provision (sec. 1077) that would modify title 36, United States Code, to grant a federal charter to the Korean War Veterans Association, Incorporated.

The House bill contained no similar provision.

The Senate recedes.

Incorporation of classified annex

The Senate amendment contained a provision (sec. 1002) that would incorporate an accompanying classified annex.

The House bill contained no similar provision.

The Senate recedes.

Policy of the United States on the Intercontinental Ballistic Missile force

The Senate amendment contained a provision (sec. 1076) that would state the policy of the United States to continue to deploy a force of 500 intercontinental ballistic missiles, provided that unanticipated strategic developments may compel the United States to make changes to this force structure in the future.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that:

(1) Consistent with warhead levels agreed to in the Moscow Treaty, the United States is modifying the capacity of the Minuteman III intercontinental ballistic missile (ICBM) from its prior capability to carry up to 3 independent reentry vehicles (RVs) to carry as few as a single RV, a process known as downloading.

(2) The 2001 Nuclear Posture Review (NPR) confirmed the need for 500 ICBMs.

(3) In a potential nuclear crisis, it is important that the nuclear weapons systems of the United States be configured so as to discourage other nations from making a first strike.

(4) The ICBM force is currently being considered as part of the deliberations of the Department of Defense for the Quadrennial Defense Review.

The conferees note that the policy of the United States, as set out in the 2001 NPR, is to deploy a force of 500 ICBMs. The conferees further note that unanticipated strategic developments may compel the United States to make changes to this force structure in the future.

Reduction in overall authorization due to inflation savings

The Senate amendment contained a provision (sec. 1004) that would reduce the amount authorized to be appropriated to the Department of Defense by $1.3 billion to reflect the reduced inflation estimates in the Congressional Budget Office's annual review of the budget.

The House bill contained no similar provision.

The Senate recedes.

Repeal of requirement for report to Congress regarding global strike capability

The House bill contained a provision (sec. 1045) that would repeal the requirement in section 1032 of the National Defense Authorization Act for fiscal year 2004 (Public Law 108–136) for the Secretary of Defense to submit a report on Global Strike for fiscal year 2006.

The Senate amendment contained no similar provision.

The House recedes.

The conferees, after reviewing the June 2005 Prompt Global Strike Plan submitted by the Secretary, concur with the need to explore a wide range of capabilities for responding rapidly to emerging threats to the United States and its strategic interests. The report noted a capability gap of particular concern: "for the near future, in the event of rapidly developing crisis, the Department of

Defense will not have non-nuclear, long-range precision strike options for consideration by the national leadership." The conferees believe it is important to close this gap as soon as technically possible.

The conferees understand from the 2005 report that the evaluation of a wide range of current and future global strike capabilities is ongoing, and will be in the capabilities mix examined in the 2005 Quadrennial Defense Review. However, in the section of the 2005 report defining global strike assets, the Department appears to limit global strike to capability delivered by aircraft or naval platforms, neglecting land-based options. As such, the conferees are concerned that ample consideration is not being given to the full spectrum of options to provide a robust and cost-effective capability to strike time-urgent targets around the globe. The conferees, therefore, want to emphasize the importance of a complete evaluation, considering all air, sea, and land-based capabilities, not limited to intercontinental ballistic missiles, and including mobile, land-based boost glide capabilities. The conferees also direct the Department to include in their 2006 annual report on Prompt Global Strike a full discussion of how the Department plans to close the non-nuclear, long-range precision strike gap.

Report on alleged clandestine detention facilities for individuals captured in the global war on terrorism

The Senate amendment contained a provision (sec. 1047) that would require the Director of National Intelligence to provide the members of the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a detailed report on the cost and operations of any clandestine prison or detention facility currently or formerly operated by the U.S. Government, regardless of location, where detainees in the global war on terrorism are or were held.

The House bill contained no similar provision.

The Senate recedes.

The conferees determined that the amendment was outside the jurisdiction of the Committees on Armed Services of the Senate and the House of Representatives.

Retention on reimbursement for provision of reciprocal fire protection services

The Senate amendment contained a provision (sec. 1083) that would amend section 1856d of title 42, United States Code, by adding a provision that would require that any funds received by the Department of Defense for fire protection provided pursuant to this statute would be credited to the appropriation fund or account from which the expenses for that fire protection were paid.

The House bill contained no similar provision.

The Senate recedes.

Sense of the Senate on Common Remotely Operated Weapons Station platform

The Senate amendment contained a provision (sec. 1091) that would require funding for the Common Remotely Operated Weapons Station (CROWS) platform in the request by the President for

emergency supplemental appropriations for the Department of Defense for fiscal year 2006.

The House bill contained no similar provision

The Senate recedes.

The conferees have strongly supported and will continue to support the development and employment of remote weapon stations on combat vehicles such as the Stryker and on tactical wheeled vehicles such as the M1114 Up-Armored High Mobility Multipurpose Wheeled Vehicle and the Armored Security Vehicle. The conferees understand the benefits provided by remote weapon station platforms such as providing day and night target detection, recognition, and engagement at long distances, while allowing the soldier or marine to remain protected by the confines of an armored vehicle. In particular, the conferees agree with the findings in section 1091 regarding the benefits of remote weapon station platforms to include the CROWS platform.

The conferees agree to authorize an additional $4.0 million in PE 64601A for the continued development of a reduced weight and size configuration of the CROWS platform and an additional $2.0 million in PE 63640M for additional CROWS platforms systems for the U.S. Marine Corps.

Support for counterdrug activities through bases of operation and training facilities in Afghanistan

The Senate amendment contained a provision (sec. 1033) that would clarify section 1004 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510) to authorize the Secretary of Defense to permit the use of U.S. bases of operation or training facilities to facilitate the conduct of counterdrug activities in Afghanistan and counterdrug related Afghan criminal justice activities.

The House bill contained no similar provision.

The Senate recedes.

Technical amendments relating to certain provisions of environmental defense laws

The Senate amendment contained a provision (sec. 1051) that would make technical amendments to certain provisions of environmental defense laws.

The House bill contained a provision (sec. 1046) that would make technical and clerical amendments to various provisions of law.

The Senate recedes.

The provision that would make technical and clerical amendments to various provisions of law will be included under section 1056.

TITLE XI—CIVILIAN PERSONNEL MATTERS

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Extensions of Authorities

Extension of eligibility to continue Federal employee health benefits (sec. 1101)

The House bill contained a provision (sec. 1101) that would authorize certain individuals to elect continued health benefits coverage for up to 18 months after an involuntary or voluntary separation due to a reduction in force.

The Senate amendment contained an identical provision (sec. 1104).

The conference agreement includes this provision.

Extension of Department of Defense voluntary reduction in force authority (sec. 1102)

The House bill contained a provision (sec. 1102) that would extend until September 30, 2010, authority to substitute the voluntary separation of an employee for the separation of another employee who would otherwise be separated due to a reduction in force.

The Senate amendment contained an identical provision (sec. 1101).

The conference agreement includes this provision.

Extension of authority to make lump sum severance payments (sec. 1103)

The House bill contained a provision (sec. 1103) that would extend until the end of fiscal year 2010 the authority of the Secretary of Defense or the secretaries of the military departments to pay an employee the total amount of severance pay in one lump sum.

The Senate amendment contained an identical provision (sec. 1103).

The conference agreement includes this provision.

Permanent extension of Science, Mathematics, and Research for Transformation (SMART) defense education program (sec. 1104)

The House bill contained a provision (sec. 1107) that would expand and make permanent the Science, Mathematics, and Research for Transformation (SMART) scholarship for service program, which was established under section 1105 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375).

The Senate amendment contained a similar provision (sec. 1105).

The House recedes with an amendment that would include support for students pursuing associates degrees in the program.

Authority to waive annual limitation on total compensation paid to Federal civilian employees (sec. 1105)

The House bill contained a provision (sec. 1105) that would authorize the head of a federal executive agency to waive the limitation on civilian compensation established in section 5547 of title 5, United States Code, for an employee who performs work in an overseas location within the U.S. Central Command area of responsibility, in direct support of a military contingency operation. The provision would require that the maximum total compensation allowed would not exceed $200,000, and the authority to waive the limitation on total annual compensation would be limited to fiscal year 2006.

The Senate amendment contained no similar provision.

The Senate recedes.

Subtitle B—Veterans Preference Matters

Veterans' preference status for certain veterans who served on active duty during the period beginning on September 11, 2001, and ending as of the close of Operation Iraqi Freedom (sec. 1111)

The House bill contained a provision (sec. 1108) that would authorize veterans' preference for civilian federal employment authorized in section 2108(1) of title 5, United States Code, for veterans who have served on active duty for a period of more than 180 consecutive days since September 11, 2001, and ending on the date proclaimed as the last date of Operation Iraqi Freedom.

The Senate amendment contained no similar provision.

The Senate recedes.

Veterans' preference eligibility for military reservists (sec. 1112)

The Senate amendment contained a provision (sec. 679) that would clarify that the veterans' preference eligibility for federal hiring authorized under section 2108(1) of title 5, United States Code, is available to military reservists who are discharged or released from active-duty service.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Subtitle C—Other Matters

Transportation of family members in connection with the repatriation of Federal employees held captive (sec. 1121)

The House bill contained a provision (sec. 1106) that would authorize the head of a federal agency to provide travel and transportation allowances for three family members of a federal civilian employee, who was held captive and is being repatriated to a site inside or outside the United States. The provision would also authorize waiver of the limitation on the number of family members of an employee who could receive such assistance, under circumstances determined to be appropriate by the head of the agency.

The Senate amendment contained a similar provision (sec. 631(b)(1)) that would authorize travel and per diem allowances for

up to three family members of federal civilian employees who are repatriated after being held captive.

The House recedes to section 631(b)(1) of the Senate amendment with a technical amendment.

Strategic human capital plan for civilian employees of the Department of Defense (sec. 1122)

The Senate amendment contained a provision (sec. 1106) that would require the Secretary of Defense to develop a strategic plan for the civilian workforce of the Department of Defense. The plan would include a workforce gap analysis and a plan of action for developing and shaping the Department of Defense civilian workforce to address gaps in critical skills and competencies.

The House bill contained no similar provision.

The House recedes with an amendment that would extend the time period for development of the strategic human capital plan from 6 months to 1 year from the date of enactment of this Act, and to require annual updates to the plan and annual reports to the Committees on Armed Services of the Senate and the House of Representatives from 2007 through 2010. The amendment would remove the requirement in section 1106 that recruitment and retention goals for the civilian workforce not be subject to any limit or constraint on the size of the civilian workforce in the Department.

Independent study on features of successful personnel management systems of highly technical and scientific workforces (sec. 1123)

The Senate amendment contained a provision (sec. 1108) that would require the Comptroller General to conduct a study of defense laboratory personnel demonstration authorities and successful management practices utilized by laboratories and facilities with similar technical workforce recruitment and retention challenges.

The House bill contained no similar provision.

The House recedes with an amendment that would repeal the requirement that the Comptroller General conduct the study and, also amend the content of the study.

The conferees direct the Secretary of Defense to commission the National Defense University to conduct an independent study of successful management practices of highly technical workforces.

Support by Department of Defense of pilot project for Civilian Linguist Reserve Corps (sec. 1124)

The Senate amendment contained a provision (sec. 1046) that would establish a 3-year pilot project for a Civilian Linguist Reserve Corps within the Department of Defense, comprised of citizens fluent in foreign languages who would be available to provide translation services and related duties. The provision would also require the Secretary of Defense to submit a final report to Congress not later than 6 months after the completion of the pilot project on the lessons learned, best practices, and recommendations for full implementation of the Civilian Linguist Reserve Corps.

The House bill contained no similar provision.

The conferees understand that the Director of National Intelligence has entered into a contract with the Department of Defense for services to carry out the pilot project, as authorized under section 613 of the Intelligence Authorization Act of 2005 (Public Law 108–487).

The House recedes with an amendment that would authorize the Secretary of Defense to support the implementation of the Civilian Linguist Reserve Corps pilot project of the Director of National Intelligence, subject to the availability of appropriated funds, pursuant to section 613.

Increase in authorized number of Defense Intelligence Senior Executive Service employees (sec. 1125)

The Senate amendment contained a provision (sec. 1107) that would increase the authorization for the number of Defense Intelligence Senior Executive Service employees by 75 in fiscal year 2006 and by 75 more in fiscal year 2007. The House bill contained no similar provision.

The House recedes with an amendment that would limit the authorized increase to 50. The conferees believe any further increases must be accompanied by greater justification that addresses increases in intelligence flag and general officer positions, growth in Defense Intelligence Senior Leader positions, and the affect these increases would have on the GS–15 and military 06 inventories in the affected defense agencies.

LEGISLATIVE PROVISIONS NOT ADOPTED

Authority for heads of agencies to allow shorter length of required service by federal employees after completion of training

The House bill contained a provision (sec. 1104) that would provide the heads of executive agencies the authority to determine the appropriate length of service an employee must perform in return for training paid for by the U.S. government. The Senate amendment contained no similar provision. The House recedes.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Assistance and Training

Extension of humanitarian and civic assistance provided to host nations in conjunction with military operations (sec. 1201)

The House bill contained a provision (sec. 1201) that would increase funding in support of activities to detect and clear landmines. It would also expand medical, dental, and veterinary care to include related education, training, and technical assistance.

The Senate amendment contained a similar provision (sec. 1202).

The Senate recedes.

Commanders' Emergency Response Program (sec. 1202)

The House bill contained a provision (sec. 1202) that would authorize the Secretary of Defense to use up to $500.0 million in fiscal year 2006 operations and maintenance funding for increased

costs due to Operation Iraqi Freedom and Operation Enduring Freedom for the Commanders' Emergency Response Program (CERP). The CERP program provides commanders in Iraq and Afghanistan funds for use in small humanitarian and reconstruction projects in their areas of responsibility. The provision would require quarterly reports on the source and use of funds pursuant to this program. The provision would prohibit the use of CERP funds for training and equipping the Iraq and Afghanistan national armies, police, and security forces, and it would require the Secretary to issue guidance to the Commander, U.S. Central Command, on the use of CERP funds.

The Senate amendment contained a similar provision (sec. 1201), but provided 2–year authority for the CERP program. The provision did not include a prohibition on use of CERP funds for specified purposes, nor did it require the Secretary to issue CERP guidance.

The House recedes with an amendment that would provide the Secretary authority to waive any provision of law that would prohibit, restrict, limit, or otherwise constrain implementation of the CERP program in Iraq and Afghanistan. The amendment would also require the Secretary to submit to the congressional defense committees within 30 days of enactment the current guidance for CERP, and to submit to those committees any changes to the CERP guidance within 15 days of the issuance of such modified guidance.

It is the understanding of the conferees that the CERP program is currently being implemented pursuant to the guidance issued by the Comptroller on July 27, 2005. That guidance explicitly prohibits, among other things, the use of CERP funds for providing goods, services, or funds to national armies, National Guard forces, border security forces, civil defense forces, infrastructure protection forces, highway patrol units, police, special police, or intelligence or other security forces. The conferees expect this element of the current CERP guidance to remain in any subsequently issued CERP guidance. The Congress has appropriated significant funds for the specific purpose of training and equipping the Iraq and Afghanistan national armies, police, and security forces, and therefore CERP funds are specifically not intended to be used for that purpose.

It has come to the attention of the conferees that, as a result of the bidding process for larger CERP projects, some CERP projects have been carried out using foreign labor. Because one of the purposes of CERP is to employ Iraq and Afghanistan residents in local humanitarian and reconstruction projects, the conferees urge that, whenever possible, CERP projects be carried out using local citizens or residents of the country in which the projects are being carried out. The conferees recommend that the CERP guidance be modified to reflect this preference.

Modification of geographic restriction under bilateral and regional cooperation programs for payment of certain expenses of defense personnel of developing countries (sec. 1203)

The House bill contained a provision (sec. 1204) that would provide the Secretary of Defense flexibility to pay expenses for per-

sonnel from developing countries to attend a conference, seminar, or similar meeting, even if the conference, seminar, or similar meeting takes place in a location that is outside of the combatant commander's area of responsibility in which the developing country is located.

The Senate amendment contained a similar provision (sec. 1203).

The Senate recedes with a technical amendment.

Authority for Department of Defense to enter into acquisition and cross-servicing agreements with regional organizations of which the United States is not a member (sec. 1204)

The House bill contained a provision (sec. 1205) that would authorize the Department of Defense to enter into acquisition and cross-servicing agreements with regional organizations of which the United States is not a member.

The Senate amendment contained a similar provision (sec. 803).

The Senate recedes.

Two-year extension of authority for payment of certain administrative services and support for coalition liaison officers (sec. 1205)

The House bill contained a provision (sec. 1206) that would extend the authority to fund certain administrative services for coalition liaison officers until September 30, 2007.

The Senate bill contained a similar provision (sec. 1204).

The Senate recedes.

Authority to build the capacity of foreign military forces (sec. 1206)

The Senate amendment contained a provision (sec. 1206) that would provide the Secretary of Defense authority to transfer up to $750.0 million in a fiscal year in funds available to the Department of Defense to the Department of State for the purpose of building the capacity of partner nations' military or security forces to disrupt or destroy terrorist networks, close safe havens, or participate in or support U.S., coalition, or international military or stability operations.

The House bill contained no similar provision.

The House recedes with an amendment that would provide the President with authority to direct the Secretary of Defense to conduct or support a program to build the capacity of a foreign nation's military forces in order for that nation to conduct counter-terrorist operations and to participate in or support military and stability operations in which the United States is a participant. The program could include the provision of equipment, supplies, and training, and shall promote observance of and respect for human rights and fundamental freedoms and respect for legitimate civilian authority. This authority could not be used to provide assistance that is otherwise prohibited by any provision of law, nor could it be used to provide assistance to any foreign nation that would otherwise be prohibited from receiving such assistance. The provision further requires the Secretary of Defense to jointly formulate with the Secretary of State any program conducted under this authority, and to coordinate with the Secretary of State in its implementa-

tion. The provision requires the Secretary of Defense to provide a notification to specified congressional committees before initiating any activities under this authority. This authority would expire on September 30, 2007.

The provision would also require a report from the President on the strengths and weaknesses of current laws governing and relating to the provision of this type of assistance; recommended changes, if any, to those laws; any organizational and procedural changes that should be made in the Department of Defense and the Department of State to improve their ability to conduct such programs; and the resources and funding mechanisms required to assure adequate funding for such programs.

The conferees note that under current law, foreign military training programs are conducted exclusively under the authority of the Secretary of State. The conferees believe it is important that any changes in statutory authorities for foreign military assistance do not have unintended consequences for the effective coordination of U.S. foreign policy writ large, nor should they detract from the Department of Defense's focus on its core responsibilities, particularly the warfighting tasks for which it is uniquely suited. The conferees view the provision under this section of limited new authorities for the President to direct the Secretary of Defense to conduct such programs as a 2-year pilot program. The conferees intend to review carefully how that authority is exercised so as to have a basis for determining whether and, if so, in what precise manner, to reauthorize this or provide other authority after the conclusion of the pilot program. An important factor in the conferees' future consideration of this matter will be the report that is to be provided under this section.

Security and stabilization assistance (sec. 1207)

The Senate amendment contained a provision (sec. 1207) that would provide the Secretary of Defense authority to use or transfer defense articles, services, training or other support, including support acquired by contract or otherwise, to provide immediate reconstruction, security or stabilization assistance to a foreign country for the purpose of restoring or maintaining peace and security in that country. The provision would permit the Secretary of Defense to transfer funds to the Department of State or any other federal agency for this purpose. The aggregate value of assistance provided or funds transferred under this authority could not exceed $200.0 million in a fiscal year.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify that the Secretary of Defense may provide to the Secretary of State services, defense articles, and funding up to the amount of $100.0 million in a fiscal year to facilitate the provision by the Secretary of State of reconstruction, security, or stabilization assistance to a foreign country. The amendment would limit this authority to fiscal years 2006 and 2007. The amendment would require the Secretary of Defense, in coordination with the Secretary of State, to notify specified congressional committees of the use of this authority. Any services, defense articles, and funding transferred to the Secretary of State under this authority shall be subject to the Foreign Assist-

ance Act, the Arms Export Control Act, and other laws under which the Secretary of State is authorized to provide such assistance.

The conferees commend the administration for the steps it is taking to improve U.S. capacity and interagency coordination in planning for, supporting, and conducting stability operations in post-conflict situations. The conferees support the steps the Secretary of Defense is taking to place greater emphasis on the stability operations mission in Department of Defense planning and guidance so that the mission is fully integrated across all Department activities.

In authorizing this provision, the conferees also express their support for the Department of State Office of the Coordinator for Reconstruction and Stabilization (S/CRS). The mission of S/CRS is to lead, coordinate and institutionalize U.S. government civilian capacity to prevent or prepare for post-conflict situations, and to help stabilize and reconstruct societies in transition from conflict or civil strife. The conferees commend the Department of Defense's active support of and cooperation with S/CRS, and urge the Department of Defense to continue to deepen its coordination with the Department of State on planning for and participating in post-conflict stability operations and reconstruction efforts.

The conferees view this provision as a temporary authority to provide additional resources, if needed, to the Department of State until S/CRS is fully stood up and adequately resourced. The conferees do not believe it is appropriate, and are not inclined, to provide long-term funding from the Department of Defense to the Department of State so that the Department of State can fulfill its statutory authorities. The conferees urge the administration to request the necessary resources for S/CRS in fiscal year 2007 and future years budget submissions for the Department of State.

Reimbursement of certain coalition nations for support provided to United States military operations (sec. 1208)

The House bill contained a provision (sec. 1531) that would authorize the Secretary of Defense to reimburse any key cooperating nation for logistical and military support provided by that nation to, or in connection with U.S. military operations in Iraq, Afghanistan, and the global war on terrorism. The total amount of payments made under the authority of this section during fiscal year 2006 may not exceed $1.5 billion. The Secretary may not enter into any contractual obligation to make payment under the authority of this provision without congressional notification. The Secretary shall notify congressional defense committees not less than 15 days before making any payment under the authority of this section.

The Senate amendment contained no similar provision.

The Senate recedes.

Authority to transfer defense articles and provide defense services to the military and security forces of Iraq and Afghanistan (sec. 1209)

The conferees included a provision that would provide the President authority during fiscal year 2006 to transfer defense articles from the stocks of the Department of Defense, and to provide

defense services in connection with the transfer of such defense articles, to the military and security forces of Iraq and Afghanistan in order to support their efforts to restore and maintain peace and security in those countries. The provision would limit to $500,000,000 the aggregate value of defense articles to be transferred and defense services to be provided. This authority would be subject to certain authorities and limitations, as specified in this provision, that are applicable to the transfer of excess defense articles under the Foreign Assistance Act (22 U.S.C. 2321j). The provision would require the President to submit to specified congressional committees a notification 15 days prior to the exercise of this authority. The notification would include: (1) information that is required by specified provisions of the Foreign Assistance Act; (2) the amount and type of defense articles to be transferred and services to be provided, and the brigade-level units from which the defense articles are to be transferred or defense services provided; and (3) the element of the military or security force that is the proposed recipient of each defense article to be transferred or defense service to be provided.

The conferees note that this provision would require the President to make an assessment that the proposed transfer of defense articles or provision of defense services will not have an adverse impact on the military readiness of the United States. The conferees understand this to mean that the overall readiness of the U.S. Armed Forces would not be adversely impacted. The conferees understand that the readiness of a particular unit could be temporarily impacted following the transfer of defense articles under this provision, and would not expect that fact to prevent the President from exercising this authority.

The conferees further note that the authority provided by this provision would not permit the transfer of defense articles or the provision of defense services to nongovernmental or irregular forces such as private militias.

Subtitle B—Nonproliferation Matters and Countries of Concern

Prohibitions on procurements from Communist Chinese military companies (sec. 1211)

The House bill contained a provision (sec. 1213) that would prohibit the Secretary of Defense from purchasing goods or services from any foreign person connected to the Chinese military or security forces.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would: (1) limit the prohibition to goods and services that are on the U.S. Munitions List; (2) provide for an exception for goods and services procured in connection with a visit by a vessel or an aircraft of the U.S. Armed Forces, for testing, or for the purposes of gathering intelligence; and (3) authorize the Secretary of Defense to waive the prohibition for national security purposes.

Report on nonstrategic nuclear weapons (sec. 1212)

The Senate amendment contained a provision (sec. 1208) that would direct the Secretary of Defense, in consultation with the Sec-

retary of State, to conduct a review of United States and Russian nonstrategic nuclear weapons and to submit a report of the results of that review within 6 months of enactment of this Act.

The House bill contained no similar provision.

The House recedes with an amendment that would add the Secretary of Energy to the reporting requirement.

Subtitle C—Reports and Sense of Congress Provisions

War-related reporting requirements (sec. 1221)

The House bill contained a provision (sec. 1223) that would direct the Secretary of Defense to submit to the congressional defense committees war-related reports on costs, reconstitution, and military construction for Operation Iraqi Freedom, Operation Enduring Freedom, and Operation Noble Eagle. In addition, the Secretary shall submit to the Comptroller General, no later than 45 days after the end of each reporting month, the Department of Defense Supplemental and Cost of War Execution reports. Based on these reports, the Comptroller General shall provide Congress quarterly updates on war costs.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the report to differentiate costs by operation.

Quarterly reports on war strategy in Iraq (sec. 1222)

The Senate amendment contained a provision (sec. 1049a) that would require that at the same time the Secretary of Defense submits to Congress required reports on stability and security in Iraq, the Secretary and appropriate personnel from the Central Intelligence Agency (CIA) shall provide the appropriate committees of Congress a briefing on the strategy for the war in Iraq.

The House bill contained no similar provision.

The House recedes with an amendment that would include the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence in the briefings and that these briefings terminate after 12 of the quarterly briefings have been provided, or December 31, 2008, whichever is later. The conferees acknowledge that the portion of the briefing presented by the CIA will focus on the latest intelligence assessments regarding the war in Iraq.

Report on records of civilian casualties in Afghanistan and Iraq (sec. 1223)

The Senate amendment contained a provision (sec. 1048) that would require the Secretary of Defense to submit a report to appropriate committees of Congress with information on records of civilian casualties in Afghanistan and Iraq. The report shall be submitted not later than 90 days after the enactment of this Act. This provision does not require U.S. Armed Forces to collect any additional information on civilian casualties other than what is currently collected.

The House bill contained no similar provision.

The House recedes with amendment.

Annual report on Department of Defense costs to carry out United Nations resolutions (sec. 1224)

The Senate amendment contained a provision (sec. 1087) that would require an annual report on the costs incurred by the Department of Defense in implementing or supporting resolutions of the United Nations Security Council.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Report on claims related to the bombing of the LaBelle Discotheque (sec. 1225)

The Senate amendment contained a provision (sec. 1089) that would require a report on claims by U.S. citizens relating to the bombing of the LaBelle Discotheque in Berlin, Germany.

The House bill contained no similar provision.

The House recedes.

Sense of Congress concerning cooperation with Russia on issues pertaining to missile defense (sec. 1226)

The House bill contained a provision (sec. 1224) that would express the sense of Congress that cooperation between the United States and Russia with regard to missile defense is in the interest of the United States and that the United States should explore innovative and nontraditional means of cooperation with Russia in the area of missile defense.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would include implementation of the Moscow Joint Data Exchange Center as an additional possibility for cooperation with Russia with respect to missile defense.

United States policy on Iraq (sec. 1227)

The Senate amendment contained a provision (sec. 1211) that would express a sense of the Senate about the policy on Iraq that included, among other provisions, a recognition that the members of the U.S. armed forces who are serving or have served in Iraq and their families deserve the utmost respect and the heartfelt gratitude of the American people; that the Iraqi people have made enormous sacrifices; that calendar year 2006 should be a period of significant transition to Iraqi sovereignty, with the security forces taking the lead, thereby creating the conditions for the phased redeployment of U.S. forces from Iraq; and that the administration should tell the leaders of all groups and political parties in Iraq that they need to make the compromises necessary to achieve a broad-based and sustainable political settlement.

The provision would also direct that not later than 90 days after the date of the enactment of this Act, and every 3 months thereafter, the President shall submit to Congress a report on U.S. policy and military operations in Iraq. This report is in addition to the various reports, briefings, and updates the President and his other senior officials have provided on a routine basis. The provision contained a list of conditions that shall be addressed in the report.

The House bill contained no similar provision.

The House recedes with an amendment that would permit the President to submit a classified annex, recognizes the progress of the Iraqi Security Forces, and that the professional military judgment of our senior military should be a key factor in future decisions.

The conferees acknowledge that the President has delivered over 24 major speeches on Iraq and provided Congress and the American people with a National Strategy for Victory in Iraq on November 30, 2005.

Subtitle D—Other Matters

Purchase of weapons overseas for force protection purposes in countries in which combat operations are ongoing (sec. 1231)

The House bill contained a provision (sec. 1221) that would permit the Secretary of Defense to purchase weapons from any foreign person, foreign government, international organization, or other entity located in a country in which U.S. combat personnel are engaged in military operations for the purpose of protecting those personnel. The provision would limit the amount expended during any fiscal year for this purpose to $15.0 million. The provision would also require an annual report on the use of this authority.

The Senate amendment contained a similar provision (sec. 324) that would permit weapons purchased under this authority to be destroyed, and would require the Secretary of Defense to promptly notify the congressional defense committees of any use of this authority.

The Senate recedes with an amendment that would require a semiannual report on the use of this authority.

The conferees note that this provision does not provide the Secretary of Defense authority to transfer weapons purchased under this authority to military and security forces of a foreign country. The conferees further note that authority in this section is intended for use by the U.S. Armed Forces during ongoing military operations. On those occasions when the Secretary of Defense uses this authority during military operations in a country in which a wider internationally-led disarmament, demobilization, and reintegration (DDR) program, such as those that took place in Bosnia or Afghanistan, is taking place, the conferees believe that the Secretary of Defense should closely consult and coordinate with the Secretary of State to ensure that actions taken pursuant to the authority of this section complements, or is integrated with, such an internationally-led program or utilizes best practices for such DDR programs.

Riot control agents (sec. 1232)

The Senate amendment contained a provision (sec. 1080) that would restate current U.S. policy on riot control agents, and require a report on the use of riot control agents by members of the Armed Forces.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

The conferees note that the report required by this provision should include a description of the doctrinal publications and any

other resources made available to members of the Armed Forces regarding the tactical employment of riot control agents. The report should also include a discussion of whether riot control agent inventories are sufficient in numbers and type to meet existing requirements.

Requirement for establishment of certain criteria applicable to Global Posture Review (sec. 1233)

The House bill contained a provision (sec. 1222) that would require the Secretary of Defense to develop criteria, as part of the Global Posture Review, for assessing the costs and benefits of deploying to particular overseas locations and for establishing new overseas facilities.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would clarify the reporting requirements. The amendment would also add a requirement for the Secretary to notify the congressional defense committees within 30 days after the United States enters into an agreement with a foreign country to support the deployment of elements of the U.S. Armed Forces in that country.

The conferees are concerned that the implementation of the Integrated Global Basing and Presence Strategy (IGPBS) may result in higher costs for the Department of Defense, new requirements for strategic mobility assets, and an increased deployment tempo for military units and personnel. The conferees intend for the Secretary to develop criteria and a mechanism for the analysis of alternatives to assess the impact of basing decisions on various aspects of military operations and to submit a report to Congress detailing these considerations by March 30, 2006. The conferees also expect the Secretary to include in the annual budget submission of the Department a clear account of all proposed expenditures associated with the implementation of the IGPBS.

The conferees note that certain factors to be assessed in the report required by this provision apply to agreements with host nations, while other factors depend on the specific nature of the overseas facility. The conferees expect the Secretary to develop criteria and to provide the most comprehensive assessment possible for each overseas facility subject to a new basing arrangement.

The United States-China Economic Security Review Commission (sec. 1234)

The Senate amendment contained a provision (sec. 1210) that would note certain findings of the 2004 Report to Congress of the United States-China Economic and Security Review Commission. The provision would also express the sense of Congress that the President should take immediate steps to establish a plan to address the emergence of China economically, diplomatically, and militarily; to promote mutually beneficial trade relations with China; and to encourage China's adherence to international norms in the areas of trade, international security, and human rights.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

LEGISLATIVE PROVISIONS NOT ADOPTED

Military educational exchanges between senior officers and officials of the United States and Taiwan

The House bill contained a provision (sec. 1203) that would require the Secretary of Defense to undertake a program of senior military officer and senior official exchanges with Taiwan designed to improve Taiwan's defenses against the People's Liberation Army of the People's Republic of China.

The Senate amendment contained no similar provision.

The House recedes.

Procurement sanctions against foreign persons that transfer certain defense articles and services to the People's Republic of China

The House bill contained a provision (sec. 1212) that would prohibit the Secretary of Defense from purchasing goods or services from any entity that knowingly transfers an item that is on the U.S. Munitions List to the People's Republic of China.

The Senate amendment contained no similar provision.

The House recedes.

Prohibition on engaging in certain transactions

The Senate amendment contained a provision (sec. 1205) that would increase the statutory limit on civil penalties under the International Emergency Economic Powers Act and codify certain application of U.S. sanctions laws.

The House bill contained no similar provision.

The Senate recedes.

Report on acquisition by Iran of nuclear weapons

The House bill contained a provision (sec. 1211) that would express the sense of Congress that preventing Iranian acquisition or development of weapons of mass destruction and their associated delivery systems remains the paramount goal of U.S. policy toward Iran. The provision would also require the Secretary of Defense and the Chairman of the Joint Chiefs of Staff to provide a report assessing the strategic implications of Iranian acquisition of nuclear weapons.

The Senate amendment contained no similar provision.

The House recedes.

Sense of Congress on support for Nuclear Non-Proliferation Treaty

The Senate amendment contained a provision (sec. 1209) that would express a sense of the Congress on support for the Nuclear Non-Proliferation Treaty (NPT).

The House bill contained no similar provision.

The Senate recedes.

The conferees reaffirm their support for the objectives of the NPT and for all appropriate measures to strengthen the NPT and to attain its objectives. The conferees call on all parties to the NPT:

(1) to support compliance with treaty obligations and to undertake effective enforcement measures against states that are in violation of their obligations under the Treaty;

(2) to agree to establish more effective controls on enrichment and reprocessing technologies that can be used to produce materials for nuclear weapons;

(3) to expand and support the International Atomic Energy Agency efforts to inspect and monitor compliance with safeguards and standards to which all states should adhere through existing authority and the additional protocols signed by the states party to the NPT;

(4) to demonstrate the international community's unified opposition to a nuclear weapons program in Iran by supporting efforts of the United States and the European Union to prevent the Government of Iran from acquiring a nuclear weapons capability and using all appropriate diplomatic means at their disposal to convince the Government of Iran to abandon its uranium enrichment program;

(5) to support strongly the ongoing U.S. diplomatic efforts in the context of the six-party talks that seek the verifiable and irreversible disarmament of North Korea's nuclear weapons programs and to use all appropriate diplomatic means to achieve this result;

(6) to pursue diplomacy designed to address the underlying regional security problems in Northeast Asia, South Asia, and the Middle East, which would facilitate non-proliferation and disarmament efforts in those regions;

(7) to accelerate, wherever practicable, programs to safeguard and eliminate nuclear weapons-usable material to the highest standards to prevent access by terrorists and governments;

(8) to halt the use of highly enriched uranium in civilian reactors;

(9) to strengthen national and international export controls and relevant security measures as required by United Nations Security Council Resolution 1540;

(10) to agree that no state may withdraw from the NPT and escape responsibility for prior violations of the Treaty or retain access to controlled materials and equipment acquired for "peaceful" purposes;

(11) to call for reduction in the world's stockpile of nuclear weapons consistent with obligations and commitments under the Treaty, for a moratorium on production of weapons grade fissile materials, and for progress on negotiation of a fissile material cut-off treaty; and (12) to strengthen and expand support for the Proliferation Security Initiative.

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

LEGISLATIVE PROVISIONS ADOPTED

Specification of Cooperative Threat Reduction programs and funds (sec. 1301)

The House bill contained a provision (sec. 1301) that would define the programs that are Cooperative Threat Reduction (CTR) programs, define the funds for CTR programs as those authorized

to be appropriated in section 301 of this Act, and specify that CTR funds shall remain available for obligation for three fiscal years.

The Senate amendment contained an identical provision (sec. 1301).

The conference agreement includes this provision.

Funding allocations (sec. 1302)

The House bill contained a provision (sec. 1302) that would authorize $415.5 million for the Cooperative Threat Reduction (CTR) program. The provision would also authorize specific amounts for each CTR program element, require notification to Congress 30 days before the Secretary of Defense obligates and expends fiscal year 2006 funds for purposes other than those specifically authorized, and provide limited authority to obligate amounts for a CTR program element in excess of the amount specifically authorized for that purpose.

The Senate amendment contained a similar provision (sec. 1302).

The House recedes.

Permanent waiver of restrictions on use of funds for threat reduction in states of the former Soviet Union (sec. 1303)

The House bill contained a provision (sec. 1304) that would provide the President with the authority for calendar years 2005, 2006, and 2007 to waive a former Soviet Union state's eligibility requirements for receiving Cooperative Threat Reduction (CTR) funds, provided that the President certifies to Congress that a waiver is important to the national security interests of the United States, and submits a more detailed report that describes both the activity or activities that prevent eligibility and a strategy, plan, or policy for addressing eligibility shortfalls.

The Senate amendment contained a provision (sec. 1303) that would make permanent the President's authority to waive, on an annual basis, a former Soviet Union state's eligibility requirements for receiving CTR funds, provided that the President certifies to Congress that a waiver is important to the national security interests of the United States, and submits a more detailed report that describes both the activity or activities that prevent eligibility and a strategy, plan, or policy for addressing eligibility shortfalls.

The House recedes.

Report on elimination of impediments to threat-reduction and nonproliferation programs in the former Soviet Union (sec. 1304)

The House bill contained a provision (sec. 1305) that would require the President to submit to the Congress a report on impediments to the effective execution of threat reduction programs in the states of the former Soviet Union.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

The conferees note that despite the importance of programs and activities to assist in securing weapons of mass destruction and related materials in the states of the former Soviet Union, the effective conduct of such programs has been impeded by numerous legal and administrative disagreements regarding a variety of

issues, including access to sites, liability, and taxation. However, in some cases it has been possible to resolve such disagreements through committed and high-level discussions between governments.

Repeal of requirement for annual Comptroller General assessment of annual Department of Defense report on activities and assistance under Cooperative Threat Reduction programs (sec. 1305)

The Senate amendment contained a provision (sec. 1305) that would repeal the requirement for the Comptroller General to provide to Congress an assessment of the annual Department of Defense report to Congress on the Cooperative Threat Reduction programs.

The House bill contained no similar provision.

The House recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

Authority to obligate weapons of mass destruction proliferation prevention funds for nuclear weapons storage security

The House bill contained a provision (sec. 1303) that would authorize the Secretary of Defense to obligate fiscal year 2006 funds appropriated for the Cooperative Threat Reduction (CTR) weapons of mass destruction proliferation prevention initiative for nuclear storage security, provided that the Secretary provides 15 day advance written notification and justification to Congress.

The Senate amendment contained no similar provision.

The House recedes.

The conferees note that in a February 2005 joint statement, the President of the United States and the President of the Russian Federation declared their intent to expand and deepen cooperation on nuclear security with the goal of enhancing the security of nuclear facilities. If the United States and Russia reach agreement on additional projects in this area, it may be necessary for the Department of Defense to allocate additional CTR funds for the nuclear weapons storage security program. The Department may choose to obligate funds authorized for weapons of mass destruction proliferation prevention for nuclear weapons storage security, subject to the notification and justification process described in section 1302 of this Act.

Modification of authority to use Cooperative Threat Reduction funds outside the former Soviet Union

The Senate amendment contained a provision (sec. 1304) that would modify the authority of the Department of Defense to use Cooperative Threat Reduction funds outside the former Soviet Union by changing the existing requirement for a presidential determination and certification to a requirement for a determination and certification made by the Secretary of Defense, with the concurrence of the Secretary of State.

The House bill contained no similar provision.

The Senate recedes.

Removal of certain restrictions on provision of cooperative threat reduction assistance

The Senate amendment contained a provision (sec. 1306) that would repeal all of the existing eligibility and certification requirements that must be met or waived in order for states of the former Soviet Union to receive Cooperative Threat Reduction assistance.

The House bill contained no similar provision.

The Senate recedes.

Title XIV—Matters Relating to Detainees

LEGISLATIVE PROVISION ADOPTED

Matters relating to detainees (secs. 1401–1406)

The Senate amendment contained three provisions (secs. 1074, 1075, and 1092) relating to detainees. The first provision (sec. 1074) would provide uniform standards for the interrogation of persons under the detention of the Department of Defense. The second provision (sec. 1075) would prohibit cruel, inhuman, or degrading treatment or punishment of persons under the custody or control of the U.S. Government. The third provision (sec. 1092) would provide procedures for the legal review of detainees held by the Department at Guantanamo Bay, Cuba.

The House bill contained no similar provisions.

The House recedes with an amendment that would establish a new title of the bill addressing matters relating to detainees.

Section 1401 would designate the title as the "Detainee Treatment Act of 2005."

Section 1402 contains the text of Senate section 1074 without change.

Section 1403 contains the text of Senate section 1075 without change.

Section 1404 is a new provision.

Subsection (a) would provide an affirmative defense in any civil action or criminal prosecution against an officer, employee, member of the armed forces, or other agent of the U.S. Government, who is a U.S. person, arising out of the person's engaging in specific operational practices involving detention or interrogation of aliens who the President or his designees have determined are believed to be engaged in or associated with international terrorist activity that poses a serious, continuing, threat to the U.S., its interests, or its allies. If the practices were officially authorized and determined to be lawful at the time they were conducted, it would be a defense that the person did not know that the practices were unlawful and that a person of ordinary sense and understanding would not know that they were unlawful. Good faith reliance on advice of counsel would be an important factor, among others, to consider in assessing whether a person of ordinary sense and understanding would have known the practices to be unlawful. Nothing in this section is to be construed to limit or extinguish any defense or protection otherwise available to any person or entity from suit or civil or criminal liability, or to provide immunity from prosecution for any criminal offense by the proper authorities.

Subsection (b) would authorize the United States Government to provide or employ counsel, pay counsel fees, court costs, bail, and other expenses incident to the representation of any such person with respect to any civil action or criminal prosecution arising out of practices described in subsection (a), whether brought inside or outside the U.S., under the same conditions and to the same extent to which such services and payments are authorized under section 1037 of title 10, United States Code.

Section 1405 would address the procedures for legal review of detainees held by the Department.

Subsection (a) would require the Secretary of Defense to submit the Department of Defense procedures for status review of detainees at Guantanamo Bay, Cuba, and in Afghanistan, and Iraq to the appropriate congressional committees. It would also require that the official designated by the President or Secretary of Defense to be the final review authority with respect to the determinations of the administrative tribunals (the "Designated Civilian Official") be a civilian officer of the Department of Defense who is appointed by the President with the advice and consent of the Senate. The conferees expect the Designated Civilian Official to accomplish final review of the decisions of the tribunals in an expeditious fashion.

Subsection (b) would require that a Combatant Status Review Tribunal and an Administrative Review Board (or similar or successor administrative tribunal or board) for detainees at Guantanamo Bay, Cuba determine whether any statement derived from or relating to a detainee was obtained as a result of coercion and if so, the probative value (if any) of any such statement.

Subsection (c) would require the Secretary of Defense to submit a report on any modification to the procedures submitted under subsection (a).

Subsection (d) would require the Secretary of Defense to submit to Congress an annual report on the annual review process for aliens in the custody of the Department of Defense outside the United States.

Subsection (e) would provide for judicial review of detainees held at Guantanamo Bay, Cuba.

Paragraph (1) would amend section 2241 of title 28, United States Code, to provide that, except as provided in this section, no court, justice, or judge shall have jurisdiction to hear or consider: (1) an application for a writ of habeas corpus filed by or on behalf of an alien detained by the Department at Guantanamo Bay, Cuba; or (2) any other action against the United States or its agents relating to any aspect of such detention by an alien who remains in military custody or for whom the U.S. Court of Appeals for the District of Columbia Circuit has determined that such detention was proper.

Paragraph (2) would provide for direct judicial review, in the U.S. Court of Appeals for the District of Columbia Circuit, of the validity of any final decision of a Combatant Status Review Tribunal that an alien detained by the Department of Defense at Guantanamo Bay, Cuba is properly detained as an enemy combatant.

Paragraph (3) would provide for direct judicial review, in the U.S. Court of Appeals for the District of Columbia Circuit, of the validity of any final decision pursuant to Military Commission Order No. 1 dated August 31, 2005, (or any successor military order) regarding an alien detained by the Department at Guantanamo Bay, Cuba.

Paragraph (4) would provide that the Secretary shall be the named respondent in any appeal under this provision.

Subsection (f) would provide that nothing in section 1705 shall be construed to confer any constitutional right on an alien detained as an enemy combatant outside the United States.

Subsection (g) would define the term "United States."

Subsection (h) would establish the effective date of the provision.

Section 1406 is a new provision that would require the Secretary to prescribe policies to ensure that all personnel of Iraqi military forces who are trained by Department personnel or contractors receive training regarding the international obligations and laws applicable to the humane detention of detainees, including protections afforded under the Geneva Conventions and the Convention against Torture. It would also require that the unclassified portions of the Army Field Manual on Intelligence Interrogation be translated into Arabic and other appropriate languages for use by the Iraqi security forces, and be distributed to appropriate officials of the Iraqi government. American military personnel are trained and encouraged to lead by example. The conferees intend that our personnel set the example for the new Iraqi democracy by demonstrating the commitment to the rule of law that is essential to armed forces in a democratic state. The conferees also urge that the translated version of the Field Manual be given broad distribution throughout the Iraqi security forces, including to field and company-grade officers and noncommissioned officers.

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

Overview

The House bill contained a title (title XV) that would provide new authorizations of appropriations of $49.1 billion for ongoing operations in Iraq and Afghanistan. The title also contains reporting requirements and general provisions.

The Senate amendment contained a similar title (title XIV) that would authorize $50.0 billion for ongoing operations in Iraq and Afghanistan. The provision also contained reporting requirements and general provisions.

The conferees recommend a title that provides new authorization of appropriations of $50.0 billion for ongoing operations in Iraq and Afghanistan. The title also contains reporting requirements and general provisions.

Summary table of authorization

The following table summarizes authorizations included in the bill for ongoing operations in Iraq and Afghanistan for fiscal year 2006.

Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

Program Title	House Authorized	Senate Authorized	Conference Authorized
PROCUREMENT			
Aircraft Procurement, Army		70,300	40,600
Weapons and Tracked Combat Vehicles Procurement, Army	574,627	26,750	485,499
Procurement of Ammunition, Army	105,700		109,500
Other Procurement, Army	1,945,350	737,500	1,659,800
Aircraft Procurement, Navy		183,800	15,000
Weapons Procurement, Navy	36,800	165,500	56,700
Procurement of Ammunition, Navy & Marine Corps	144,721	104,500	147,921
Other Procurement, Navy	15,300	30,800	
Procurement, Marine Corps	445,400	429,600	644,400
Aircraft Procurement, Air Force		323,200	214,000
Other Procurement, Air Force		51,900	
Procurement, Defense-wide	103,900		103,900
Total Procurement	**3,371,798**	**2,123,850**	**3,477,320**
RESEARCH, DEVELOPMENT, TEST AND EVALUATION			
Research, Development, Test and Evaluation, Army			8,700
Research, Development, Test and Evaluation, Defense-Wide	75,000		75,000
Total RDT&E	**75,000**		**83,700**
OPERATION AND MAINTENANCE			
Operation and Maintenance, Army	20,305,001	22,139,775	19,828,180
Operation and Maintenance, Navy	1,838,000	1,944,300	1,658,000
Operation and Maintenance, Marine Corps	1,791,800	1,808,231	1,588,250
Operation and Maintenance, Air Force	3,195,352	2,635,555	2,404,190
Operation and Maintenance, Defense-wide	2,870,333	3,470,118	1,778,397
Operation and Maintenance, Army Reserve	26,400		44,400
Operation and Maintenance, Navy Reserve		2,400	9,400
Operation and Maintenance, Marine Corps Reserve			4,000
Operation and Maintenance, Air Force Reserve			7,000
Operation and Maintenance, Army National Guard	159,500		196,300
Operation and Maintenance, Air National Guard			13,400
Total Operation and Maintenance	**30,186,386**	**32,000,379**	**27,531,517**
OTHER PROGRAMS			
Defense Working Capital Funds	1,700,000		1,700,000
Defense Health Program	846,000	977,778	178,415
Total Other Programs	**2,546,000**	**977,778**	**1,878,415**

Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

Program Title	House Authorized	Senate Authorized	Conference Authorized
MILITARY PERSONNEL			
Military Personnel, Army	6,689,334	9,517,643	8,827,123
Military Personnel, Navy	300,000	350,000	276,000
Military Personnel, Marine Corps	662,600	811,771	662,600
Military Personnel, Air Force	1,011,022	916,559	977,800
Military Personnel, Army Reserve	137,200		137,200
Military Personnel, Army National Guard	67,000		72,300
Military Personnel, Air National Guard			5,300
Military Personnel, Benefits	522,854		830,000
Total Military Personnel	**9,390,010**	**11,595,973**	**11,788,323**
Iraq Freedom Fund (IFF)	1,000,000	3,302,020	5,240,725
Improvised Explosive Device (IED) Task Force /a		[500,000]	[1,000,000]
Transfer Authority /a	[3,000,000]	[2,500,000]	[2,500,000]
Classified Programs /a	2,500,000		[2,500,000]
Total	**49,069,193**	**50,000,000**	**50,000,000**

a/ Values in brackets are non-additive

Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

Program Title	House Authorized	Senate Authorized	Conference Authorized
PROCUREMENT			
Aircraft Procurement, Army			
UH-60 Black Hawk helicopter MEDEVAC Kits (10)		50,000	
UH-60 Black Hawk helicopter attrition (4)		20,300	40,600
Total Aircraft Procurement, Army		**70,300**	**40,600**
Weapons and Tracked Combat Vehicles Procurement, Army			
Gun trucks	2,450		2,450
Stryker - combat losses	30,000		30,000
Small arms and modifications			
M16 rifle mods (budget realignment)	2,000		
M16 rifle mods	55,300		55,300
M240 medium machine gun mods (budget realignment)	7,100		
M240 medium machine gun mods	9,372	9,200	9,372
M240 medium machine gun (7.62mm) (budget realignment)	14,100		
M240 medium machine gun (7.62mm)	107,944		107,944
M4 carbine mods (budget realignment)	44,800		
M4 carbine mods	29,595		29,595
M4 carbine (budget realignment)	3,200		
M4 carbine	168,237		168,237
M249 SAW mods (budget realignment)	3,100		
M249 SAW mods	5,728	5,800	5,800
M249 SAW machine gun (5.56mm)	54,111		54,111
M107, Cal. 50 sniper rifle (budget realignment)	9,700		
M107, Cal. 50 sniper rifle	9,274	9,300	9,274
Small arms equipment (soldier enhancement program) (bud	5,200		
small arms equipment (soldier enhancement program)	3,416	2,450	3,416
M2HB enhanced .50 caliber machine gun kits	10,000		10,000
Total Weapons and Tracked Combat Vehicles , Army	**574,627**	**26,750**	**485,499**
Procurement of Ammunition, Army			
First destination transportation	2,000		2,000
Ammunition production force protection	103,700		103,700
Modern demolition initiator			1,900
M19			1,900
Total Procurement of Ammunition, Army	**105,700**		**109,500**

Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

Program Title	House Authorized	Senate Authorized	Conference Authorized
Other Procurement, Army			
Up-armored M1151/M1152 HMMWVs or wheeled vehicle add-on armor		120,000	
AN/PAQ-4 aiming light - night vision equipment		32,100	
Target acquisition laser observation night devices		53,400	
Thermal weapon system - night vision equipment		31,600	31,600
Lightweight laser designation rangefinders		4,600	
UAHs, add-on armor, and M1151/M1152 vehicles (S. Amdt)		105,000	
Additional armored tactical wheeled vehicles and armor (S. Amdt)		360,800	150,000
Up-Armor HMMWVs: M1114, M1151, M1152	250,000		240,000
Add-on-armor plate for level III and ballistic glass	20,000		20,000
TWV recap modernization program			
HMMWV recap (budget realignment)	32,800		
HMMWV recap	208,000		208,000
FMTVs	50,000		50,000
HEMTT recap	60,400		60,400
HEMTT recap (budget realignment)	40,700		
M915A1 replacements	15,000		15,000
SINCGARS family (budget realignment)	55,500		
SINCGARS family	117,000		117,000
Defense advanced global positioning system receiver (DAGR) (	22,350		
Defense advanced global positioning system receiver (DAGR)	5,000		5,000
Mounted battle command on the move (MBCOTM)	30,000	30,000	30,000
Prophet/COBRA	145,000		145,000
IED jammers	35,000		35,000
Low cost ECM production	10,000		10,000
Night vision devices (budget realignment)	164,700		
Night vision devices	62,300		62,300
Force XXI battle command BDE and below (FBCB2)	183,000		116,900
Tactical common data link	72,000		72,000
Biometrics automated toolset (BAT)	14,700		14,700
Tactical operations centers	84,000		84,000
Construction equipment SLEP	25,000		25,000
Hemorrhage control	20,000		5,000
Chitosan hemorrhage control dressing			5,000
Self-contained reusable blood container			10,000
HMMWV and tactical truck crew trainers	25,000		25,000
Counter rocket, artillery and mortar (C-RAM)	182,900		107,900
Persistent threat detection system (PTDS), OIF operational loss	15,000		15,000
Total Other Procurement, Army	**1,945,350**	**737,500**	**1,659,800**
Aircraft Procurement, Navy			
UH-1Y attrition		74,000	
UH-1 government furnished equipment		10,800	
CH-53E night vision system FLIR kits		9,600	
Low band transmitters for EA-6B aircraft		16,400	
EA-6B improved capabilities III		73,000	
F/A -18 litenting pods			15,000
Total Aircraft Procurement, Navy		**183,800**	**15,000**

Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

Program Title	House Authorized	Senate Authorized	Conference Authorized
Weapons Procurement, Navy			
Hellfire missiles		122,000	50,000
Small arms		36,800	
Pioneer TUAV engines and avionics		6,700	6,700
EOD/naval coastal warfare small arms	36,800		
Total Weapons Procurement, Navy	**36,800**	**165,500**	**56,700**
Procurement of Ammunition, Navy & Marine Corps			
Dual mode laser guided training bombs		2,000	
Small arms and landing party ammunition		16,000	3,200
M762A1 electric time fuze		2,000	
Ammunition requirements for FSRG	20,221		20,221
155mm fuze-electronic time M762A1	10,000		10,000
Igniter-time blasting fuze M81	5,000		5,000
Detonator, non-electric MK154	10,000	10,000	10,000
66mm rocket-high explosive M72A7	11,000	11,000	11,000
155mm multi option fuze M782	6,000	6,000	6,000
120mm tank ammunition-M1028 canister	3,000	3,000	3,000
155mm high explosive projectile M795	15,000		15,000
.50 caliber cartridges	13,000	13,000	13,000
7.62mm cartridges	1,500	1,500	1,500
40mm M430 HEDP	30,000	30,000	30,000
120mm cartridges M830A1 HEAT-MP-T	10,000	10,000	10,000
C4 charges M58A4 HE	10,000		10,000
Total Procurement of Ammo, Navy & USMC	**144,721**	**104,500**	**147,921**
Other Procurement, Navy			
EOD equipment for naval coastal warfare units		7,000	
Amphibious equipment for naval coastal warfare units		8,300	
Expanded outfitting for maritime interdiction operations		4,300	
Visit, board, search and seizure trainer		11,200	
EOD/naval coastal warfare equipment allowance	7,000		
EOD/naval coastal warfare equipment allowance	8,300		
Total Other Procurement, Navy	**15,300**	**30,800**	
Procurement, Marine Corps			
Guided MLRS pods for HiMARS		54,400	54,500
TPS-59(V3) radar system array rebuild		7,500	
Hardened engineer vehicles		9,400	
Miniature transceiver (blue force tracker)	7,400		7,400
Light armored vehicle (LAV) - 48 vehicles to support FSRG	104,000		102,500
Weapons under $5 million	10,800		10,800
Night vision equipment	276,000		225,000
PSS-14 metal detectors and other items	1,300		1,300
Tactical radios (PRC-117 and PRC-150 radios)	25,000		25,000
JTRS legacy bridge - EPLRS	17,900	17,900	17,900
Advanced compact optical gunsights	3,000		
UAHs, add-on armor, and M1151/M1152 vehicles (S. Amdt)		340,400	200,000
Total Procurement, Marine Corps	**445,400**	**429,600**	**644,400**

Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

Program Title	House Authorized	Senate Authorized	Conference Authorized
Aircraft Procurement, Air Force			
C-5 aircraft missile warning system upgrade		7,700	
C-17 aircraft infrared measures		97,000	84,000
Additional Predators and related equipment (S. Amdt)		218,500	130,000
Total Aircraft Procurement, Air Force		**323,200**	**214,000**
Other Procurement, Air Force			
Mobile approach control system		51,900	
Total Other Procurement, Air Force		**51,900**	
Procurement, Defense-wide			
MH-47 infrared engine exhaust suppressor	7,700		7,700
High performance mobility FLIR (ground)	10,800		10,800
High performance mobility FLIR (maritime)	6,000		6,000
Multi-band inter/intra team radio	13,500		13,500
Multi-band multi mission radio	65,900		65,900
Total Procurement, Defense-wide	**103,900**		**103,900**
Total Procurement	**3,371,798**	**2,123,850**	**3,477,320**
RESEARCH, DEVELOPMENT, TEST AND EVALUATION			
Research, Development, Test and Evaluation, Army			
Surgical wound disinfection and biological agents			2,000
Advanced research on QuickClot			2,700
Excalibur XM982 life cycle improvements			4,000
Total RDTE, Army			**8,700**
Research, Development, Test and Evaluation, Defense-Wide			
Counter-terrorism technical working group	25,000		25,000
Quick reaction special projects	50,000		50,000
Total RDT&E, Defense-Wide	**75,000**		**75,000**
Total RDT&E	**75,000**		**83,700**

Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

Program Title	House Authorized	Senate Authorized	Conference Authorized
OPERATION AND MAINTENANCE			
Operation and Maintenance, Army			
Incremental wartime costs	18,000,630	21,000,735	15,100,630
Army active end strength increase	792,000	1,081,640	792,000
Body armor		57,400	57,400
Army linguistic support /a		[200,000]	200,000
Incremental ONE wartime costs	181,000		181,000
Base support - mobilization and demobilization costs related to	420,500		420,500
Operational tempo - ground miles (budget realignment)	115,700		
Repair parts - ground and air (budget realignment)	54,900		
Rapid fielding initiative sustainment (budget realignment)	102,800		
Unit of action experimentation and exercises (budget realignme	37,236		
Depot maintenance (budget realignment)	269,800		
Depot maintenance			1,200,000
Reset (Unit and Intermediate)			1,700,000
Second destination transportation	33,700		33,700
NATO support (budget realignment)	11,835		
Sustainment system technical support (budget realignment)	116,000		
Sustainment system technical support	52,000		52,000
Virtual convoy combat trainer	7,700		7,700
Recruiting and retention initiatives	81,000		81,000
Travel for family member of hospitalized soldier			2,250
Community based health care organizations	22,600		
Post deployment health care screening	5,600		
Total O&M, Army	**20,305,001**	**22,139,775**	**19,828,180**
Operation and Maintenance, Navy			
Incremental wartime costs	1,638,000	1,911,000	1,638,000
Expanded maritime interdiction ops training and outfitting		6,200	
Small caliber weapons and mounts repair and replacement		24,000	
Body armor		3,100	
Operational tempo - steaming days (budget realignment)	180,000		
Navy recruiting advertising	20,000		20,000
Total O&M, Navy	**1,838,000**	**1,944,300**	**1,658,000**
Operation and Maintenance, Marine Corps			
Incremental wartime costs	1,241,000	1,717,800	1,241,000
Marine Corps active end strength increase	48,000	31,431	12,000
Field medical equipment		19,000	19,000
M1A1 tank depot maintenance		40,000	
Operational tempo - ground miles (budget realignment)	95,900		
M1A1 depot maintenance (budget realignment)	51,800		
Reset costs - spare parts	250,000		250,000
Depot maintenance	40,000		40,000
Personnel clothing and equipment	65,100		25,500
Travel for family member of hospitalized marines			750
Total O&M, Marine Corps	**1,791,800**	**1,808,231**	**1,588,250**

Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

Program Title	House Authorized	Senate Authorized	Conference Authorized
Operation and Maintenance, Air Force			
Incremental wartime costs	2,211,990	2,580,655	1,841,990
Body armor		54,900	54,900
Incremental ONE wartime costs	270,062		270,000
Operational tempo - flying hour program (budget realignment)	476,000		
Depot purchased equipment maintenance	151,300		151,300
B-1 deployable phase maintenance kit	34,000		34,000
B-52 deployable phase maintenance kit	52,000		52,000
Total O&M, Air Force	**3,195,352**	**2,635,555**	**2,404,190**
Operation and Maintenance, Defense-wide			
Incremental wartime costs	2,870,333	3,348,721	850,000
Army active end strength increase		116,000	116,000
Marine Corps active end strength increase		5,397	5,397
DHRA -- Joint advertising market research and studies			10,000
Child care for military families			20,000
Counseling and assistance to military families			20,000
Payments to cooperating nations			750,000
Reimbursement for protective equipment for troops in Iraq and Afghanistan			7,000
Total O&M, Defense-wide	**2,870,333**	**3,470,118**	**1,778,397**
Operation and Maintenance, Army Reserve			
Recruiting and retention initiatives	13,900		13,900
Medical readiness screening			18,000
Army Reserve family support centers	12,500		12,500
Total O&M, Army Reserve	**26,400**		**44,400**
Operation and Maintenance, Navy Reserve			
Medical readiness screening			7,000
Body armor		2,400	2,400
Total O&M, Navy Reserve		**2,400**	**9,400**
Operation and Maintenance, Marine Corps Reserve			
Medical readiness screening			4,000
Total O&M, Marine Corps Reserve			**4,000**
Operation and Maintenance, Air Force Reserve			
Medical readiness screening			7,000
Total O&M, Air Force Reserve			**7,000**
Operation and Maintenance, Army National Guard			
Recruiting and retention initiatives	147,000		147,000
National Guard family support centers	12,500		12,500
Medical readiness screening			31,000
CERFP teams			5,800
Total O&M, Army National Guard	**159,500**		**196,300**

Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

Program Title	House Authorized	Senate Authorized	Conference Authorized
Operation and Maintenance, Air National Guard			
CERFP teams			3,400
Medical readiness screening			10,000
Total O&M, Air National Guard			**13,400**
Total Operation and Maintenance	**30,186,386**	**31,997,979**	**27,531,517**
OTHER PROGRAMS			
Defense Working Capital Funds			
Fuel price increase	1,700,000		1,700,000
Total Defense Working Capital Funds	**1,700,000**		**1,700,000**
Defense Health Program			
Incremental wartime costs	660,000	702,163	
Army active end strength increase	161,000	258,200	161,000
Marine Corps active end strength increase	23,000	17,415	17,415
Army rehabilitation for severely wounded and injured	2,000		
Total Defense Health Program	**846,000**	**977,778**	**178,415**
Total Other Programs	**2,546,000**	**977,778**	**1,878,415**
MILITARY PERSONNEL			
Military Personnel, Army			
Army incremental wartime costs	5,043,534	6,990,123	6,990,123
Army active end strength increase	1,580,000	2,527,520	1,580,000
Recruiting and retention initiatives	65,800		257,000
Total Military Personnel, Army	**6,689,334**	**9,517,643**	**8,827,123**
Military Personnel, Navy			
Navy incremental wartime costs	300,000	350,000	276,000
Total Military Personnel, Navy	**300,000**	**350,000**	**276,000**
Military Personnel, Marine Corps			
Marine Corps incremental wartime costs	435,600	641,200	435,600
Marine Corps active end strength increase	227,000	170,571	227,000
Total Military Personnel, Marine Corps	**662,600**	**811,771**	**662,600**
Military Personnel, Air Force			
Air Force incremental wartime costs	785,622	916,559	752,400
Incremental ONE wartime costs	225,400		225,400
Total Military Personnel, Air Force	**1,011,022**	**916,559**	**977,800**
Military Personnel, Army Reserve			
Recruiting and retention initiatives	68,000		68,000
Special training	47,000		47,000
Branch officer basic course	22,200		22,200
Total Military Personnel, Army Reserve	**137,200**		**137,200**

Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

Program Title	House Authorized	Senate Authorized	Conference Authorized
Military Personnel, Army National Guard			
Initial entry training	67,000		67,000
National Guard CERFP teams			5,300
Total Military Personnel, Army National Guard	**67,000**		**72,300**
Military Personnel, Air National Guard			
National Guard CERFP teams			5,300
Total Military Personnel, Air National Guard			**5,300**
Military Personnel, Benefits			
Hardship duty pay (budget realignment)	36,000		
Family separation allowance (budget realignment)	100,000		
Imminent danger pay (budget realignment)	85,854		
Death gratuity permanent increase	100,000		160,000
Servicemembers' Group Life Insurance permanent increase	118,000		
Servicemembers' Group Life Insurance monthly premium for O	39,000		39,000
Allowance for housing for dependents of deceased members pe	7,000		7,000
Travel for family of hospitalized service members in the US pe	3,000		
Prohibition on charges for meals during medical recuperation p	1,000		1,000
Traumatic injury protection	30,000		
Special pay during rehabilitation for combat injuries	3,000		3,000
Retroactive increase in death gratuity			250,000
Retroactive increase in death gratuity for noncombatants			370,000
Total Military Personnel, Benefits	**522,854**		**830,000**
Total Military Personnel	**9,390,010**	**11,595,973**	**11,788,323**
Iraq Freedom Fund (IFF)	**1,000,000**	**3,302,020**	**5,240,725**
Classified Programs /a	**2,500,000**		**[2,500,000]**
Improvised Explosive Device (IED) Task Force /a		**[500,000]**	**[1,000,000]**
Transfer Authority /a	**[3,000,000]**	**[2,500,000]**	**[2,500,000]**
Total	**49,069,193**	**50,000,000**	**50,000,000**

a/ Values in brackets are non-additive

ITEMS OF SPECIAL INTEREST

Advanced First Responder Network

The conferees are aware of the efforts to deploy the Advanced First Responder Network (AFRN) in Iraq which will begin to address: (1) the requirement of mission-critical public-safety communications capabilities and allow for coordination of security planning and execution; (2) rapid data collection and analysis of changing security threats; (3) rapid coordination and deployment of security assets to address threats; (4) effective planning to prevent and reduce future security threats; and (5) a more secure environment that will foster democracy and economic development. The AFRN infrastructure in Iraq has been designed to accommodate the entire country, and critical infrastructure such as pipelines. The conferees support this effort and, with funds available in this legislation and prior appropriations acts, encourage that reconstruction efforts to continue to place a high value on completion of an integrated security network with the deployment of AFRN and related advanced networks.

LEGISLATIVE PROVISIONS ADOPTED

Purpose (sec. 1501)

The House bill contained a provision (sec. 1501) that would establish a title as an authorization of appropriations for the Department of Defense for fiscal year 2006, in addition to amounts otherwise authorized in this Act, to provide funds for additional costs due to Operation Iraqi Freedom and Operation Enduring Freedom.

The Senate amendment contained a similar provision (sec. 1401).

The Senate recedes with an amendment that would conform this title in accordance with section 402 of H. Con. Res. 95 (109th Congress), the Concurrent Resolution on the Budget for Fiscal Year 2006.

Army Procurement (sec. 1502)

The House bill contained a provision (sec. 1502) that would authorize an additional $2,625.7 million in fiscal year 2006 for Army Procurement.

The Senate amendment contained provisions (secs. 1403 and 1405) that would authorize $834.6 million in fiscal year 2006 for Army Procurement, and provide the Secretary of the Army with the flexibility to procure up-armored high mobility multipurpose wheeled vehicles and add-on armor for tactical wheeled vehicles.

The House recedes with an amendment that would recommend an authorization of $2,295.4 million in fiscal year 2006 for Army Procurement. This provision would also provide the Secretary of the Army with the flexibility to procure up-armored high mobility multipurpose wheeled vehicles and add-on armor for tactical wheeled vehicles.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Navy and Marine Corps Procurement (sec. 1503)

The House bill contained a provision (sec. 1503) that would authorize an additional $642.2 million in fiscal year 2006 for Navy and Marine Corps Procurement.

The Senate amendment contained a provision (sec. 1404) that would authorize an additional $914.2 million in fiscal year 2006 for Navy and Marine Corps Procurement, and provide the Secretary of the Navy with the flexibility to procure up-armored high mobility multipurpose wheeled vehicles and add-on armor for tactical wheeled vehicles.

The House recedes with an amendment that would provide an additional authorization of $864.0 million in fiscal year 2006 for Navy and Marine Corps Procurement. The provision would also provide the Secretary of the Navy with the flexibility to procure up-armored high mobility multipurpose wheeled vehicles and add-on armor for tactical wheeled vehicles.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Air Force Procurement (sec. 1504)

The Senate amendment contained a provision (sec. 1407) that would authorize an additional $375.1 million in fiscal year 2006 for Air Force Procurement.

The House bill contained no similar provision.

The House recedes with an amendment that would provide an additional authorization of $214.0 million in fiscal year 2006 for Air Force Procurement.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Defense-wide activities procurement (sec. 1505)

The House bill contained a provision (sec. 1504) that would authorize an additional $103.9 million in fiscal year 2006 for Procurement, Defense-wide.

The Senate amendment contained no similar provision.

The Senate recedes.

The conferees recommend an authorization of $103.9 million in fiscal year 2006 for Procurement, Defense-wide.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Research, Development, Test, and Evaluation (sec. 1506)

The House bill contained a provision (sec. 1505) that would authorize an additional $75.0 million in fiscal year 2006 for Research, Development, Test, and Evaluation, Defense-wide Activities.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would provide an additional authorization of $75.0 million in fiscal year 2006 for Research, Development, Test, and Evaluation, Defense-wide Activities; and an additional authorization of $8.7 million for Research, Development, Test, and Evaluation, Army.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Operation and Maintenance (sec. 1507)

The House bill contained a provision (sec. 1506) that would authorize an additional $30,186.4 million in fiscal year 2006 for operation and maintenance programs.

The Senate amendment contained a similar provision (sec. 1409) that would authorize an additional $32,000.4 million in fiscal year 2006 for operation and maintenance programs.

The conferees recommend an additional authorization of $27,531.5 million in fiscal year 2006 for operation and maintenance programs.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Defense Working Capital Funds (sec. 1508)

The House bill contained a provision (sec. 1507) that would authorize an additional $1,700.0 million in fiscal year 2006 for the Defense Working Capital Fund.

The Senate amendment contained no similar provision.

The Senate recedes.

The conferees recommend an additional authorization of $1,700.0 million in fiscal year 2006 for the Defense Working Capital Fund.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Defense Health Program (sec. 1509)

The House bill contained a provision (sec. 1508) that would authorize an additional $846.0 million in fiscal year 2006 for Defense Health Program activities.

The Senate amendment contained a similar provision (sec 1410) that would authorize an additional $977.8 million in fiscal year 2006 for Defense Health Program activities.

The conferees recommend an additional authorization of $178.4 million in fiscal year 2006 for Defense Health Program activities.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Military Personnel (sec. 1510)

The House bill contained a provision (sec. 1509) that would authorize an additional $9,390.0 million in the fiscal year 2006 for military personnel accounts.

The Senate amendment contained a similar provision (sec. 1411) that would authorize an additional $11,596.0 million in the fiscal year 2006 for military personnel accounts.

The conferees recommend an additional authorization of $11,788.3 million in the fiscal year 2006 for military personnel accounts.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Iraq Freedom Fund (sec. 1511)

The House bill contained provisions (secs. 1510 and 1511) that would authorize an additional $3,500.0 million in fiscal year 2006 for costs of ongoing military operations in Iraq and Afghanistan.

Section 1510 would authorize an additional $1.0 billion for the Iraq Freedom Fund. Section 1511 would authorize an additional $2.5 billion for classified programs.

The Senate amendment contained similar provisions (secs. 1406, 1408, and 1412) that would authorize an additional $3.3 billion for ongoing military operations in Iraq and Afghanistan. Of those funds, no less than $500.0 million would be made available for activities of the Joint Improvised Explosive Device (IED) Task Force.

The House recedes with an amendment that would provide an additional authorization of $5,240.7 billion in fiscal year 2006 for an Iraq Freedom Fund transfer account. Of those funds, no less than $2.5 billion shall be made available for classified programs, and no less than $1.0 billion shall be made available to the Joint IED Task Force.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Treatment as additional authorizations (sec. 1512)

The House bill contained a provision (sec. 1512) that would provide that the funds authorized in title XV of their bill for emergency contingency operations related to Operation Iraqi Freedom and Operation Enduring Freedom are in addition to the amounts otherwise authorized in this Act.

The Senate amendment contained no similar provision.

The Senate recedes.

Transfer authority (sec. 1513)

The House bill contained a provision (sec. 1513) that would provide fiscal year 2006 transfer authority of $3.0 billion to the Department of Defense for the authorizations contained in title XV of their bill.

The Senate amendment contained a similar provision (sec. 1413).

The House recedes with an amendment that would provide fiscal year 2006 transfer authority of $2.5 billion to the Department for the authorizations contained in this title.

Availability of funds (sec. 1514)

The House bill contained a provision (sec. 1514) that would require the funds provided in title XV be made available for obligation by the end of the second quarter of fiscal year 2006.

The Senate amendment contained no similar provision.

The Senate recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

Designation of emergency authorization

The Senate amendment contained a provision (sec. 1402) that would authorize $50.0 billion in fiscal year 2006 to support emergency contingency operations related to the global war on terrorism.

The House bill contained no similar provision.

The Senate recedes.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

Explanation of funding tables

Division B of this Act authorizes funding for military construction projects of the Department of Defense. It includes funding authorizations for the construction and operation of military family housing and military construction for the reserve components, the defense agencies, and the North Atlantic Treaty Organization Security Investment program. It also provides authorization for the base closure account that funds environmental cleanup and other activities associated with the implementation of base closure rounds.

The budget request for fiscal year 2006 included authorization of appropriations for military construction and housing programs totaling $12,051.6 million. Of this amount, the budget request included authorization of appropriations for $1,880.5 million to implement the results of the 2005 defense base closure and realignment round. The amount authorized for appropriation is included in the following table in a line designated Base Realignment and Closure V.

The House bill would authorize appropriations totaling $12,146.6 million for military construction and family housing programs.

The Senate amendment would authorize appropriations totaling $12,044.5 million for military construction and family housing programs.

The conferees agree to authorize appropriations of $12,419.5 million for the military construction and family housing accounts of the Department for fiscal year 2006. When the impact of $252.9 million in prior year rescissions enacted in the Military Construction, Quality of Life, and Veterans Appropriations Act, 2006 (Public Law 109–114) is included, the conference agreement is consistent with a budget authority level of $12,166.6 million for military construction and family housing programs.

The following tables provide the project-level authorizations for the military construction funding authorized in division B of this Act and summarize that funding by account.

ITEMS OF SPECIAL INTEREST

Unspecified minor construction accounts

The conferees direct that, within authorized amounts for unspecified minor construction for each service component, the Secretary concerned shall carry out the following projects:

Location	Installation	Project	Amount	
			Component	($ Thousands)
Arizona	Marana	Fire Station	Army NG	1,499
New Jersey	Atlantic City IAP	Construct Arm/Disarm Apron	Air NG	1,500
Oklahoma	McAlester AAP	Construct High Explosive Magazine	Army	1,100
Washington	Camp Murray	Homeland Security Education Center	Army NG	1,424

Summary of Military Construction Authorization of Appropriations for Fiscal Year 2006
(Dollars in Thousands)

Military Construction	Authorization Request	House Authorized	Senate Authorized	Conference Change	Conference Agreement
Military Construction, Army	1,479,841	1,601,771	1,605,913	295,419	1,775,260
Military Construction, Navy	1,029,249	1,109,177	1,101,226	127,892	1,157,141
Military Construction, Air Force	1,069,640	1,175,238	1,198,321	218,890	1,288,530
Military Construction, Defense-Wide	1,042,730	976,664	1,042,730	(33,875)	1,008,855
NATO Security Investment Program	206,858	206,858	206,858	0	206,858
Base Realignment and Closure Account IV	377,827	377,827	377,827	(123,000)	254,827
Base Realignment and Closure V	1,880,466	1,570,466	1,504,466	(376,000)	1,504,466
Military Construction, Army National Guard	327,012	410,624	449,600	196,139	523,151
Military Construction, Air National Guard	165,256	225,727	262,501	150,861	316,117
Military Construction, Army Reserve	106,077	138,425	121,077	46,492	152,569
Military Construction, Navy and Marine Corps Reserve	45,226	45,226	50,226	1,638	46,864
Military Construction, Air Force Reserve	79,260	110,847	79,260	26,623	105,883
Total Military Construction	**7,809,442**	**7,944,950**	**8,000,005**	**531,079**	**8,340,521**
Family Housing					
Family Housing Construction, Army	549,636	549,636	549,636	0	549,636
Family Housing Support, Army	812,993	803,993	812,993	(9,000)	803,993
Family Housing Construction, Navy	218,942	218,942	222,139	0	218,942
Family Housing Support, Navy	593,660	588,660	593,660	(5,000)	588,660
Family Housing Construction, Air Force	1,251,108	1,236,220	1,142,622	(149,221)	1,101,887
Family Housing Support, Air Force	766,939	755,319	766,939	0	766,939
Family Housing Support, Defense-Wide	46,391	46,391	46,391	0	46,391
Family Housing Improvement Fund	2,500	2,500	2,500	0	2,500
Total Family Housing	**4,242,169**	**4,201,661**	**4,136,880**	**(163,221)**	**4,078,948**
Total Military Construction and Family Housing	**12,051,611**	**12,146,611**	**12,136,885**	**367,858**	**12,419,469**
Prior Year Rescissions			(92,354)	(252,858)	**(252,858)**
Total Authorization of Appropriations			**12,044,531**		**12,166,611**

Military Construction Authorizations for Fiscal Year 2006
(Dollars in Thousands)

Location	Service/Agency/ Program	Installation	Project Title	FY 2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Alabama	Army	Anniston Army Depot	Upgrade 33 THAAD Storage Igloos		3,150		3,150	3,150
Alabama	Army	Ft Rucker	System Test and Int. Lab/Flight Test Supp. Fac.		9,700		0	0
Alabama	Army	Ft Rucker	Army Aviation C4I Facility				9,700	9,700
Alabama	Army	Redstone Arsenal	Ammunition Handling Instruction Facility		4,700		0	0
Alabama	Army	Redstone Arsenal	School Age Services Facility				5,100	5,100
Alabama	Army	Redstone Arsenal	System Software Engineering Annex, Phase 1			20,000	20,000	20,000
Alabama	Air Force	Maxwell AFB	SOC Lodging Facility	14,900	14,900	14,900	0	14,900
Alabama	Army National Guard	Ft Payne	Add/Alter Readiness Center		4,145		4,145	4,145
Alabama	USMC Reserve	ARNGRC Mobile	Reserve Center	7,463	7,463	8,163	700	8,163
Alabama	Air National Guard	Montgomery Regional APT	Replace Composite Operation and Training Facility	9,100	9,100	9,100	0	9,100
Alaska	Army	Ft Richardson	Railhead Port Facility			4,700	4,700	4,700
Alaska	Army	Ft Wainwright	Barracks Complex	33,560	33,560	33,560	0	33,560
Alaska	Army	Ft Wainwright	Information Systems Facility			5,600	5,600	5,600
Alaska	Army	Ft Wainwright	Rotary Wing Landing Pad			5,500	5,500	5,500
Alaska	Air Force	Clear AFS	Dormitory (100 Room)	20,000	20,000	20,000	0	20,000
Alaska	Air Force	Elmendorf AFB	C-17 Maintenance Complex, Phase 1	54,000	54,000	54,000	0	54,000
Alaska	Air Force	Elmendorf AFB	C-17 Add/Alt Survival Equipment Shop	820	820	820	0	820
Alaska	Air Force	Elmendorf AFB	F-15E Flight Simulator Facility			&[8,000]	0	0
Alaska	Air National Guard	Eielson AFB	Mobility Warehouse			5,900	5,900	5,900
Alaska	Air Force Reserve	Elmendorf AFB	C-17 Convert Hangar for AFRC Group HQ	3,100	3,100	3,100	0	3,100
Arizona	Army	Ft Huachuca	Effluent Reuse System		5,100		5,100	5,100
Arizona	Army	Yuma PG	Upgrade Waste Water Treatment Plant			8,100	8,100	8,100
Arizona	Marine Corps	MCAS Yuma	Rotary Wing Fueling Apron	3,637	3,637	3,637	0	3,637
Arizona	Air Force	Davis-Monthan AFB	CSAR Squadron Complex	8,600	8,600	8,600	0	8,600
Arizona	Air Force	Luke AFB	Dormitory (144 Room)	13,000	13,000	13,000	0	13,000
Arizona	Air Force Reserve	Luke AFB	944th Civil Engineer Squadron Facility		5,900		5,900	5,900
Arizona	Air Force Reserve	Davis-Monthan AFB	Alter Rescue Squadron Operations Facility	1,500	1,500	1,500	0	1,500
Arizona	Army National Guard	Marana	Fire Station		1,499		0	0
Arizona	DLA	Yuma PG	Rotary Wing Hydrant System	7,300	7,300	7,300	0	7,300
Arkansas	Air Force	Little Rock AFB	Airmen Dining Facility		6,400		6,400	6,400
Arkansas	Air Force	Little Rock AFB	Parallel Taxiway AALZ	2,500	2,500	2,500	0	2,500
Arkansas	Army National Guard	Camp Robinson	Regional Training Institute Complex, Phase 1			5,608	5,608	5,608
California	Army	Ft Irwin	Land Acquisition, Phase 3	5,000	5,000	5,000	0	5,000
California	Army	Ft Irwin	Military Operations Urban Terrain, Phase 1	12,000	12,000	12,000	0	12,000

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California	Army	Ft Irwin	Replace Dining Facility		4,250		4,250	4,250
California	Army	NWS Concord	Upgrade Outload Facilities	3,250	3,250	3,250	0	3,250
California	Army	NWS Concord	Pier Security Upgrade	8,600	8,600	8,600	0	8,600
California	Navy	NAF El Centro	Apron & Hangar Recap, Increment 2	18,666	18,666	18,666	0	18,666
California	Navy	NAS Lemoore	Replace Air Traffic Control Tower	8,480	8,480	8,480	0	8,480
California	Navy	NAS North Island	Bachelor Enlisted Quarters - Shipboard Ashore	13,700	13,700	0	(13,700)	0
California	Navy	NAWC China Lake	Advanced Sensor Lab	19,158	19,158	19,158	0	19,158
California	Navy	Naval Postgraduate School	Glasgow Hall Addition		6,500		6,500	6,500
California	Marine Corps	29 Palms	MOUT Facility, Phase 1		21,000		21,000	21,000
California	Marine Corps	29 Palms	Improve Wastewater Treatment Facility		3,000		3,000	3,000
California	Marine Corps	MCAS Miramar	Provost Marshal Screening Facility		5,070		5,070	5,070
California	Marine Corps	MCAS Camp Pendleton	Flight Line Security Fence	1,400	1,400	1,400	0	1,400
California	Marine Corps	MCB Camp Pendleton	Bachelor Enlisted Quarters - Headquarters	19,620	19,620	21,620	0	19,620
California	Marine Corps	MCB Camp Pendleton	Reclamation/Conveyance, Phase 1	25,436	25,436	29,736	0	25,436
California	Marine Corps	MCB Camp Pendleton	Assault Breacher Vehicle Facility	5,160	5,160	5,660	0	5,160
California	Air Force	Beale AFB	Global Hawk Two Bay Maintenance Hangar	14,200	14,200	14,200	0	14,200
California	Air Force	Edwards AFB	Mainbase Runway, Phase 1	37,000	37,000	37,000	0	37,000
California	Air Force	Los Angeles AFB	Civil Engineering Administration Facility			^[2500]	0	0
California	Air Force	Travis AFB	C-17 Maintenance Training Facility	8,100	8,100	8,100	0	8,100
California	Air Force	Travis AFB	C-17 Add/Alt Composite Shop	3,200	3,200	3,200	0	3,200
California	Air Force	Travis AFB	C-17 Add/Alt Life Support	1,300	1,300	1,300	0	1,300
California	Air Force	Travis AFB	AMOG Global Reach Deployment Center	19,000	19,000	19,000	0	19,000
California	Air Force	Travis AFB	Aerospace Ground Equipment Facility			10,900	10,900	10,900
California	Air Force	Travis AFB	C-17 Wheel and Tire Shop		3,900		3,900	3,900
California	Air Force	Vandenberg AFB	Fitness Center	16,845	16,845	16,845	0	16,845
California	Army National Guard	ANGRC Roseville	Add/Alt Readiness Center (ADRS)	2,941	2,941	2,941	0	2,941
California	Army National Guard	Camp Luis Obispo	Dining Facility			8,599	8,599	8,599
California	Army National Guard	Camp Roberts	Urban Combat Course			1,500	1,500	1,500
California	Army Reserve	Ft Hunter Liggett	Urban Assault Course	1,500	1,500	1,500	0	1,500
California	Army Reserve	Ft Hunter Liggett	Shoot House/ After Action Review	1,700	1,700	1,700	0	1,700
California	Air National Guard	Fresno Yosemite IAP	ASA-Fresno Alert Crew Quarters Facility	3,000	3,000	3,000	0	3,000
California	DLA	Def Dist Depot Tracy	Replace General Purpose Warehouse	33,635	33,635	33,635	0	33,635
California	DLA	Miramar	Replace Storage and Distribution System	23,000	23,000	23,000	0	23,000
California	SOCOM	NSWC Coronado	SOF Applied Instruction Facility	4,000	4,000	4,000	0	4,000

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California	SOCOM	NSWC Coronado	SOF Applied Instruction Support Facility	11,000	11,000	11,000	0	11,000
California	SOCOM	NSWC Coronado	SOF Applied Instruction Facility	13,350	13,350	13,350	0	13,350
California	TMA	Beale AFB	Add/Alt Clinic	18,000	18,000	18,000	0	18,000
California	TMA	NAVHOSP San Diego	Patient Parking Facility	15,000	15,000	15,000	0	15,000
Colorado	Army	Ft Carson	Barracks Complex	25,522	25,522	25,522	0	25,522
Colorado	Army	Ft Carson	Shoot House (USASOC)	1,250	1,250	1,250	0	1,250
Colorado	Army	Ft Carson	Combined Arms Collective Training Facility	28,000	28,000	28,000	0	28,000
Colorado	Army	Ft Carson	Shoot House	1,250	1,250	1,250	0	1,250
Colorado	Army	Ft Carson	A/DACG Complex, Phase 1B	14,600	14,600	14,600	0	14,600
Colorado	Army	Ft Carson	Hot Refuel Pads, BAAF				2,200	2,200
Colorado	Army National Guard	Grand Junction	Field Maintenance Shop				5,100	5,100
Colorado	Air Force	Air Force Academy	Upgrade Academic Facility, Phase 4A	13,000	13,000	13,000	0	13,000
Colorado	Air Force	Buckley AFB	Leadership Development Facility	5,500	5,500	5,500	0	5,500
Colorado	Air Force	Buckley AFB	Add/Alt Communications Complex	10,600	10,600	10,600	0	10,600
Colorado	Air Force	Buckley AFB	Consolidated Services Facility	4,000	4,000	4,000	0	4,000
Colorado	Air Force	Peterson AFB	76th Space Control Facility		12,700		12,700	12,700
Colorado	Air Force	Peterson AFB	West Gate Force Protection Access	12,800	12,800	12,800	0	12,800
Colorado	Air National Guard	Greeley ANG Station	Space Warning Squadron Support Facility		6,400	6,400	6,400	6,400
Colorado	TMA	Peterson AFB	Life Skills Support Center	1,820	1,820	1,820	0	1,820
Connecticut	Navy	NSB New London	Crane Maintenance Facility			4,610	4,610	4,610
Delaware	Air Force	Dover AFB	C-17 Alter Facilities for Parts Storage	1,000	1,000	1,000	0	1,000
Delaware	Air Force	Dover AFB	Dormitory (144 Room)	13,000	13,000	13,000	0	13,000
Delaware	Air Force	Dover AFB	C-17 Flight Simulator Facility	5,000	5,000	5,000	0	5,000
Delaware	Army National Guard	New Castle	Army Aviation Support Facility			@[5,780]	0	0
Delaware	Air National Guard	New Castle Co Airport	Add/Alt Reserve Forces Medical Training Fac			1,500	1,500	1,500
Delaware	Air National Guard	New Castle Co Airport	New Security Forces Facility			1,400	1,400	1,400
Distr Columbia	Air Force	Bolling AFB	Force Protection Main Gate	4,500	4,500	4,500	0	4,500
Distr Columbia	Air Force	Bolling AFB	Construct Operations Facility	10,400	10,400	10,400	0	10,400
Distr Columbia	DtA	Bolling AFB	PEPCO Feeder Line	7,900	7,900	7,900	0	7,900
Florida	Navy	NAS Jacksonville	Helo Hangar Replacement, Increment 1	45,179	45,179	45,179	0	45,179
Florida	Navy	NAS Pensacola	Water Treatment Facility & Municipal Sewer	8,710	8,710	8,710	0	8,710
Florida	Navy	NDSTC Panama City	Joint Aquatic Combat Diver Training	9,678	9,678	9,678	0	9,678
Florida	Navy	NS Mayport	Consolidated Maintenance Facility		4,470		4,470	4,470
Florida	Navy	NS Mayport	Expand Flight Trainer	2,930	2,930	2,930	0	2,930

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Florida	Navy	NS Mayport	Bachelor Enlisted Quarters - Shipboard Ashore	7,820	7,820	7,820	0	7,820
Florida	Navy	Whiting Field	Control Tower Recapitalization, South Field			4,670	4,670	4,670
Florida	Air Force	Cape Canaveral	Satellite Processing Operations Support Facility			6,200	6,200	6,200
Florida	Air Force	Hurlburt Field	Weapons Instructor Course Facility	2,540	2,540	2,540	0	2,540
Florida	Air Force	MacDill AFB	Security Forces Facility	11,200	11,200	11,200	0	11,200
Florida	Air Force	MacDill AFB	CENTCOM Joint Intelligence Center	67,000	67,000	67,000	0	67,000
Florida	Air Force	Tyndall AFB	1st Air Force Operations Center, Phase 2		10,000		10,000	10,000
Florida	Air Force	Tyndall AFB	Dormitory (120 Room)	9,000	9,000	9,000	0	9,000
Florida	Air Force	Tyndall AFB	F/A-22 Add Fuels Maintenance	2,500	2,500	2,500	0	2,500
Florida	Army National Guard	Camp Blanding	Regional Training Institute Complex, Phase 2		20,049		20,049	20,049
Florida	Air Force Reserve	Homestead ARB	Visiting Quarters		6,900		6,900	6,900
Florida	Air Force Reserve	Patrick AFB	Alter Rescue Squadron Operations Facility	2,090	2,090	2,090	0	2,090
Florida	SOCOM	Hurlburt Field	AT/FP Main Gate/Soundside Access		6,500		6,500	6,500
Florida	SOCOM	Eglin AFB	SOF Mobility/Aerial Delivery Support Facility	12,800	12,800	12,800	0	12,800
Georgia	Army	Ft Benning	Squad Defense Range		2,050		2,050	2,050
Georgia	Army	Ft Benning	Shoot House (USASOC)	1,700	1,700	1,700	0	1,700
Georgia	Army	Ft Benning	Infantry Platoon Battle Course	4,300	4,300	4,300	0	4,300
Georgia	Army	Ft Benning	Shoot House	1,250	1,250	1,250	0	1,250
Georgia	Army	Ft Benning	Combined Arms Collective Training Facility	20,961	20,961	20,961	0	20,961
Georgia	Army	Ft Gillem	Forensic Lab Addition	3,900	3,900	3,900	0	3,900
Georgia	Army	Ft Gillem	Modified Record Fire Range			#[4,550]	0	0
Georgia	Army	Ft Gordon	Military Police Complex			4,550	4,550	4,550
Georgia	Army	Ft Stewart/Hunter AAF	Vehicle Maintenance Shop	17,814	17,814	17,814	0	17,814
Georgia	Army	Ft Stewart/Hunter AAF	Shoot House (USASOC)	1,250	1,250	1,250	0	1,250
Georgia	Army	Ft Stewart/Hunter AAF	Urban Assault Course	1,350	1,350	1,350	0	1,350
Georgia	Army	Ft Stewart/Hunter AAF	Barracks Complex	37,566	37,566	37,566	0	37,566
Georgia	Navy	NSB Kings Bay	Armored Fighting Vehicle Support Facility		3,890		3,890	3,890
Georgia	Navy	NSB Kings Bay	Improve Utility/Site/Security Emergency Generator	3,000	3,000	3,000	0	3,000
Georgia	Marine Corps	MCLB Albany	Combat Vehicle Maint & Preservation Facility		4,000	4,000	4,000	4,000
Georgia	Marine Corps	MCLB Albany	Satellite Fire Station		1,840		1,840	1,840
Georgia	Air Force	Robins AFB	51st Combat Comm Squadron Ops Facility		5,600		5,600	5,600
Georgia	Air Force	Robins AFB	Approach Lighting System	2,000	2,000	2,000	0	2,000
Georgia	Air National Guard	Savannah/HH IAP	Replace CRTC Operations, Med Training Complex	7,200	7,200	7,200	0	7,200
Georgia	NSA	Augusta	Regional Security Operations Center	61,466	61,466	61,466	(12,500)	48,966

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Georgia	SOCOM	Ft Stewart/Hunter AAF	SOF Equipment Maintenance Complex	10,000	10,000	10,000	0	10,000
Georgia	DODEA	Ft Stewart/Hunter AAF	RCI - New Elementary School	16,629	16,629	16,629	0	16,629
Hawaii	Army	Helemano Mil. Res.	Drum Road Upgrade, Phase 2	41,000	41,000	41,000	0	41,000
Hawaii	Army	Pohakuloa Training Area	Saddle Road			17,000	17,000	17,000
Hawaii	Army	Pohakuloa Training Area	Tactical Vehicle Wash Facility	9,300	9,300	9,300	0	9,300
Hawaii	Army	Pohakuloa Training Area	Battle Area Complex	34,000	34,000	34,000	0	34,000
Hawaii	Army	Schofield Barracks	Barracks Complex, Phase 1	48,000	48,000	48,000	0	48,000
Hawaii	Army	Schofield Barracks	Vehicle Maintenance Facility, Increment 2	24,656	24,656	24,656	0	24,656
Hawaii	Army	Schofield Barracks	Modified Urban Assault Course	5,900	5,900	5,900	0	5,900
Hawaii	Navy	NB Pearl Harbor	Pacific Warfighting Center	29,700	29,700	29,700	0	29,700
Hawaii	Marine Corps	MCAS Kaneohe Bay	Camp Smith Fire Station	5,700	5,700	5,700	0	5,700
Hawaii	Air Force	Hickam AFB	Upgrade Electrical Distribution System, Phase 3		7,700	7,700	7,700	7,700
Hawaii	Air Force	Hickam AFB	DCGS Construct Intel Squadron Ops Fac	5,678	5,678	5,678	0	5,678
Hawaii	Air National Guard	Hickam AFB	F-15 Aircraft Rinse Facility	2,500	2,500	2,500	0	2,500
Hawaii	Air Force Reserve	Hickam AFB	Consolidated Training	6,450	6,450	6,450	0	6,450
Hawaii	MDA	Kunia	Replace Regional Security Operations Center	61,466	0	61,466	(12,500)	48,966
Idaho	Air Force	Mountain Home AFB	Base Ops/Radar Approach Control Facility	9,835	9,835	9,835	0	9,835
Idaho	Army National Guard	Gowen Field	Railhead Project, Phase 1		8,415	8,415	8,415	8,415
Illinois	Army	Rock Island Arsenal	Combined Fire/Police Station		7,400	7,400	7,400	7,400
Illinois	Navy	RTC Great Lakes	Upgrade RTC Infrastructure , Inc 1	32,730	32,730	32,730	0	32,730
Illinois	Navy	RTC Great Lakes	Recruit Training Command Barracks	38,720	38,720	38,720	0	38,720
Illinois	Navy	RTC Great Lakes	Drill Hall Replacement	16,610	16,610	16,610	0	16,610
Illinois	Navy	RTC Great Lakes	Recruit Training Command Barracks	33,840	33,840	33,840	0	33,840
Illinois	Air National Guard	Peoria Regional Airport	Replace Composite ASOC/ASOS Training Facility				9,600	9,600
Indiana	Army	Crane AAA	High Performance Magazines, Phase 1		5,700		5,700	5,700
Indiana	Navy	NWCF Crane	Special Weapons Engineering Facility			8,220	8,220	8,220
Indiana	Army National Guard	Camp Atterbury	Fire Station (ADRS)	2,454	2,454	2,454	0	2,454
Indiana	Air Force Reserve	Grissom ARB	Radar Approach Control Facility	7,000	7,000	7,000	0	7,000
Iowa	Army National Guard	Ft Dodge	Add/Alt Field Maintenance Shop		1,500	1,500	1,500	1,500
Kansas	Army	Ft Leavenworth	Lewis and Clark Instructional Facility, Increment 3	42,642	42,642	42,642	0	42,642
Kansas	Army	Ft Riley	Alert Holding Area			6,300	6,300	6,300
Kansas	Army	Ft Riley	Deployment Facility Ramp Expansion	5,500	5,500	5,500	0	5,500
Kansas	Army	Ft Riley	Deployment Support Facility			4,600	4,600	4,600
Kansas	Army	Ft Riley	Digital Multipurpose Training Range	17,500	17,500	17,500	0	17,500

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Kansas	Army National Guard	Pittsburg	Readiness Center		5,683		5,683	5,683
Kansas	Army Reserve	ARC New Century	OMS/AMSA/UNH Storage	6,376	6,376	6,376	0	6,376
Kansas	DLA	McConnell AFB	Hydrant Fuel System	15,800	15,800	15,800	0	15,800
Kentucky	Army	Ft Campbell	Airfield Support Facility		3,600		3,600	3,600
Kentucky	Army	Ft Campbell	Barracks Complex - 52nd Street	49,575	49,575	49,575	0	49,575
Kentucky	Army	Ft Campbell	Combined Arms Collective Training Facility, Ph 2	10,300	10,300	10,300	0	10,300
Kentucky	Army	Ft Campbell	Main Gate Access Control Point (Gate 4)			8,300	8,300	8,300
Kentucky	Army	Ft Campbell	Urban Assault Course	1,700	1,700	1,700	0	1,700
Kentucky	Army	Ft Campbell	Barracks Complex, Increment 2	24,650	24,650	24,650	0	24,650
Kentucky	Army	Ft Campbell	Barracks Complex - Glider Rd	43,000	43,000	43,000	0	43,000
Kentucky	Army	Ft Knox	Barracks Complex 1, Increment 2	21,000	21,000	21,000	0	21,000
Kentucky	Army	Ft Knox	Upgrade GMD Vehicle Maintenance Facility			*[8,200]	0	0
Kentucky	Army	Ft Knox	Add/Alt Battalion Dining Facility			4,600	4,600	4,600
Kentucky	Army National Guard	London	Joint Support Operations Center (Counterdrug)				1,785	1,785
Kentucky	Army National Guard	W.H Ford RTC	Training Complex, Phase 6	9,720	9,720	9,720	0	9,720
Kentucky	SOCOM	Ft Campbell	SOF Company Operations and Supply Facility	7,800	7,800	7,800	0	7,800
Kentucky	SOCOM	Ft Campbell	SOF Group Operations Complex	30,000	30,000	30,000	0	30,000
Louisiana	Army	Ft Polk	Combined Arms Collective Training Facility	28,887	28,887	28,887	0	28,887
Louisiana	Air Force	Barksdale AFB	Integrated Operations Center			10,800	10,800	10,800
Maine	Navy	Portsmouth Naval Shipyard	Acoustic Test and Calibration Facility		8,100	8,100	8,100	8,100
Maryland	Navy	NSWC Indian Head	Joint EOD Technical Support Center		13,460		8,250	8,250
Maryland	Navy	NAS Patuxent River	Presidential Helicopter Support Facility, Incr 2	40,700	40,700	55,700	0	40,700
Maryland	Navy	Naval Academy Annapolis	Wesley Brown Field House, Increment 1	24,930	24,930	24,930	0	24,930
Maryland	Navy	NAWC Patuxent River	MMA Aircraft Test Facility	5,800	5,800	5,800	0	5,800
Maryland	Army National Guard	Dundalk Armory	Organizational Maintenance Shop			4,912	4,912	4,912
Maryland	NSA	Ft Meade	South Campus Mail Facility	4,010	4,010	4,010	0	4,010
Maryland	NSA	Ft Meade	Classified Material Conversion, Increment 1	12,030	12,030	12,030	0	12,030
Maryland	NSA	Ft Meade	Friendship Annex Complex Generator Plant	12,009	12,009	12,009	0	12,009
Maryland	TMA	Ft Detrick	USAMRIID Sterilization Plant	21,200	21,200	21,200	0	21,200
Maryland	TMA	Ft Detrick	Joint Medical Logistics Center	34,000	34,000	34,000	0	34,000
Maryland	TMA	NNMC Bethesda	Academic Program Center/GSN Addition	10,350	10,350	10,350	0	10,350
Massachusetts	Air Force	Hanscom AFB	Fourth Cliff Erosion Control Stabilization, Ph 1	10,000	10,000	0	(10,000)	0
Massachusetts	Air Force	Hanscom AFB	Replace BCE Heavy Repair and Grounds Facility			3,900	3,900	3,900
Massachusetts	Army National Guard	ARNGRC Westfield	Fire Station	2,129	2,129	2,129	0	2,129

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Massachusetts	Army National Guard	Camp Curtis Guild	Organizational Maintenance Shop (ADRS)	17,136	17,136	17,136	0	17,136
Massachusetts	Army National Guard	ARNGRC Camp Edwards	Add/Alter Readiness Center (ADRS)	2,542	2,542	2,542	0	2,542
Massachusetts	Air National Guard	Barnes Municipal Airport	Weapons Maintenance/Load Crew Training Facility		7,100	7,100	7,100	7,100
Massachusetts	Air Force Reserve	Westover ARB	Munitions Storage and Maintenance	3,000	3,000	3,000	0	3,000
Michigan	Army National Guard	Camp Grayling	Multipurpose Machine Gun Range	1,901	1,901	1,901	0	1,901
Michigan	Army National Guard	Lansing	U.S. Property Office/Readiness Center, Phase 1			11,800	11,800	11,800
Michigan	Air National Guard	Alpena	CRTC Squadron Operations Center			9,500	9,500	9,500
Michigan	Air National Guard	W.K. Kellogg Airport	Replace Civil Engineering Complex		7,400		7,400	7,400
Minnesota	Air National Guard	Duluth IAP	Add/Alt Fire Station			6,500	6,500	6,500
Minnesota	Air National Guard	Minneapolis-St. Paul IAP	Composite Maintenance Complex		8,800		8,800	8,800
Minnesota	Air Force Reserve	Minneapolis-St Paul IAP	Joint Use Small Arms Range		3,000		3,000	3,000
Mississippi	Navy	NAS Meridian	Jet Engine Test Cell			10,450	10,450	10,450
Mississippi	Air Force	Columbus AFB	Mission Support Group Complex			10,000	10,000	10,000
Mississippi	Air Force	Keesler AFB	Student Dormitory (300 Room)	30,100	30,100	30,100	0	30,100
Mississippi	Air Force	Keesler AFB	Technical Training Facility	17,400	17,400	17,400	0	17,400
Mississippi	Army National Guard	Camp Shelby	Modified Record Fire Range	3,000	3,000	3,000	0	3,000
Mississippi	Army National Guard	Camp Shelby	Combined Arms Area Wetlands Crossings, Ph 1	5,263	5,263	5,263	0	5,263
Mississippi	Air National Guard	Gulfport	Replace Munitions Training & Storage Complex		3,000	4,500	4,500	4,500
Mississippi	TMA	Keesler AFB	Add/Alt Surgery Suite	14,000	14,000	14,000	0	14,000
Missouri	Army	Ft Leonard Wood	Permanent Party Barracks			8,900	15,400	15,400
Missouri	Army	Ft Leonard Wood	Countermine Training Complex, Phase 2	8,100	8,100	8,100	0	8,100
Missouri	Air Force	Whiteman AFB	B-2 Conventional Munitions Storage		5,721	5,721	5,721	5,721
Missouri	Army National Guard	Springfield	Aviation Classification Repair Depot, Ph 1		8,234		8,234	8,234
Missouri	Army National Guard	Ft Leonard Wood	MK 19 Range	1,878	1,878	1,878	0	1,878
Montana	Air Force	Malmstrom AFB	Add/Alter Physical Fitness Center			13,500	13,500	13,500
Montana	Army National Guard	Townsend	Qualification Training Range		2,558		2,558	2,558
Montana	Army National Guard	Helena	Army Aviation Support Facility, Ph 2	5,942	5,942	5,942	0	5,942
Montana	Army National Guard	Helena	Add/Alter Readiness Center (ADRS)	1,324	1,324	1,324	0	1,324
Nebraska	Air Force	Offutt AFB	Repair Runway	19,870	19,870	19,870	0	19,870
Nebraska	Air Force	Offutt AFB	Construct HQ Air Force Weather Agency	30,410	30,410	30,410	0	30,410
Nebraska	Air Force	Offutt AFB	Construct Child Development Center			12,800	12,800	12,800
Nevada	Air Force	Indian Springs AAF	Predator Operations Facilities	23,314	23,314	23,314	0	23,314
Nevada	Air Force	Indian Springs AAF	Predator Training Facilities	8,820	8,820	8,820	0	8,820
Nevada	Air Force	Indian Springs AAF	Predator Maintenance and Logistics Complex	19,260	19,260	19,260	0	19,260

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Nevada	Air Force	Indian Springs AAF	Predator Munitions Complex	9,330	9,330	9,330	0	9,330
Nevada	Air Force	Nellis AFB	Airfield Rescue Stations		3,741	4,800	4,800	4,800
Nevada	Air Force	Nellis AFB	F/A-22 Add/Alt Weapons School	10,240	10,240	10,240	0	10,240
Nevada	Air Force	Nellis AFB	F/A-22 Add/Alt Low Observable Composite Facility	9,330	9,330	9,330	0	9,330
Nevada	Air National Guard	Reno-Tahoe IAP	Intelligence Facility			16,800	16,800	16,800
Nevada	TMA	Nellis AFB	Replace Bio Environmental Engineering Facility	1,700	1,700	1,700	0	1,700
New Hampshire	Army National Guard	Concord	Joint Forces Headquarters, Phase 2			10,498	10,498	10,498
New Jersey	Army	Picatinny Arsenal	Fire Station		4,450	4,450	4,450	4,450
New Jersey	Navy	NWS Earle	Pier Complex Replacement, Increment 3	54,432	54,432	62,992	0	54,432
New Jersey	Air Force	McGuire AFB	Electrical Distribution System	13,185	13,185	13,185	0	13,185
New Jersey	Army National Guard	NAES Lakehurst	Consolidated Logistics and Training Facility	26,685	26,685	26,685	0	26,685
New Jersey	Air National Guard	Atlantic City IAP	Arm/Disarm Apron		1,500		0	0
New Jersey	Army Reserve	Ft Dix	Combined Arms Collective Training Facility		12,271		12,271	12,271
New Jersey	Army Reserve	Ft Dix	Shoot House/AAR/Breach Facility	1,569	1,569	1,569	0	1,569
New Mexico	Air Force	Kirtland AFB	HC-130P Simulator Facility	6,600	6,600	6,600	0	6,600
New Mexico	Air Force	Holloman AFB	Fire/Crash Rescue Stations			15,000	15,000	15,000
New Mexico	DLA	Cannon AFB	Replace Fuel Storage and Loading Facility	13,200	13,200	13,200	0	13,200
New York	Army	Ft Drum	Airfield Vehicle Support Facility		9,700	9,700	9,700	9,700
New York	Army	Ft Drum	Physical Fitness Facility	6,800	6,800	6,800	0	6,800
New York	Army	Ft Drum	Barracks Complex 10300 Block, Increment 1	38,500	38,500	38,500	0	38,500
New York	Army	Ft Drum	Ammo Supply Plant Pallet Processing Fac	1,850	1,850	1,850	0	1,850
New York	Army	USMA West Point	Library and Learning Center, Increment 2	25,470	25,470	25,470	0	25,470
New York	Army	USMA West Point	Modified Record Fire Range	4,000	4,000	4,000	0	4,000
New York	Army	USMA West Point	Improve Cadet Barracks				3,500	3,500
New York	Army National Guard	ARNGRC Leeds	Add/Alt Readiness Center (ADRS)	3,065	3,065	3,065	0	3,065
New York	Army National Guard	ARNGRC Kingston	Add/Alt Readiness Center (ADRS)	6,039	6,039	6,039	0	6,039
New York	Army National Guard	ARNGRC Latham	Readiness Center (ADRS)	5,580	5,580	5,580	0	5,580
New York	Army National Guard	ARNGRC Rochester	Army Aviation Support Facility	19,944	19,944	19,944	0	19,944
New York	Navy Reserve	ARNGRC Albany	Joint Reserve Center	19,970	19,970	19,970	0	19,970
New York	Air National Guard	Hancock Field	Upgrade Squadron Operations Facility		5,600		5,600	5,600
New York	Air National Guard	Stewart IAP	Replace Fire Crash/Rescue Station	10,200	10,200	10,200	0	10,200
New York	Air National Guard	Griffiss	Northeast Air Defense Sector Spt Fac, Ph I				3,000	3,000
New York	Air Force Reserve	Niagara Falls IAP	Visiting Quarters	9,200	9,200	9,200	0	9,200
North Carolina	Army	Ft Bragg	Barracks - Addition to 3rd Brigade Complex		11,400		11,400	11,400

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North Carolina	Army	Ft Bragg	Urban Assault Course	2,100	2,100	2,100	0	2,100
North Carolina	Army	Ft Bragg	Barracks Complex 2nd Brigade, Increment 1	32,000	32,000	32,000	0	32,000
North Carolina	Army	Ft Bragg	Barracks Complex, Increment 2	30,611	30,611	30,611	0	30,611
North Carolina	Army	Ft Bragg	Barracks Complex - Division Artillery, Increment 1	35,600	35,600	35,600	0	35,600
North Carolina	Army	Ft Bragg	Courthouse	4,450	4,450	4,450	0	4,450
North Carolina	Army	Ft Bragg	Company Operations Facility	7,300	7,300	7,300	0	7,300
North Carolina	Army	Ft Bragg	Barracks Complex - 3rd Brigade, Increment 1	50,000	50,000	50,000	0	50,000
North Carolina	Navy	MCAS Cherry Point	V22 Rotor Blade Repair Facility	4,760	4,760	4,760	0	4,760
North Carolina	Navy	MCAS Cherry Point	V22 Gear Box Repair and Test Facility	15,390	15,390	15,390	0	15,390
North Carolina	Marine Corps	MCAS Cherry Point	Ordnance Field Maint and Ops Bldg		2,000		2,000	2,000
North Carolina	Marine Corps	MCAS Cherry Point	AICUZ Land Acquisition	1,890	1,890	1,890	0	1,890
North Carolina	Marine Corps	MCAS Cherry Point	High Explosives Magazines	5,107	5,107	5,107	0	5,107
North Carolina	Marine Corps	MCAS New River	Aircraft Fire and Rescue Facility		4,310	4,310	4,310	4,310
North Carolina	Marine Corps	MCAS New River	Main Gate Security Upgrades	2,530	2,530	2,530	0	2,530
North Carolina	Marine Corps	MCB Camp Lejeune	Mess Hall - Courthouse Bay	11,840	11,840	11,840	0	11,840
North Carolina	Marine Corps	MCB Camp Lejeune	Assault Breacher Vehicle Facility	4,040	4,040	4,040	0	4,040
North Carolina	Marine Corps	MCB Camp Lejeune	Multipurpose Machine Gun Range	5,370	5,370	6,370	0	5,370
North Carolina	Marine Corps	MCB Camp Lejeune	Bachelor Enlisted Quarters - Camp Johnson	20,340	20,340	22,340	0	20,340
North Carolina	Army National Guard	Lenoir	Field Maintenance Shop		5,858	5,858	5,858	5,858
North Carolina	Army National Guard	ANGRC Tarboro	Add/Alter Readiness Center (ADRS)	1,154	1,154	1,154	0	1,154
North Carolina	Air National Guard	Charlotte/Douglas IAP	Vehicle Maintenance Complex	3,400	3,400	3,400	0	3,400
North Carolina	DLA	Seymour Johnson AFB	Replace Hydrant Fuel System	18,500	18,500	18,500	0	18,500
North Carolina	SOCOM	Ft Bragg	SOF Replacement Baffled Firing Range				3,300	3,300
North Carolina	SOCOM	Ft Bragg	Resistance Training Complex (JSOC)	2,569	2,569	2,569	0	2,569
North Carolina	SOCOM	Ft Bragg	SOF Training Facility (SWCS)	8,500	8,500	8,500	0	8,500
North Carolina	SOCOM	Ft Bragg	SOF Headquarters Building	3,700	3,700	3,700	0	3,700
North Carolina	DODEA	Ft Bragg	RCI - New Elementary/Junior HS Addition	18,075	18,075	18,075	0	18,075
North Dakota	Air Force	Minot AFB	Security Forces Vehicle Alert Facility	8,700	8,700	8,700	0	8,700
North Dakota	Army National Guard	Bismarck	WMD Civil Support Team Facility			3,737	3,737	3,737
North Dakota	Army National Guard	Minot (State Land)	Field Maintenance Shop	10,950	10,950	10,950	0	10,950
North Dakota	Army National Guard	Camp Grafton	Harden Perimeter Upgrade		870		870	870
Ohio	Army	Lima Modification Center	Joint Systems Manufacturing Ctr Integrated Building		11,600		11,600	11,600
Ohio	Air Force	Wright-Patterson AFB	New Academic Building		12,950		12,950	12,950
Ohio	Air Force	Wright-Patterson AFB	Add/Alt Intelligence Production Complex	19,670	19,670	19,670	0	19,670

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Ohio	Army National Guard	ARC North Canton	Army Aviation Support Facility	7,923	7,923	7,923	0	7,923
Ohio	Army National Guard	Mansfield (State Land)	Fire Station (ADRS)	1,293	1,293	1,293	0	1,293
Ohio	Air National Guard	Camp Perry ANG Sta	Replace Troop Training Quarters			4,700	4,700	4,700
Ohio	Air Force Reserve	Youngstown ARS	Joint Services Lodging Facility, Phase 1		7,500		7,500	7,500
Ohio	Air Force Reserve	Wright-Patterson AFB	C-5 Alter Maintenance Shops	800	800	800	0	800
Ohio	Air Force Reserve	Wright-Patterson AFB	C-5 Alter Fuel Hydrant System	1,600	1,600	1,600	0	1,600
Ohio	Air Force Reserve	Wright-Patterson AFB	C-5 Alter Flight Simulator Facility	800	800	800	0	800
Ohio	Air Force Reserve	Wright-Patterson AFB	C-5 Squadron Operations Facility	5,750	5,750	5,750	0	5,750
Ohio	Air Force Reserve	Wright-Patterson AFB	C-5 Airfield Pavements, Phase 2	4,400	4,400	4,400	0	4,400
Ohio	Air Force Reserve	Wright-Patterson AFB	C-5 Scheduled Maintenance Hangar	15,300	15,300	15,300	0	15,300
Ohio	Air Force Reserve	Wright-Patterson AFB	C-5 Fuel Systems Maintenance Hangar	10,500	10,500	10,500	0	10,500
Oklahoma	Army	Ft Sill	Fire Station		3,150	3,150	3,150	3,150
Oklahoma	Army	Ft Sill	Railroad Equipment Facility	2,700	2,700	2,700	0	2,700
Oklahoma	Army	McAlester AAP	High Explosive Magazine Installation		1,100		0	0
Oklahoma	Army	McAlester AAP	Ammunition Container Facility	5,400	5,400	5,400	0	5,400
Oklahoma	Air Force	Tinker AFB	Upgrade Building 3001 Infrastructure, Phase 2	20,000	20,000	20,000	0	20,000
Oklahoma	Air Force	Tinker AFB	31st Combat Comm Squad Ops Complex	11,960	11,960	11,960	0	11,960
Oklahoma	Air Force	Vance AFB	Enhance Force Protection, Phase 1			14,000	14,000	14,000
Oregon	Army National Guard	Salem	WMD-CST Ready Building		2,735		2,735	2,735
Oregon	Navy Reserve	ARNG Lane County	Reserve Center with Land	6,132	6,132	9,732	0	6,132
Pennsylvania	Army	Letterkenny Army Depot	LTL Ammunition Shipping Facility		6,300	6,300	6,300	6,300
Pennsylvania	Navy	NSWC Philadelphia	Machinery Networks Development & Integration Fac		4,780		4,780	4,780
Pennsylvania	Army National Guard	ANGRC Erie	Readiness Center (SBCT)	11,008	11,008	11,008	0	11,008
Pennsylvania	Army National Guard	ANGRC Erie	Field Maintenance Shop (SBCT)	5,136	5,136	5,136	0	5,136
Pennsylvania	Army National Guard	Ft Indiantown Gap	Live Fire Shoot House (SBCT)	2,346	2,346	2,346	0	2,346
Pennsylvania	Army National Guard	Ft Indiantown Gap	Modified Record Fire Range Upgrade (SBCT)	2,683	2,683	2,683	0	2,683
Pennsylvania	Army National Guard	Ft Indiantown Gap	Unit Storage Site (SBCT)	2,961	2,961	2,961	0	2,961
Pennsylvania	Army National Guard	Ft Indiantown Gap	MK 19 40mm Machine Gun Qual Range (SBCT)	4,344	4,344	4,344	0	4,344
Pennsylvania	Army National Guard	Ft Indiantown Gap	Mission Support Training Facility	4,363	4,363	4,363	0	4,363
Pennsylvania	Army National Guard	Ft Indiantown Gap	Sniper Range (SBCT)	2,898	2,898	2,898	0	2,898
Pennsylvania	Army National Guard	Ft Indiantown Gap	UAV Training Facility	2,482	2,482	2,482	0	2,482
Pennsylvania	Army National Guard	Ft Indiantown Gap	Urban Assault Course (SBCT)	2,459	2,459	2,459	0	2,459
Pennsylvania	Army National Guard	Ft Indiantown Gap	Battalion Training Facility, Phase 1 (SBCT)	22,190	22,190	22,190	0	22,190
Pennsylvania	Army National Guard	Ft Indiantown Gap	Infantry Squad Battle Course (SBCT)	2,859	2,859	2,859	0	2,859

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Pennsylvania	Army National Guard	Ft Indiantown Gap	Combined Arms Collective Training Facility	16,706	16,706	16,706	0	16,706
Pennsylvania	Army National Guard	Ft Indiantown Gap	Multipurpose Machine Gun Range (SBCT)	4,202	4,202	4,202	0	4,202
Pennsylvania	Army National Guard	Philadelphia	Field Maintenance Shop (SBCT)	6,207	6,207	6,207	0	6,207
Pennsylvania	Army National Guard	Philadelphia	Readiness Center (SBCT)	11,925	11,925	11,925	0	11,925
Pennsylvania	Army Reserve	Johnstown	Airfield Runway Upgrade		17,780		17,780	17,780
Pennsylvania	Army Reserve	ARC Bellefonte	AR Center/OMS/UNH Storage	8,355	8,355	8,355	0	8,355
Pennsylvania	Army Reserve	Erie	AR Center/OMS/UNH Storage	9,367	9,367	9,367	0	9,367
Pennsylvania	Air National Guard	Harrisburg IAP	Expand Aircraft Parking Apron and Taxiway		5,000		5,000	5,000
Pennsylvania	DLA	Def Dep New Cumberland	Replace Physical Fitness Facility	6,500	6,500	6,500	0	6,500
Rhode Island	Navy	NS Newport	Replace Combat Training Pool		4,870		4,870	4,870
Rhode Island	Navy	NS Newport	Replace Vehicle Bridge			10,620	10,620	10,620
South Carolina	Army	Ft Jackson	Urban Assault Course		1,600		1,600	1,600
South Carolina	Navy	MCAS Beaufort	Main Gate Security Improvements				1,480	1,480
South Carolina	Air Force	Charleston AFB	Add/Alter Fitness Center	2,583	2,583	2,583	0	2,583
South Carolina	Air Force	Shaw AFB	Munitions Facility		6,300		6,300	6,300
South Carolina	Air Force	Shaw AFB	USCENTAF Communications Squadron Facility	9,730	9,730	9,730	0	9,730
South Carolina	Army National Guard	The Citadel	Readiness Center			10,298	10,298	10,298
South Carolina	Army Reserve	ARC Greenville	Add/Alt Reserve Center/Org Maint/Storage	15,524	15,524	15,524	0	15,524
South Carolina	USMC Reserve	Charleston	Marine Corps Reserve Center	6,424	6,424	7,124	0	6,424
South Carolina	TMA	Charleston	Consolidated Medical Clinic	35,000	35,000	35,000	0	35,000
South Dakota	Air Force	Ellsworth AFB	Maintenance Group Headquarters Facility			8,400	8,400	8,400
South Dakota	Air National Guard	Joe Foss Field	Upgrade Security Force Facility & Comm		5,500		5,500	5,500
Tennessee	Army National Guard	Nashville	Readiness Center, Phase 2			23,193	23,193	23,193
Tennessee	Air National Guard	Memphis IAP	C-5 Maintenance Hangar and Shops	39,000	39,000	39,000	0	39,000
Tennessee	Air National Guard	Memphis IAP	C-5 Fuel Cell Maintenance Hangar and Shop	23,000	23,000	23,000	0	23,000
Texas	Army	Ft Bliss	Vehicle Bridge		5,000		5,000	5,000
Texas	Army	Ft Hood	Fire Station (North Ft Hood)		4,650		4,650	4,650
Texas	Army	Ft Hood	Physical Fitness Center		6,800		6,800	6,800
Texas	Army	Ft Hood	Multipurpose Squad Qual Course-Scout Complex	8,000	8,000	8,000	0	8,000
Texas	Army	Ft Hood	Battalion Command and Control Facilities	6,600	6,600	6,600	0	6,600
Texas	Army	Ft Hood	Vehicle Maintenance Shop	21,645	21,645	21,645	0	21,645
Texas	Army	Ft Hood	Fire Station	4,100	4,100	4,100	0	4,100
Texas	Army	Ft Hood	Qualification Training Range	6,093	6,093	6,093	0	6,093
Texas	Army	Ft Hood	Central Shipping/Receiving Point				6,600	6,600

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Texas	Army	Ft Sam Houston	Renovate Barracks Wings/Battalion Cmd Area, Ph 1			7,000	7,000	7,000
Texas	Navy	NAS Kingsville	T-10 Jet Engine Test Cell		10,030		10,030	10,030
Texas	Navy	NAS Kingsville	Airfield Lighting (NALFOG)	6,010	6,010	6,010	0	6,010
Texas	Air Force	Goodfellow AFB	Chapel Center		4,300		4,300	4,300
Texas	Air Force	Laughlin AFB	Aircraft Maintenance Complex		7,900		7,900	7,900
Texas	Air Force	Sheppard AFB	T-6 Contractor Maint. & Base Supply Warehouse	3,000	3,000	3,000	0	3,000
Texas	Air Force	Sheppard AFB	Student Dormitory (300 Room)	33,000	33,000	33,000	0	33,000
Texas	Army Reserve	Ellington Field	Armed Forces Reserve Center/BPC Phase 1			15,000	15,000	15,000
Texas	Army Reserve	Grand Prairie	Army Reserve Center, Phase 2	5,685	5,685	5,685	0	5,685
Texas	Air Force Reserve	NAS Fort Worth JRB	Aircraft Generation Facility		1,750		1,750	1,750
Texas	TMA	Lackland AFB	Replace Military Working Dog Medical Facility	11,000	11,000	11,000	0	11,000
Utah	Army	Dugway PG	Michael Army Airfield Runway, Phase 2	25,000	25,000	25,000	0	25,000
Utah	Air Force	Hill AFB	Consolidate Missile Storage Facilities, Phase 1			9,800	9,800	9,800
Utah	Air Force	Hill AFB	Add/Alt Software Support Facility	19,500	19,500	19,500	0	19,500
Utah	Air Force	Hill AFB	Aircraft Battle Damage Repair Training/Storage	4,600	4,600	4,600	0	4,600
Utah	Army National Guard	Camp Williams	Add/Alt Readiness Center (ADRS)	3,279	3,279	3,279	0	3,279
Vermont	Army National Guard	Camp Ethan Allen	Modified Record Fire Range	3,000	3,000	3,000	0	3,000
Vermont	Army National Guard	Camp Johnson	Information Systems Facility			5,617	5,617	5,617
Virginia	Army	Ft A.P. Hill	Modified Record Fire Range	2,700	2,700	2,700	0	2,700
Virginia	Army	Ft Belvoir	Defense Access Road, Phase 1	5,000	5,000	5,000	0	5,000
Virginia	Army	Ft. Eustis	Deployment Staging Area			3,100	3,100	3,100
Virginia	Army	Ft Lee	49th Quartermaster Group Operations Storage		3,900		3,900	3,900
Virginia	Army	Ft Myer	Child Development Center	15,200	15,200	15,200	0	15,200
Virginia	Navy	NAB Little Creek	Replace Piers and Quaywall	36,034	36,034	36,034	0	36,034
Virginia	Navy	NAS Oceana	F/A 18 Facility Upgrades	11,680	11,680	11,680	0	11,680
Virginia	Navy	Norfolk Naval Shipyard	Pier 11 Replacement, Increment 3	40,200	40,200	40,200	0	40,200
Virginia	Navy	Norfolk Naval Shipyard	Ship Repair Pier 3 Replacement, Increment 1	47,729	47,729	47,729	0	47,729
Virginia	Navy	NS Norfolk	Aircraft Maintenance Hanger (MH-60S CV)	21,565	21,565	21,565	0	21,565
Virginia	Navy	NS Norfolk	H60 Trainer Building	10,680	10,680	10,680	0	10,680
Virginia	Navy	NSWC Dahlgren	Electromagnetic Research and Engineering Fac			9,960	9,960	9,960
Virginia	Marine Corps	MCAF Quantico	Aircraft Parking Apron (Green)	11,667	11,667	11,667	0	11,667
Virginia	Marine Corps	MCAF Quantico	Aircraft Parking Apron (White)	8,031	8,031	8,031	0	8,031
Virginia	Marine Corps	MCB Quantico	Religious & Family Services Center		4,270		4,270	4,270
Virginia	Marine Corps	MCB Quantico	White Side Complex, Increment 2	34,730	34,730	34,730	0	34,730

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Virginia	Marine Corps	MCB Quantico	Hockmuth Hall Addition, Increment 1	2,600	0	4,000	1,400	4,000
Virginia	Air Force	Langley AFB	Repair West Parking Apron/Taxiway		5,700		5,700	5,700
Virginia	Air Force	Langley AFB	F/A-22 Munitions Storage Complex	20,925	20,925	20,925	0	20,925
Virginia	Air Force	Langley AFB	Repair Primary Parking Apron/Taxiway	17,740	17,740	17,740	0	17,740
Virginia	Army National Guard	Winchester	Readiness Center		7,619	7,619	7,619	7,619
Virginia	Army National Guard	Ft Belvoir	Total Army School System Complex, Phase 1	13,596	13,596	13,596	0	13,596
Virginia	Army National Guard	Ft Pickett	MOUT Shoot House (SB)	1,552	1,552	1,552	0	1,552
Virginia	Navy Reserve	NAS Oceana	C-40 Hangar	2,259	2,259	2,259	0	2,259
Virginia	DLA	Ft Belvoir	Alter Air Intakes	4,500	4,500	4,500	0	4,500
Virginia	DLA	NS Norfolk	Replace Lube Oil Tanks	6,700	6,700	6,700	0	6,700
Virginia	TMA	Ft Belvoir	Hospital Replacement, Phase 2	57,000	57,000	57,000	0	57,000
Washington	Army	Ft Lewis	Barracks Complex-North Fort, Phase 5	49,949	49,949	49,949	0	49,949
Washington	Army	Ft Lewis	Barracks Complex	50,000	50,000	50,000	0	50,000
Washington	Navy	NS Everett	Bachelor Enlisted Quarters Homeport Ashore, Incr 1	49,950	49,950	49,950	0	49,950
Washington	Navy	NSWCCD DET, Bangor	Lab Consolidation, Phase 2		9,430		9,430	9,430
Washington	Navy	NSB Bangor	Enclose Motor Transfer Facility	2,860	2,860	2,860	0	2,860
Washington	Navy	NSB Bangor	Waterfront Security Enclave	41,520	41,520	41,520	0	41,520
Washington	Navy	NSB Bangor	Limited Area Production & Storage Cmplx, Incr 2	47,095	47,095	47,095	0	47,095
Washington	Navy	NSB Bangor	Mission Support for SSBN/SSN	15,780	15,780	15,780	0	15,780
Washington	Navy	NAS Whidbey Island	High Performance Magazines		4,010		4,010	4,010
Washington	Air Force	Fairchild AFB	Resistance Training Facility			8,200	8,200	8,200
Washington	Army National Guard	Camp Murray	Homeland Security Multi-Functional Ed Center		1,424		0	0
Washington	SOCOM	Ft Lewis	SOF Expand Compound	18,500	18,500	18,500	0	18,500
Washington	SOCOM	Ft Lewis	SOF Training Facility (SWCS)	4,800	4,800	4,800	0	4,800
Washington	SOCOM	Ft Lewis	SOF Aviation Battalion Complex	30,000	30,000	30,000	0	30,000
West Virginia	Army National Guard	Camp Dawson	Readiness Center			4,500	4,500	4,500
West Virginia	Air National Guard	Martinsburg ANG	C-5 Shop Upgrades			2,000	2,000	2,000
West Virginia	Air National Guard	Martinsburg ANG	C-5 Jet Fuel Storage/Hydration System/Apron	20,000	20,000	20,000	0	20,000
West Virginia	Air National Guard	Martinsburg ANG	C-5 Corrosion Control Hangar	23,000	23,000	23,000	0	23,000
West Virginia	Air National Guard	Martinsburg ANG	Upgrade and Extend Runway			17,000	17,000	17,000
West Virginia	Air National Guard	Yeager Airport	Upgrade Force Protection, Relocate Road			%[6500]	0	0
Wisconsin	Army National Guard	Camp Williams	Readiness Center	5,357	5,357	5,357	0	5,357
Wisconsin	Army Reserve	ARC Wausau	Army Res Center/Org Maint Shop/Storage	11,098	11,098	11,098	0	11,098
Wisconsin	Army Reserve	Ft McCoy	Public Safety Center	5,365	5,365	5,365	0	5,365

Military Construction Authorizations for Fiscal Year 2006
(Dollars in Thousands)

Location	Service/Agency/ Program	Installation	Project Title	FY 2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Wisconsin	Army Reserve	Ft McCoy	NCO Academy, Phase 1	15,405	15,405	15,405	0	15,405
Wisconsin	Army Reserve	Ft McCoy	Modified Record Fire Range	3,038	3,038	3,038	0	3,038
Wisconsin	Army Reserve	Ft McCoy	Shoot House/AAR/Breach Facility	1,700	1,700	1,700	0	1,700
Wisconsin	Air National Guard	General Mitchell IAP	Upgrade Composite Maintenance Support Complex			7,000	7,000	7,000
Wyoming	Army National Guard	Casper	Add/Alt Readiness Center (ADRS)	2,802	2,802	2,802	0	2,802
Wyoming	Air National Guard	Cheyenne IAP	Composite Airlift Support Center	7,000	7,000	7,000	0	7,000
Overseas								
Bahrain	TMA	SWA	Add/Alt Medical Clinic	4,750	4,750	4,750	0	4,750
Germany	Army	Grafenwoehr	Brigade Complex-Forward Support	40,681	40,681	40,681	0	40,681
Germany	Army	Grafenwoehr	Shoot House	1,800	1,800	1,800	0	1,800
Germany	Army	Grafenwoehr	Urban Assault Course	1,600	1,600	1,600	0	1,600
Germany	Army	Grafenwoehr	Barracks Complex	40,000	40,000	40,000	0	40,000
Germany	Army	Vilseck	Barracks Complex, Phase 2	13,600	13,600	13,600	0	13,600
Germany	Air Force	Ramstein AB	Airfield Maintenance Compound	8,600	8,600	8,600	0	8,600
Germany	Air Force	Ramstein AB	Munitions Maintenance Facility	3,050	3,050	3,050	0	3,050
Germany	Air Force	Spangdahlem AB	Control Tower	7,100	7,100	7,100	0	7,100
Germany	Air Force	Spangdahlem AB	Large Vehicle Inspection Station	5,374	5,374	5,374	0	5,374
Germany	DODEA	Landstuhl	Add to Elem and Middle School Classroom	5,572	5,572	5,572	0	5,572
Germany	DODEA	Vilseck	Add and Renovate Vilseck Elementary School	2,323	2,323	2,323	0	2,323
Greece	DLA	Souda Bay	Replace Fuel Pipeline	7,089	7,089	7,089	0	7,089
Guam	Navy	NB Guam	Improve Alpha/Bravo Wharves, Incr 1	25,584	25,584	25,584	0	25,584
Guam	Air Force	Andersen AFB	Replace Military Working Dog Facility	3,500	3,500	3,500	0	3,500
Guam	Air Force	Andersen AFB	AEF FOL Munitions Storage Igloos	15,000	15,000	15,000	0	15,000
Guam	Army National Guard	Barrigada	WMD-CST Ready Building		4,852		4,852	4,852
Guam	DODEA	NAS Agana	Elementary/Middle School Replacement	40,578	40,578	40,578	0	40,578
Italy	Army	Pisa	Ammunition Storage Facility	5,254	5,254	5,254	0	5,254
Italy	Air Force	Aviano AB	Air Control Squadron Warehouse	7,800	7,800	7,800	0	7,800
Italy	Air Force	Aviano AB	Family Support Center	4,010	4,010	4,010	0	4,010
Italy	Air Force	Aviano AB	Consolidated Support Center Facility	10,850	10,850	10,850	0	10,850
Japan	Navy	Naval Station Yokosuka	Wharf Upgrades, Increment 1	39,019	0	0	(25,019)	14,000
Korea	Army	Camp Humphreys	Barracks Complex	40,525	40,525	35,525	(3,000)	37,525
Korea	Army	Camp Humphreys	Barracks Complex	45,637	45,637	38,637	(3,000)	42,637
Korea	Army	Camp Humphreys	Barracks Complex	28,000	28,000	25,000	(3,000)	25,000

Military Construction Authorizations for Fiscal Year 2006
(Dollars in Thousands)

Location	Service/Agency/ Program	Installation	Project Title	FY 2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Korea	Army	Yongpyong	Urban Assault Course	1,450	1,450	1,450	0	1,450
Korea	Air Force	Kunsan AB	Consolidated Personnel Process/Theater Facility	6,800	6,800	6,800	0	6,800
Korea	Air Force	Kunsan AB	Dormitory (382 Room)	44,100	44,100	37,388	(3,000)	41,100
Korea	Air Force	Osan AB	Dormitory (156 Room)	21,750	21,750	20,750	(3,000)	18,750
Korea	Air Force	Osan AB	Add/Alt Squadron Operation/AMU Facility	18,969	18,969	18,969	0	18,969
Korea	DODEA	Taegu	Replace/Add to Taegu Elem/High School	8,231	8,231	8,231	0	8,231
Kwajalein	MDA	Kwajalein Atoll	Emergency Services Facility, Meck Island	4,901	4,901	4,901	0	4,901
Portugal	Air Force	Lajes Field	Fire/Crash Rescue Station	12,000	12,000	12,000	0	12,000
Puerto Rico	Army Reserve	Camp Santiago	Modified Record Fire Range	2,000	2,000	2,000	0	2,000
Spain	DODEA	NS Rota	Elem and High School Multipurpose Building	7,963	7,963	7,963	0	7,963
Turkey	Air Force	Incirlik AB	Consolidated Communications Facility	5,780	5,780	5,780	0	5,780
United Kingdom	Air Force	RAF Lakenheath	Small Diameter Bomb Maintenance Facility	2,625	2,625	2,625	0	2,625
United Kingdom	Air Force	RAF Lakenheath	Small Diameter Bomb Storage Igloo and Addition	2,500	2,500	2,500	0	2,500
United Kingdom	Air Force	RAF Mildenhall	Base Engineer Complex	13,500	13,500	13,500	0	13,500
United Kingdom	NSA	RAF Menwith Hill Station	Operations/Tech Building, Increment 1	41,697	44,997	41,697	0	41,697
Worldwide	Army	Various Worldwide	Overhead Cover Systems				50,000	50,000
Unspecified								
Worldwide	Army	Unspecified Worldwide	Planning and Design	141,393	148,023	143,215	8,628	150,021
Worldwide	Army	Unspecified Worldwide	Planning and Design (Host Nation Support)	20,000	20,000	20,000	0	20,000
Worldwide	Army	Unspecified Worldwide	Unspecified Minor Construction	20,000	20,000	20,000	4,141	24,141
Worldwide	Army National Guard	Unspecified Worldwide	Planning and Design	46,148	54,319	53,582	18,807	64,955
Worldwide	Army National Guard	Unspecified Worldwide	Unspecified Minor Construction	7,646	7,646	9,146	7,667	15,313
Worldwide	Army Reserve	Unspecified Worldwide	Planning and Design	14,416	16,713	14,416	1,441	15,857
Worldwide	Army Reserve	Unspecified Worldwide	Unspecified Minor Construction	2,979	2,979	2,979	0	2,979
Worldwide	Navy	Unspecified Worldwide	Planning and Design	18,857	23,555	35,687	3,870	22,727
Worldwide	Navy	Unspecified Worldwide	Unspecified Minor Construction	0	0	1	0	0
Worldwide	Marine Corps	Unspecified Worldwide	Planning and Design	10,655	12,474	18,820	1,511	12,166
Worldwide	Navy Reserve	Unspecified Worldwide	Planning and Design	1,746	1,746	1,746	90	1,836
Worldwide	Navy Reserve	Unspecified Worldwide	Unspecified Minor Construction				750	750
Worldwide	USMC Reserve	Unspecified Worldwide	Planning and Design	1,232	1,232	1,232	98	1,330
Worldwide	Air Force	Unspecified Worldwide	Planning and Design	79,047	91,733	83,719	16,490	95,537

Military Construction Authorizations for Fiscal Year 2006
(Dollars in Thousands)

Location	Service/Agency/ Program	Installation	Project Title	FY 2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Worldwide	Air Force	Unspecified Worldwide	Unspecified Minor Construction	15,000	15,000	15,000	929	15,929
Worldwide	Air National Guard	Unspecified Worldwide	Planning and Design	12,856	23,027	18,261	13,779	26,635
Worldwide	Air National Guard	Unspecified Worldwide	Unspecified Minor Construction	5,000	5,000	6,500	1,882	6,882
Worldwide	Air Force Reserve	Unspecified Worldwide	Planning and Design	3,770	6,407	3,770	1,573	5,343
Worldwide	Air Force Reserve	Unspecified Worldwide	Unspecified Minor Construction	4,000	4,000	4,000	0	4,000
Worldwide	DODEA	Unspecified Worldwide	Planning and Design	1,096	1,096	1,096	0	1,096
Worldwide	JCS	Unspecified Worldwide	Unspecified Minor Construction	7,543	7,543	7,543	0	7,543
Worldwide	NGA	Unspecified Worldwide	Planning and Design	24,000	24,000	24,000	0	24,000
Worldwide	NSA	Unspecified Worldwide	Planning and Design	3,300	3,300	3,300	0	3,300
Worldwide	OSD	Unspecified Worldwide	Planning and Design	26,110	26,110	26,110	327	26,437
Worldwide	OSD	Unspecified Worldwide	Unspecified Minor Construction	3,000	3,000	3,000	0	3,000
Worldwide	SOCOM	Unspecified Worldwide	Planning and Design	15,575	16,175	15,575	998	16,573
Worldwide	SOCOM	Unspecified Worldwide	Unspecified Minor Construction	2,000	2,000	2,000	0	2,000
Worldwide	TMA	Unspecified Worldwide	Planning and Design	65,000	65,000	65,000	0	65,000
Worldwide	TMA	Unspecified Worldwide	Unspecified Minor Construction	3,193	3,193	3,193	0	3,193
Worldwide	ECIP	Unspecified Worldwide	Energy Conservation Improvement Program	60,000	50,000	60,000	(10,000)	50,000
Worldwide	NATO	Unspecified Worldwide	NATO Security Investment Program	206,858	206,858	206,858	0	206,858
Worldwide	OSD	Unspecified Worldwide	Contingency Construction	10,000	5,000	10,000	(10,000)	0
Worldwide	Army	BRAC, Army	Base Realignment and Closure	93,853	93,853	93,853	14,000	107,853
Worldwide	Navy	BRAC, Navy	Base Realignment and Closure	142,973	142,973	142,973	(142,973)	0
Worldwide	Air Force	BRAC, Air Force	Base Realignment and Closure	134,727	134,727	134,727	5,973	140,700
Worldwide	DLA	BRAC, Defense	Base Realignment and Closure	6,274	6,274	6,274	0	6,274
Worldwide	Base Closure V	Unspecified Worldwide	Base Realignment and Closure	1,880,466	1,570,466	1,504,466	(376,000)	1,504,466
Family Housing								
Alaska	Army	Ft Richardson	Replace Family Housing	49,000	49,000	49,000	0	49,000
Alaska	Army	Ft Wainwright	Replace Family Housing	42,000	42,000	42,000	0	42,000
Alaska	Army	Ft Wainwright	Replace Family Housing	49,000	49,000	49,000	0	49,000
Alaska	Air Force	Eielson AFB	Replace Family Housing	37,650	37,650	37,650	0	37,650
Alaska	Air Force	Eielson AFB	Purchase Build/Lease Housing	18,144	18,144	18,144	0	18,144
Arizona	Army	Ft Huachuca	Replace Family Housing	31,000	31,000	31,000	0	31,000

Military Construction Authorizations for Fiscal Year 2006
(Dollars in Thousands)

Location	Service/Agency/ Program	Installation	Project Title	FY 2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Arizona	Army	Yuma PG	Replace Family Housing	11,200	11,200	11,200	0	11,200
California	Air Force	Edwards AFB	Replace Family Housing	59,699	59,699	59,699	0	59,699
Distr Columbia	Air Force	Bolling AFB	Replace Family Housing	48,711	48,223	0	(48,711)	0
Florida	Air Force	MacDill AFB	Replace Family Housing, Phase 7	40,982	40,982	40,982	0	40,982
Idaho	Air Force	Mountain Home AFB	Replace Family Housing, Phase 7	56,467	56,467	56,467	0	56,467
Missouri	Air Force	Whiteman AFB	Replace Family Housing	26,917	26,917	26,917	0	26,917
Montana	Air Force	Malmstrom AFB	Replace Family Housing	68,971	68,971	68,971	0	68,971
North Carolina	Air Force	Seymour Johnson AFB	Replace Family Housing, Phase 9	48,868	48,868	48,868	0	48,868
North Dakota	Air Force	Grand Forks AFB	Replace Family Housing, Phase J	86,706	86,706	86,706	(43,353)	43,353
North Dakota	Air Force	Minot AFB	Replace Family Housing, Phase 12	44,548	44,548	44,548	0	44,548
Oklahoma	Army	Ft Sill	Replace Family Housing	24,000	24,000	24,000	0	24,000
South Carolina	Air Force	Charleston AFB	Replace Family Housing	15,935	15,935	15,935	0	15,935
South Dakota	Air Force	Ellsworth AFB	Replace Family Housing	14,383	14,383	14,383	0	14,383
Texas	Air Force	Dyess AFB	Replace Family Housing, Phase 6	43,016	43,016	43,016	0	43,016
Virginia	Army	Ft Lee	Replace Family Housing	19,500	19,500	19,500	0	19,500
Virginia	Army	Ft Monroe	Replace Family Housing	6,000	6,000	6,000	0	6,000
Overseas								
Germany	Air Force	Ramstein AB	Replace Family Housing	62,952	62,952	62,952	0	62,952
Germany	Air Force	Spangdahlem AB	Replace Family Housing	45,385	45,385	0	0	45,385
Guam	Navy	NB Guam	Replace North Tipalo, Phase 1	40,298	40,298	43,495	0	40,298
Turkey	Air Force	Incirlik AB	Replace Family Housing	22,730	22,730	22,730	0	22,730
United Kingdom	Air Force	RAF Lakenheath	Replace Family Housing	48,437	48,437	48,437	0	48,437
Unspecified								
Worldwide	Army	Unspecified Worldwide	Construction Improvements	300,400	300,400	300,400	0	300,400
Worldwide	Navy	Unspecified Worldwide	Construction Improvements	178,644	178,644	178,644	0	178,644
Worldwide	Air Force	Unspecified Worldwide	Construction Improvements	420,203	409,103	409,113	(53,857)	366,346
Worldwide	Defense Wide	Unspecified Worldwide	Family Housing Improvement Fund	2,500	2,500	2,500	0	2,500
Family Housing Operations								
Worldwide	Army	Unspecified Worldwide	Furnishings Account	39,465	39,465	39,465	0	39,465
Worldwide	Army	Unspecified Worldwide	Leasing Account	213,990	213,990	213,990	0	213,990
Worldwide	Army	Unspecified Worldwide	Maintenance of Real Property	309,123	300,123	309,123	(9,000)	300,123

Military Construction Authorizations for Fiscal Year 2006
(Dollars in Thousands)

Location	Service/Agency/ Program	Installation	Project Title	FY 2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Worldwide	Army	Unspecified Worldwide	Management Account	68,188	68,188	68,188	0	68,188
Worldwide	Army	Unspecified Worldwide	Miscellaneous Account	1,345	1,345	1,345	0	1,345
Worldwide	Army	Unspecified Worldwide	Planning and Design	17,536	17,536	17,536	0	17,536
Worldwide	Army	Unspecified Worldwide	Privatization Support Costs	20,304	20,304	20,304	0	20,304
Worldwide	Army	Unspecified Worldwide	Services Account	28,718	28,718	28,718	0	28,718
Worldwide	Army	Unspecified Worldwide	Utilities Account	131,860	131,860	131,860	0	131,860
Worldwide	Navy	Unspecified Worldwide	Furnishings Account	20,189	20,189	20,189	0	20,189
Worldwide	Navy	Unspecified Worldwide	Leasing Account	143,790	143,790	143,790	0	143,790
Worldwide	Navy	Unspecified Worldwide	Maintenance of Real Property	186,511	186,511	186,511	0	186,511
Worldwide	Navy	Unspecified Worldwide	Management Account	81,924	76,924	81,924	(5,000)	76,924
Worldwide	Navy	Unspecified Worldwide	Mortgage Insurance Premium	56	56	56	0	56
Worldwide	Navy	Unspecified Worldwide	Privatization Support Costs	17,928	17,928	17,928	0	17,928
Worldwide	Navy	Unspecified Worldwide	Services Account	45,421	45,421	45,421	0	45,421
Worldwide	Navy	Unspecified Worldwide	Utilities Account	97,841	97,841	97,841	0	97,841
Worldwide	Air Force	Unspecified Worldwide	Debt Account	1	1	1	0	1
Worldwide	Air Force	Unspecified Worldwide	Furnishings Account	41,932	41,932	41,932	0	41,932
Worldwide	Air Force	Unspecified Worldwide	Leasing Account	154,907	154,907	154,907	0	154,907
Worldwide	Air Force	Unspecified Worldwide	Maintenance (RMPA & RMPC)	310,479	310,479	310,479	0	310,479
Worldwide	Air Force	Unspecified Worldwide	Management Account	78,090	66,470	78,090	0	78,090
Worldwide	Air Force	Unspecified Worldwide	Miscellaneous Account	2,407	2,407	2,407	0	2,407
Worldwide	Air Force	Unspecified Worldwide	Planning and Design	40,404	37,104	37,104	(3,300)	37,104
Worldwide	Air Force	Unspecified Worldwide	Privatization Support Costs	36,437	36,437	36,437	0	36,437
Worldwide	Air Force	Unspecified Worldwide	Services Account	25,740	25,740	25,740	0	25,740
Worldwide	Air Force	Unspecified Worldwide	Utilities Account	116,946	116,946	116,946	0	116,946
Worldwide	DIA	Unspecified Worldwide	Furnishings Account	4,031	4,031	4,031	0	4,031
Worldwide	DIA	Unspecified Worldwide	Leasing Account	30,130	30,130	30,130	0	30,130
Worldwide	DLA	Unspecified Worldwide	Furnishings Account	40	40	40	0	40
Worldwide	DLA	Unspecified Worldwide	Maintenance of Real Property	404	404	404	0	404
Worldwide	DLA	Unspecified Worldwide	Management Account	299	299	299	0	299
Worldwide	DLA	Unspecified Worldwide	Services Account	80	80	80	0	80

Military Construction Authorizations for Fiscal Year 2006
(Dollars in Thousands)

Location	Service/Agency/ Program	Installation	Project Title	FY 2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Worldwide	DLA	Unspecified Worldwide	Utilities Account	427	427	427	0	427
							0	0
Worldwide	NSA	Unspecified Worldwide	Furnishings Account	25	25	25	0	25
Worldwide	NSA	Unspecified Worldwide	Leasing Account	9,814	9,814	9,814	0	9,814
Worldwide	NSA	Unspecified Worldwide	Maintenance of Real Property	1,134	1,134	1,134	0	1,134
Worldwide	NSA	Unspecified Worldwide	Utilities Account	7	7	7	0	7
			Total Authorization of Appropriations:	**12,051,611**	**12,146,611**	**12,136,885**	**367,858**	**12,419,469**
			Prior Year Rescissions:			(92,354)	(252,858)	(252,858)
			Total After Rescissions:	**12,051,611**	**12,146,611**	**12,044,531**		**12,166,611**

& - F-15E Flight Simulator Facility at Elmendorf AFB, AK was replaced by Rotary Wing Landing Pad at Ft Wainwright, AK during Senate floor consideration of S. 1042

^ - Authorization for a Civil Engineering Administration Facility at Los Angeles AFB, CA was removed during Senate floor consideration of S. 1042

@ - Authorization for an Army Aviation Support Facility at New Castle, DE was removed during Senate floor consideration of S. 1042

- Modified Record Fire Range Project at Ft Gillem, GA was replaced by Military Police Complex at Ft Gordon, GA during Senate floor consideration of S. 1042

% - Upgrade Force Protection, Relocate Road Project at Yeager Airport, WV was replaced by Readiness Center Project at Camp Dawson,WV and C-5 Shop Upgrades at Martinburg ANG, WV during Senate floor consideration of S.1042

* - Vehicle Maintenance Facility at Ft Knox, KY was replaced by Dining Facility at Ft Knox, KY during Senate floor consideration of S. 1042

LEGISLATIVE PROVISIONS ADOPTED

Short title (sec. 2001)

The House bill contained a provision (sec. 2001) that would cite Division B of this Act as the Military Construction Authorization Act for Fiscal Year 2006.

The Senate amendment contained an identical provision (sec. 2001).

The conference agreement includes this provision.

TITLE XXI—ARMY

Overview

The House bill would authorize appropriations for the Army of $1,601.8 million for military construction and $1,353.6 million for family housing for fiscal year 2006.

The Senate amendment would authorize appropriations for the Army of $1,605.9 million for military construction and $1,362.6 million for family housing for fiscal year 2006.

The conferees agree to authorize appropriations for the Army of $1,775.3 million for military construction and $1,353.6 million for family housing for fiscal year 2006.

The conferees agree to a request by the Department of the Army to amend the scope of a project submitted in the budget request for fiscal years 2005 and 2006 to construct a barracks facility at Fort Knox, Kentucky. This change is included in the table at the beginning of Division B of this conference report entitled "Military Construction Authorization for Fiscal Year 2006".

The conferees also agree to a request by the Department of the Army to amend the scope of a project authorized for appropriation in the Military Construction Authorization Act for Fiscal Year 2005 (Public Law 108–375) for a general instruction facility at Fort Bliss, Texas.

ITEMS OF SPECIAL INTEREST

Army use of alternate authorities to acquire unaccompanied housing

The conferees note that the Department of the Army is carrying out programs to transform its force structure and global presence within the next five years. This transformation will result in the permanent relocation among Army installations of over 100,000 unaccompanied soldiers. The Department of the Army is currently in the process of developing an investment strategy to fund the construction of permanent facilities to support these transformation initiatives.

The conferees also note that Congress has granted authority to the Department of the Army to enter into agreements with eligible entities to provide for the acquisition or construction of military unaccompanied housing units on or near military installations. Similar authorities have been used to dramatically improve the quality of family housing for the nation's military personnel.

The conferees encourage the Secretary of the Army to consider the use of alternate authorities for the construction of unaccompanied housing in the development of plans for permanent facilities

at installations planned for substantial increases in the number of unaccompanied personnel.

LEGISLATIVE PROVISIONS ADOPTED

Authorized Army construction and land acquisition project (sec. 2101)

The House bill contained a provision (sec. 2101) that would authorize Army military construction projects in fiscal year 2006.

The Senate amendment contained a similar provision (sec. 2101).

The conference agreement includes this provision.

The amounts authorized are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table at the beginning of Division B of this conference report entitled "Military Construction Authorization for Fiscal Year 2006" provides the binding list of specific construction projects authorized at each location.

Family housing (sec. 2102)

The House bill contained a provision (sec. 2102) that would authorize new construction and planning and design of family housing units for the Army in fiscal year 2006.

The Senate amendment contained a similar provision (sec. 2102).

The conference agreement includes this provision.

The amounts authorized are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table at the beginning of Division B of this conference report entitled "Military Construction Authorization for Fiscal Year 2006" provides the binding list of specific construction projects authorized at each location.

Improvements to military family housing units (sec. 2103)

The House bill contained a provision (sec. 2103) that would authorize improvements to existing units of Army family housing in fiscal year 2006.

The Senate amendment contained an identical provision (sec. 2103).

The conference agreement includes this provision.

Authorization of appropriations, Army (sec. 2104)

The House bill contained a provision (sec. 2104) that would authorize specific appropriations for each line item contained in the Army's military construction budget in fiscal year 2006. This provision would also provide an overall limit on the amount the Army is authorized to spend on military construction projects in fiscal year 2006.

The Senate amendment contained a similar provision (sec. 2104).

The conference agreement includes this provision.

Modification of authority to carry out certain fiscal year 2004 projects (sec. 2105)

The House bill contained a provision (sec. 2105) that would amend the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136) to reduce the authorization level for construction at Vilseck, Germany to a level conforming to the requirement for appropriations.

The Senate amendment contained no similar provision.

The Senate recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

Construction of battalion dining facilities, Fort Knox, Kentucky

The Senate amendment contained a provision (sec. 2105) that would authorize the Secretary of the Army to carry out a project to construct a battalion dining facility at Fort Knox, Kentucky at a cost of $4.6 million. As an offset, the provision would reduce the authorization of appropriations for the Army by $3.6 million by rescinding the authorization contained in the Senate report accompanying S. 1042 (S. Rept. 109–69) of the National Defense Authorization Act for Fiscal Year 2006 to carry out a project to upgrade Ground Mobility Division Vehicle Maintenance Facility at Fort Knox, Kentucky at a cost of $8.2 million.

The House bill contained no similar provision.

The Senate recedes with a conference agreement that includes the project to construct a battalion dining facility at Fort Knox, Kentucky in the State list of projects contained in the table at the beginning of Division B of this conference report entitled "Military Construction Authorization for Fiscal Year 2006."

TITLE XXII—NAVY

Overview

The House bill would authorize appropriations for the Navy of $1,109.2 million for military construction and $807.6 million for family housing for fiscal year 2006.

The Senate amendment would authorize appropriations for the Navy of $1,101.3 million for military construction and $815.8 million for family housing for fiscal year 2006.

The conferees agree to authorize appropriations for the Navy of $1,157.1 million for military construction and $807.6 million for family housing for fiscal year 2006.

The conferees agree to a request by the Department of the Navy to apply the authorization of appropriations totaling $8.7 million provided for a project to recapitalize the water treatment facility at Naval Air Station Pensacola, Florida towards an alternate agreement to obtain wastewater treatment services.

LEGISLATIVE PROVISIONS ADOPTED

Authorized Navy construction and land acquisition projects (sec. 2201)

The House bill contained a provision (sec. 2201) that would authorize Navy military construction projects in fiscal year 2006.

The Senate amendment contained a similar provision (sec. 2201).

The conference agreement includes this provision.

The amounts authorized are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table at the beginning of Division B of this conference report entitled "Military Construction Authorization for Fiscal Year 2006" provides the binding list of specific construction projects authorized at each location.

Family housing (sec. 2202)

The House bill contained a provision (sec. 2202) that would authorize new construction and planning and design of family housing units for the Navy in fiscal year 2006.

The Senate amendment contained a similar provision (sec. 2202).

The conference agreement includes this provision.

The amounts authorized are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table at the beginning of Division B of this conference report entitled "Military Construction Authorizations for Fiscal Year 2006" provides the binding list of specific construction projects authorized at each location.

Improvements to military family housing units (sec. 2203)

The House bill contained a provision (sec. 2203) that would authorize improvements to existing units of Navy family housing in fiscal year 2006.

The Senate amendment contained an identical provision (sec. 2203).

The conference agreement includes this provision.

Authorization of appropriations, Navy (sec. 2204)

The House bill contained a provision (sec. 2204) that would authorize specific appropriations for each line item contained in the Navy's military construction budget in fiscal year 2006. This provision would also provide an overall limit on the amount the Navy is authorized to spend on military construction projects in fiscal year 2006.

The Senate amendment contained a similar provision (sec. 2204).

The conference agreement includes this provision.

Modification of authority to carry out certain fiscal year 2004 project (sec. 2205)

The House bill contained a provision (sec. 2205) that would amend the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136) to increase the authorization level for a pier at Naval Weapons Station, Earle, New Jersey.

The Senate amendment contained an identical provision (sec. 2206).

The conference agreement includes this provision.

Modifications of authority to carry out certain fiscal year 2005 projects (sec. 2206)

The House bill contained a provision (sec. 2206) that would amend the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375) to provide full authorization of a naval laboratory consolidation project at Strategic Weapons Facility Pacific, Bangor, Washington. The provision would also increase the level authorized for a presidential helicopter program support facility at Marine Corps Air Field, Quantico, Virginia.

The Senate amendment contained a provision (sec. 2205) that would amend section 2201 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375) to increase project authorizations at an unspecified worldwide location and at Quantico, Virginia.

The Senate recedes with a technical amendment.

TITLE XXIII—AIR FORCE

Overview

The House bill would authorize appropriations for the Air Force of $1,175.2 million for military construction and $1,991.5 million for family housing for fiscal year 2006.

The Senate amendment would authorize appropriations for the Air Force of $1,198.3 million for military construction and $1,909.6 million for family housing for fiscal year 2006.

The conferees agree to authorize appropriations for the Air Force of $1,288.5 million for military construction and $1,868.8 million for family housing for fiscal year 2006.

LEGISLATIVE PROVISIONS ADOPTED

Authorized Air Force construction and land acquisition projects (sec. 2301)

The House bill contained a provision (sec. 2301) that would authorize Air Force military construction projects in fiscal year 2006.

The Senate amendment contained a similar provision (sec. 2301).

The conference agreement includes this provision.

The amounts authorized are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table at the beginning of Division B of this conference report entitled "Military Construction Authorization for Fiscal Year 2006" provides the binding list of specific construction projects authorized at each location.

Family housing (sec. 2302)

The House bill contained a provision (sec. 2302) that would authorize new construction and planning and design of family housing units for the Air Force in fiscal year 2006.

The Senate amendment contained a similar provision (sec. 2302).

The conference agreement includes this provision.

The amounts authorized are listed in this provision on an installation-by-installation basis. A State list of projects contained in

the table at the beginning of Division B of this conference report entitled "Military Construction Authorization for Fiscal Year 2006" provides the binding list of specific construction projects authorized at each location.

Improvements to military family housing units (sec. 2303)

The House bill contained a provision (sec. 2303) that would authorize improvements to existing units of Air Force family housing in fiscal year 2006.

The Senate amendment contained an identical provision (sec. 2303).

The conference agreement includes a similar provision.

Authorization of appropriations, Air Force (sec. 2304)

The House bill contained a provision (sec. 2304) that would authorize specific appropriations for each line item contained in the Air Force's military construction budget in fiscal year 2006. This provision would also provide an overall limit on the amount the Air Force is authorized to spend on military construction projects in fiscal year 2006.

The Senate amendment contained a similar provision (sec. 2304).

The conference agreement includes this provision.

TITLE XXIV—DEFENSE AGENCIES

Overview

The House bill would authorize appropriations for the defense agencies of $976.7 million for military construction and $48.9 million for family housing for fiscal year 2006. In addition, the House bill would authorize appropriations of $377.8 million for prior Base Realignment and Closure (BRAC) round activities and $1,570.5 million for the 2005 BRAC round activities for fiscal year 2006.

The Senate amendment would authorize appropriations for the defense agencies of $1,042.7 million for military construction and $48.9 million for family housing for fiscal year 2006. In addition, the Senate amendment would authorize appropriations of $377.8 million for prior BRAC round activities and $1,504.5 million for 2005 BRAC round activities for fiscal year 2006.

The conferees agree to authorize appropriations for the defense agencies of $1,008.9 million for military construction, $48.9 million for family housing, and $1,504.5 million for 2005 BRAC round activities for fiscal year 2006. In addition, the conferees authorize appropriations of $254.8 million for prior BRAC round activities, taking into account a greater amount of proceeds received by the Department of the Navy for land disposals compared to the amounts forecasted in the budget request for fiscal year 2006.

The conferees note that of the amount authorized to the National Security Agency (NSA) for Kunia, Hawaii in section 2401(a) of this Act, $98.7 million has been set aside for this requirement from prior year appropriations outside the military construction account, which is included in the amount specified in section 2403(b)(3) of this Act. The conferees agree to authorize the total requirement, and direct the Secretary of Defense to submit to the

congressional defense committees a plan for the funding for this requirement within the justification documents accompanying the annual budget request for fiscal year 2007. The conferees direct the NSA to adhere to standard Department of Defense procedures for budgeting military construction projects in future budget requests.

The conference agreement includes authorization of certain requirements at a cost that will result in complete and useable facilities, while providing authorization of appropriations incrementally over more than one fiscal year. The conferees note that incremental funding of projects is acceptable when the total estimated cost of a military construction or family housing project exceeds $50.0 million.

LEGISLATIVE PROVISIONS ADOPTED

Authorized Defense Agencies construction and land acquisition projects (sec. 2401)

The House bill contained a provision (sec. 2401) that would authorize defense agencies military construction projects in fiscal year 2006.

The Senate amendment contained a similar provision (sec. 2401).

The conference agreement includes this provision.

The amounts authorized are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table at the beginning of Division B of this conference report entitled "Military Construction Authorization for Fiscal Year 2006" provides the binding list of specific construction projects authorized at each location.

Energy conservation projects (sec. 2402)

The House bill contained a provision (sec. 2402) that would authorize the Secretary of Defense to carry out energy conservation projects.

The Senate amendment contained a similar provision (sec. 2402).

The Senate recedes.

Authorization of appropriations, Defense Agencies (sec. 2403)

The House bill contained a provision (sec. 2403) that would authorize specific appropriations for each line item contained in the defense agencies' military construction budget in fiscal year 2006. This provision would also provide an overall limit on the amount the defense agencies are authorized to spend on military construction projects in fiscal year 2006.

The Senate amendment contained a similar provision (sec. 2403).

The conference agreement includes this provision.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

Overview

The House bill and Senate amendment would each authorize appropriations of $206.9 million for the North Atlantic Treaty Organization (NATO) Security Investment program for fiscal year 2006.

The conferees agree to authorize appropriations of $206.9 million for the NATO Security Investment program for fiscal year 2006.

LEGISLATIVE PROVISIONS ADOPTED

Authorized NATO construction and land acquisition projects (sec. 2501)

The House bill contained a provision (sec. 2501) that would authorize the Secretary of Defense to make contributions to the North Atlantic Treaty Organization Security Investment program in an amount equal to the sum of the amount specifically authorized elsewhere in this conference report, and the amount of recoupment due to the United States for construction previously financed by the United States.

The Senate amendment contained an identical provision (sec. 2501).

The conference agreement includes this provision.

Authorization of appropriations, NATO (sec. 2502)

The House bill contained a provision (sec. 2502) that would authorize appropriations of $206.9 million for the U.S. contribution to the North Atlantic Treaty Organization Security Investment program.

The Senate amendment contained an identical provision (sec. 2502).

The conference agreement includes this provision.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Overview

The House bill would authorize appropriations of $930.8 million for military construction and land acquisition for fiscal year 2006 for the Guard and Reserve components.

The Senate amendment would authorize appropriations of $961.2 million for military construction and land acquisition for fiscal year 2006 for the Guard and Reserve components.

The conferees agree to authorize appropriations of $1,144.6 million for military construction and land acquisition for fiscal year 2006 for the Guard and Reserve components. This authorization would be distributed as follows:

Reserve Component	*$ (millions)*
Army National Guard	523.2
Air National Guard	316.1
Army Reserve	152.6
Naval and Marine Corps Reserve	46.9

Reserve Component	*$ (millions)*
Air Force Reserve	105.9
Total	1,144.7

LEGISLATIVE PROVISIONS ADOPTED

Authorized Guard and Reserve construction and land acquisition projects (sec. 2601)

The House bill contained a provision (sec. 2601) that would authorize appropriations for military construction for the Guard and reserve components in fiscal year 2006.

The Senate amendment contained a similar provision (sec. 2601).

The conference agreement includes this provision.

A State list of projects contained in the table at the beginning of Division B of this conference report entitled "Military Construction Authorization for Fiscal Year 2006" provides the binding list of specific construction projects authorized at each location.

LEGISLATIVE PROVISIONS NOT ADOPTED

Construction of facilities, New Castle County Airport Air Guard Base, Delaware

The Senate amendment contained a provision (sec. 2603) that would authorize certain amounts appropriated for the Department of the Air Force for the Air National Guard in section 2601(3)(A) of this Act to be available for the construction of a security forces facility and a medical training facility at New Castle County Airport Air Guard Base, Delaware.

The House bill contained no similar provision.

The Senate recedes with a conference agreement that includes the projects to construct a security forces facility and a medical training facility at New Castle County Airport Air Guard Base, Delaware, in the State list of projects contained in the table at the beginning of Division B of this conference report entitled "Military Construction Authorization for Fiscal Year 2006".

Construction of maintenance hangar, New Castle County Airport Air Guard Base, Delaware

The Senate amendment contained a provision (sec. 2604) that would increase by $1.4 million the amount authorized to be appropriated for the Department of the Air Force for the Air National Guard in section 2601(3)(A) of this Act to be available to carry out the planning and design of a project to replace a C–130 aircraft maintenance hangar at Air National Guard New Castle County Airport, Delaware. The provision would also provide for an offset of the same amount.

The House bill contained no similar provision.

The Senate recedes with a conference agreement that includes funds to carry out the planning and design of a project to replace a C–130 aircraft maintenance hangar at Air National Guard New Castle County Airport, Delaware in the State list of projects contained in the table at the beginning of Division B of this conference

report entitled "Military Construction Authorization for Fiscal Year 2006".

National Guard construction projects

The Senate amendment contained a provision (sec. 2605) that would increase by $4.5 million the amount authorized to be appropriated for the Department of the Army for the Army National Guard in section 2601(3)(A) of this Act to be available to carry out the construction of a readiness center at Camp Dawson, West Virginia. As an offset, this provision would decrease by $4.5 million the amount authorized to be appropriated by section 2601(3)(A) for the Department of the Air Force for the Air National Guard of the United States. The provision would also rescind from the Secretary of the Air Force project authorization of $6.5 million to construct a bridge/gate house/force protection entry project at Camp Yeager, West Virginia, and would authorize instead C–5 aircraft shop upgrades at Eastern West Virginia Regional Airport, Shepherd Field, Martinsburg, West Virginia at a cost of $2.0 million.

The House bill contained no similar provision.

The Senate recedes with a conference agreement that includes the projects to construct a readiness center at Camp Dawson, West Virginia, and C–5 aircraft shop upgrades at Eastern West Virginia Regional Airport, Shepherd Field, Martinsburg, West Virginia, in the State list of projects contained in the table at the beginning of Division B of this conference report entitled "Military Construction Authorization for Fiscal Year 2006".

Specific authorized Army National Guard construction projects

The Senate amendment contained a provision (sec. 2602) that would authorize certain amounts appropriated for the Department of the Army for the Army National Guard in section 2601(3)(A) of this Act to be available for the construction of an urban combat course at Camp Roberts, California and a field maintenance shop at Fort Dodge, Iowa.

The House bill contained no similar provision.

The Senate recedes with a conference agreement that includes the projects to construct an urban combat course at Camp Roberts, California and a field maintenance shop at Fort Dodge, Iowa, in the State list of projects contained in the table at the beginning of Division B of this conference report entitled "Military Construction Authorization for Fiscal Year 2006".

TITLE XXVII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS

LEGISLATIVE PROVISIONS ADOPTED

Expiration of authorizations and amounts required to be specified by law (sec. 2701)

The House bill contained a provision (sec. 2701) that would provide that authorizations for military construction projects, repair of real property, land acquisition, family housing projects and facilities, contributions to the North Atlantic Treaty Organization Security Investment program, and National Guard and reserve

projects will expire on October 1, 2008, or the date of enactment of an act authorizing funds for military construction for fiscal year 2009, whichever is later. This requirement would not apply to funds obligated prior to the expiration date.

The Senate amendment contained an identical provision (sec. 2701).

The conference agreement includes this provision.

Extension of authorizations of certain fiscal year 2003 projects (sec. 2702)

The House bill contained a provision (sec. 2702) that would provide for the extension of authorizations of certain fiscal year 2003 military construction project until October 1, 2006, or the date of enactment of an act authorizing funds for military construction for fiscal year 2007, whichever is later.

The Senate amendment contained a similar provision (sec. 2702).

The conference agreement includes this provision.

Extension of authorizations of certain fiscal year 2002 projects (sec. 2703)

The House bill contained a provision (sec. 2703) that would provide for the extension of authorizations of certain fiscal year 2002 military construction projects until October 1, 2006, or the date of enactment of an act authorizing funds for military construction for fiscal year 2007, whichever is later.

The Senate amendment contained a similar provision (sec. 2703).

The conference agreement includes this provision.

LEGISLATIVE PROVISIONS NOT ADOPTED

Effective date

The House bill contained a provision (sec. 2704) that would provide that titles XXI, XXII, XXIII, XXIV, XXV, and XXVI of this Act shall take effect on October 1, 2005, or the date of enactment of this Act, whichever is later.

The Senate amendment contained an identical provision (sec. 2704).

Because the conference report was not adopted prior to October 1, 2005, this provision is no longer required and was not included in the conference agreement.

TITLE XXVIII—GENERAL PROVISIONS

ITEMS OF SPECIAL INTEREST

Joint urban operations training facilities

The conferees note that on November 10, 2005, the Under Secretary of Defense for Personnel and Readiness (OUSD (P&R)) submitted the report requested by the Senate Committee on Armed Services three years ago on Department of Defense requirements for military operations in urban terrain (MOUT) training facilities.

The Department reported that it had established a Joint Urban Training Working Group under Joint Forces Command to

identify requirements and a Joint Urban Operations Training Review Group to prioritize budget requests for Joint Urban Operations facilities and capabilities.

The conferees commend the Department for establishing these new joint policy groups. However, the conferees are concerned that it has taken three years to do so and agree with the Department's report that "much more needs to be done." The conferees are disappointed that, despite the efforts of the Department to date, the Department has yet to establish a strategy for urban operations training, a requirements baseline, or to prioritize MOUT projects and capabilities across the Department in its budget requests.

The conferees further note that on December 8, 2005, the Government Accountability Office (GAO) released its assessment of this effort and stated that "Since 2002, the Department has made limited progress in developing an overall joint strategy for urban operations training and related facility and training requirements". The GAO review found that the Department still lacks an agreed strategy, and facility and training requirements for joint urban operations training, and that there are few opportunities today for truly joint training under joint headquarters, despite longstanding Department policy that forces train as they fight.

The conferees urge the Department, in particular (OUSD (P&R)) and Joint Forces Command, to develop as soon as possible a joint training strategy for urban operations that will allow the total force to make the best possible use of existing and planned MOUT facilities to improve joint and interagency capabilities in this critical area; to develop a requirements baseline for MOUT facilities based on that strategy; and to assess and prioritize the MOUT projects requested by the services or Special Operations Command in the fiscal year 2007 budget, and in future budget requests, against this baseline, in order to eliminate unnecessary duplication of facilities.

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Military Construction Program and Military Family Housing Changes

Modification of congressional notification requirements for certain military construction activities (sec. 2801)

The House bill contained a provision (sec. 2801) that would reduce by 7 days the wait periods for electronic notifications to Congress for certain acquisitions in lieu of construction and contingency construction projects.

The Senate amendment contained no similar provision.

The Senate recedes.

Increase in number of family housing units in Korea authorized for lease by the Army at maximum amount (sec. 2802)

The Senate amendment contained a provision (sec. 2807) that would increase from 2,400 to 2,800 the number of family housing units the Secretary of the Army may lease in Korea using the authority in section 2828 (e)(4) of title 10, United States Code.

The House bill contained no similar provision.

The House recedes.

Improvement in availability and timeliness of Department of Defense information regarding military construction and family housing accounts and activities (sec. 2803)

The House bill contained a provision (sec. 2802) that would require the Secretary of Defense to establish and make available to Congress an Internet-based system containing regularly updated information on the status of all defense agency and service military construction and family housing projects as well as operations, maintenance, and other support accounts authorized by the annual Military Construction Authorization Act.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

The conferees intend for this provision to facilitate the business transformation and financial management reform initiatives established by the Department of Defense to improve the transparency and real-time access to the Department's cost accounting and contract management information using state-of-the-art technology and web-based software programs. The conferees expect that increased oversight of construction contract information will result in a greater degree of diligence in the management of contract cost growth and a more efficient use of taxpayer dollars. The conferees encourage the Secretary to make the information required by this provision available on the Department's website.

Modification of cost variation authority (sec. 2804)

The Senate amendment contained a provision (sec. 2802) that would amend section 2853 of title 10, United States Code, to clarify that the cost of a military construction project or a project for the construction, improvement, or acquisition of a military family housing cannot be decreased or increased by more than 25 percent.

The House bill contained no similar provision.

The House recedes.

Inapplicability to child development centers of restriction on authority to acquire or construct ancillary supporting facilities (sec. 2805)

The Senate amendment contained a provision (sec. 2805) that would amend section 2881(b) of title 10, United States Code, to exempt child development centers from the restriction for ancillary facilities authorized to be constructed using the alternative authority for acquisition and improvements of military housing provided in subchapter IV of chapter 169, title 10, United States Code.

The House bill contained no similar provision.

The House recedes with a clarifying amendment that would prohibit a service secretary from entering into an agreement under the alternative authority for acquisition and improvements of military housing with a private entity to operate child development centers in competition with Department of Defense activities at the installation.

Department of Defense housing funds (sec. 2806)

The Senate amendment contained a provision (sec. 2803) that would amend section 2883 of title 10, United States Code, to require the Secretary of Defense to fund certain acquisitions and improvements of military housing solely through accounts established for that purpose.

The House bill contained no similar provision.

The House recedes.

Use of design-build selection procedures to accelerate design effort in connection with military construction projects (sec. 2807)

The conferees agree to a provision that would amend section 2305a(f) of title 10, United States Code, to clarify the conditions required for the Secretary of a military service to terminate a contract issued under this authority for the convenience of the government. The provision would also extend by one year the termination date for the temporary authority.

Acquisition of associated utilities, equipment, and furnishings in reserve component facility exchange (sec. 2808)

The Senate amendment contained a provision (sec. 2806) that would amend section 18240 of title 10, United States Code, to amend the definition of "facility" in section 18240 to include utilities, equipment, and furnishings required to be installed in a facility.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

One-year extension of temporary, limited authority to use operation and maintenance funds for construction projects outside the United States (sec. 2809)

The House bill contained a provision (sec. 2805) that would extend the authority provided by section 2808 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136) for 1 year and amend the reporting requirement for the authority.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would decrease the annual limitation on the use of this temporary authority to $100.0 million.

Temporary program to use minor military construction authority for construction of child development centers (sec. 2810)

The Senate amendment contained a provision (sec. 2804) that would direct the Secretary of Defense to carry out a temporary program for the construction of child development centers operated by the Department of Defense. This provision would increase thresholds in section 2805(a)(1) of title 10, United States Code, to facilitate the construction of child development centers.

The House bill contained no similar provision.

The House recedes with a technical amendment.

General and flag officers quarters in the National Capital Region (sec. 2811)

The House bill contained a provision (sec. 2804) that would prohibit the use of fiscal year 2006 funds for the operation, maintenance, or repair of housing units for general and flag officers in the National Capital Region until receipt of a report on the need for general and flag officer (GFO) housing in the National Capital Region (NCR).

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would direct the secretary of each military service to submit a report by March 16, 2006, on the inventory and management of GFO housing in the NCR.

The conferees note that the report submitted by the Secretary of Defense to Congress on June 3, 2005, in response to section 2802 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375) did not satisfy the intent of the conferees. The conferees intend for the secretary of each military department to submit a report containing an analytical assessment of requirements for general and flag officer housing in the National Capital Region, including unique force protection concerns, the potential to rely on the local commercial real estate market, and possible alternate methods for the acquisition, operations, and maintenance of GFO houses. These assessments should not rely upon the presumption that the existing inventory of government-owned housing units must be retained. The conferees expect that the reports will provide a basis for further deliberations to address GFO housing requirements over the long-term, while reducing costs associated with these units.

Subtitle B—Real Property and Facilities Administration

Consolidation of Department of Defense land acquisition authorities and limitations on use of such authorities (sec. 2821)

The House bill contained a provision (sec. 2811) that would consolidate provisions of chapter 159 of title 10, United States Code, which govern the acquisition of land by the Department of Defense, and make several technical corrections.

The Senate amendment contained a similar provision (sec. 2881)

The Senate recedes with a technical amendment.

Modification of authorities on agreements to limit encroachments and other constraints on military training, testing, and operations (sec. 2822)

The Senate amendment contained a provision (sec. 2822) that would modify section 2684a of title 10, United States Code, to clarify that agreements to limit encroachments and other constraints on military training, testing, and operations authorized under that section may include real property that is in the vicinity of, or ecologically related to, a military installation or the airspace of such installation. The provision would require that agreements authorized under that section between the Secretary of Defense, or the service secretaries, and eligible third party entities provide for

equal sharing of the acquisition costs of the real property and real property interests between the Department of Defense and the partner entities. The Senate provision would allow the Secretary concerned to waive the requirement for equal sharing of the acquisition costs if the Secretary concerned determined that the agreement is essential to accomplish the mission of the installation and the Secretary concerned provided 21-days advance notice to Congress. The Senate provision would provide that the acquisition cost of any lesser interest in real property would not exceed 70 percent of the appraised value of the property. The Senate provision would also include an annual reporting requirement on implementation of projects undertaken pursuant to this authority.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary concerned to determine the appropriate portion of the acquisition costs to be borne by the United States. The conference amendment would also provide that the acquisition costs borne by the United States would not exceed the fair market value of the property interest that could be transferred to the United States upon the request of the Secretary concerned under the statute. The conference amendment would specify that the contribution of third-party entities to the acquisition costs would include, with the approval of the Secretary concerned, any combination of the following: the provision of funds (including funds received by such entity or entities from a federal, state, or local agency outside the Department in connection with a federal, state, or local program); the provision of in-kind services (including services related to the acquisition or maintenance of such real property or interest in real property); or the exchange or donation of real property or any interest in real property. The amendment would also require a report not later than March 1, 2007, and annually thereafter, on the projects undertaken pursuant to this authority.

Modification of utility system conveyance authority and related reporting requirements (sec. 2823)

The House bill contained a provision (sec. 2812) that would suspend the use of current authorities related to the privatization of utility systems until enactment of the National Defense Authorization Act for Fiscal Year 2007, or one year after receipt of a report on the program, whichever is later. The provision would require the Secretary of Defense to submit a report to Congress by March 15, 2006, on the Department of Defense's (DOD) methodology for conducting economic analyses of potential utility system conveyances and other matters.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary concerned to submit to Congress an economic analysis which demonstrates the economic benefit of the conveyance to the government, before entering into a contract for the conveyance of all or part of a utility system. The amendment would amend section 2688(c)(1) of Title 10, United States Code, to change the requirement for the Secretary concerned to receive fair market value for conveyed utility systems. The amendment would also limit the contract term for a contract to convey utility systems to 10 years,

and would provide authorization for the Secretary concerned to exceed 10 years, but not to exceed 50 years, if the Secretary concerned determined the longer term to be cost effective as demonstrated in the economic analysis. The amendment would also limit in fiscal years 2006 and 2007 the number of contracts to be entered into under Section 2688 of Title 10, United States Code. The amendment would also amend reporting requirements contained in the provision in the House bill and would add a requirement for the Government Accountability Office to submit to the congressional defense committees by August 1, 2006 a report evaluating the changes made by the Department of Defense in the management of the utilities privatization program.

Report on application of force protection and anti-terrorism standards to leased facilities (sec. 2824)

The Senate amendment contained a provision (sec. 2882) that would require the Secretary of Defense to submit a report to the congressional defense committees no later than May 1, 2006, on the application of Department of Defense anti-terrorism/force protection standards to all facilities leased by the Department, or leased by the General Services Administration on the Department's behalf, that house more than 11 personnel in service to, or employed by the Department.

The House bill contained no similar provision.

The House recedes with an amendment that would change the date that the Secretary is required to submit the report to the congressional defense committees to September 30, 2006.

Report on use of ground source heat pumps at Department of Defense facilities (sec. 2825)

The Senate amendment contained a provision (sec. 2887) that would require the Secretary of Defense to conduct a study on the feasibility of the use of ground source heat pumps in current and future Department of Defense facilities.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Subtitle C—Base Closure and Realignment

Additional reporting requirements regarding base closure process and use of Department of Defense base closure accounts (sec. 2831)

The House bill contained a provision (sec. 2821) that would amend reporting requirements contained in the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510) to require additional information relating to base realignment and closure properties and proposed budgets as part of the annual budget justification documents.

The Senate amendment contained no similar provision.

The Senate recedes.

Expanded availability of adjustment and diversification assistance for communities adversely affected by mission realignments in base closure process (sec. 2832)

The House bill contained a provision (sec. 2823) that would amend section 2391 of title 10, United States Code, to eliminate limits on the Secretary of Defense's authority to aid communities adversely affected by base realignments and closures and other defense program changes.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Treatment of Indian Tribal Governments as public entities for purposes of disposal of real property recommended for closure in July 1993 BRAC Commission Report (sec. 2833)

The Senate amendment contained a provision (sec. 2888) that would amend section 8013 of the Department of Defense Appropriations Act, 1994 (Public Law 103–139) to provide that the governments of Indian tribes be treated as State and local governments for purposes of the disposition of real property recommended for closure in the report to the President from the 1993 Defense Base Closure and Realignment Commission.

The House bill contained no similar provision.

The House recedes.

Termination of project authorizations for military installations approved for closure in 2005 round of base realignments and closures (sec. 2834)

The House bill contained a provision (sec. 2822) that would cancel authority for any military construction project, land acquisition, or family housing project authorized in this or any prior military construction authorization act at a facility approved for closure in the 2005 Base Realignment and Closure round.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would add certain exceptions to the cancellation of authority, and require the Secretary of Defense to notify the congressional defense committees of a decision to carry out a project as an exception.

Required consultation with State and local entities on issues related to increase in number of military personnel at military installations (sec. 2835)

The Senate amendment contained a provision (sec. 2891) that would require the Secretary of Defense to consult with appropriate State and local entities on matters affecting the local community related to transportation, utility infrastructure, housing, schools, and family support activities during the development of plans to implement a closure or realignment decisions, which would result in the addition of personnel to the installation.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Sense of Congress regarding infrastructure and installation requirements for transfer of units and personnel from closed and realigned military installations to receiving locations (sec. 2836)

The Senate amendment contained a provision (sec. 2894) that would express the sense of Congress that the Secretary of Defense should not transfer any unit from an installation impacted by a closure or realignment decision until adequate facilities and infrastructure necessary to support the unit's mission and quality of life requirements for military families are ready for use at the receiving location.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify the findings to reflect the conference agreement.

Defense access road program and military installations affected by Defense Base Closure and Realignment process or Integrated Global Presence and Basing Strategy (sec. 2837)

The conferees agree to a provision that would express the sense of Congress that roads leading onto military installations that are significantly impacted by an increase in defense personnel as result of certain force structure realignments should be considered for designation under the Defense Access Road Program under section 210 of title 23, United States Code. The provision would also require the Secretary of Defense to conduct a study to identify each installation significantly impacted by an increase in personnel, and to determine whether the existing surface transportation infrastructure at each installation is adequate to support the increased vehicular traffic associated with the increase in defense personnel. The provision would also require the Secretary of Defense to submit to the congressional defense committees by April 15, 2007 a report on the study required by this provision.

Sense of Congress on reversionary interests involving real property at Navy homeports (sec. 2838)

The Senate amendment contained a provision (sec. 2892) that would express the sense of the Senate that for Navy homeports closed under the 2005 Defense Base Closure and Realignment round, the Secretary of the Navy should, consistent with the national interest and federal policy supporting cost-free conveyances of federal surplus property suitable for use as port facilities, release or otherwise relinquish any entitlement to receive compensation from any holder of a reversionary interest in real property used by the United States for improvements made to any military installation.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Subtitle D—Land Conveyances

PART I—ARMY CONVEYANCES

Land conveyance, Camp Navajo, Arizona (sec. 2841)

The conferees agree to a provision that would authorize the Secretary of the Army to convey, without consideration, to the De-

partment of Veterans Affairs of the State of Arizona a parcel of property consisting of approximately 80 acres at Camp Navajo, Arizona for the purpose of permitting the Department of Veterans Affairs to establish a State-run cemetery for veterans.

Land conveyance, Iowa Army Ammunition Plant, Middletown, Iowa (sec. 2842)

The Senate amendment contained a provision (sec. 2843) that would authorize the Secretary of the Army to convey, for consideration, to the City of Middletown, Iowa a parcel of real property consisting of approximately 1 acre located at the Iowa Army Ammunition Plant for the purpose of economic development.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Land conveyance, Helena, Montana (sec. 2843)

The Senate amendment contained a provision (sec. 2841) that would authorize the Secretary of the Army to convey by quitclaim deed to the Helena Indian Alliance a parcel of property consisting of approximately 3 acres located at the Sheridan Hall Army Reserve Center, Helena, Montana for the purpose of supporting Native American health care, mental health counseling, and the operation of an educational training center.

The House bill contained no similar provision.

The House recedes with an amendment that would rescind the requirement for the Secretary to convey the property by quitclaim deed.

Lease authority, Army Heritage and Education Center, Carlisle, Pennsylvania (sec. 2844)

The House bill contained a provision (sec. 2861) that would authorize the Secretary of the Army to lease portions of the Army Heritage and Education Center, Carlisle, Pennsylvania to the Military Heritage Foundation for revenue-generating activities and other purposes. As consideration, the foundation would pay amounts not to exceed the costs of operation of the facility.

The Senate amendment contained no similar provision.

The Senate recedes.

Land exchange, Fort Hood, Texas (sec. 2845)

The conferees agree to a provision that would authorize the Secretary of the Army to convey, with consideration, to Central Texas College, a parcel of property consisting of approximately 40 acres at Fort Hood, Texas for the purpose of expanding the College's campus. In exchange, the Secretary would receive one or more parcels of real property of a value at least equal to that of the parcel conveyed to Central Texas College.

Modification of land conveyance, Engineer Proving Ground, Fort Belvoir, Virginia (sec. 2846)

The House bill contained a provision (sec. 2831) that would amend section 2836 of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107–107) to change

the type of facility received by the Army as part of an exchange related to construction of the Fairfax County Parkway Extension.

The Senate amendment contained no similar provision.

The Senate recedes.

Land conveyance, Fort Belvoir, Virginia (sec. 2847)

The conferees agree to a provision that would authorize the Secretary of the Army to convey, with consideration, to the Commonwealth of Virginia, up to three parcels of property consisting of approximately 2.5 acres at Fort Belvoir, Virginia for the purpose of allowing the Commonwealth, the National Trust for Historic Preservation, and Fairfax County, Virginia to enter into an agreement regarding the exchange of a separate parcel of real property currently controlled by the National Trust.

Land conveyance, Army Reserve Center, Bothell, Washington (sec. 2848)

The House bill contained a provision (sec. 2832) that would authorize the Secretary of the Army to convey, for consideration, to the Snohomish County Fire Protection District #10 approximately 1 acre at the Army Reserve Center in Bothell, Washington for the purpose of supporting the provision of fire and emergency medical aid services.

The Senate amendment contained a similar provision (sec. 2842).

The Senate recedes with a clarifying amendment.

The conferees encourage the Secretary of the Army to seek in-kind consideration consisting of an agreement for the Fire Protection District #10 to provide fire protection services for Army Reserve facilities.

PART II—NAVY CONVEYANCES

Land conveyance, Marine Corps Air Station, Miramar, San Diego, California (sec. 2851)

The House bill contained a provision (sec. 2841) that would authorize the Secretary of the Navy to convey approximately 230 acres along the eastern boundary of Marine Corps Air Station Miramar, California to the County of San Diego, California for the purpose of permitting the county to preserve the property as open space and reopen the tract known as the Stowe Trail to public use. In exchange, the Navy would receive in-kind consideration equal to not less than the fair market value of the conveyed property.

The Senate amendment contained a similar provision (sec. 2851).

The Senate recedes with an amendment that would clarify the purpose of the conveyance and the types of the in-kind consideration to be received by the Secretary.

Lease or license of United States Navy Museum facilities at Washington Navy Yard, District of Columbia (sec. 2852)

The Senate amendment contained a provision (sec. 2852) that would authorize the Secretary of the Navy to lease or license facilities housing the United States Navy Museum, District of Columbia

to the Naval Historical Foundation for revenue-generating activities and other purposes. As consideration, the foundation would pay amounts not to exceed the costs of operation of the facility.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

PART III—AIR FORCE CONVEYANCES

Purchase of build-to-lease family housing, Eielson Air Force Base, Alaska (sec. 2861)

The House bill contained a provision (sec. 2851) that would authorize the Secretary of the Air Force to purchase the interest of the developer of a 300-unit military family housing project at Eielson Air Force Base, Alaska.

The Senate amendment contained a similiar provision (sec. 2861).

The conference agreement includes this provision with a technical amendment.

Land conveyance, Air Force property, Jacksonville, Arkansas (sec. 2862)

The House bill contained a provision (sec. 2852) that would authorize the Secretary of the Air Force to convey, for consideration, approximately 45 acres around an existing railroad in Jacksonville, Arkansas for the purpose of facilitating railroad access to an industrial park.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Land conveyance, Air Force property, La Junta, Colorado (sec. 2863)

The Senate amendment contained a provision (sec. 2862) that would authorize the Secretary of the Air Force to convey, without consideration, to the City of La Junta, Colorado a parcel of real property consisting of approximately 8 acres located at the USA Bomb Plot in the La Junta Industrial Park for the purpose of training local law enforcement officers.

The House bill contained no similar provision.

The House recedes.

Lease, National Imagery and Mapping Agency site, St. Louis, Missouri (sec. 2864)

The conferees agree to a provision that would direct the Secretary of the Air Force, in consultation with the Administrator of the General Services Administration, to lease not later than February 28, 2006 to the St. Louis County Port Authority of St. Louis County, Missouri a parcel of property consisting of approximately 39 acres at the National Imagery and Mapping Agency site, St. Louis, Missouri for the purpose of permitting the Port to use the parcel for economic development purposes. The provision would require the Secretary to agree to terms and conditions acceptable to the Secretary and to receive as consideration an amount not less than the fair market value of the lease.

The conferees intend for the Secretary of the Air Force to enter into the lease in furtherance of a permanent conveyance of the property.

Subtitle E—Other Matters

Clarification of moratorium on certain improvements at Fort Buchanan, Puerto Rico (sec. 2871)

The House bill contained a provision (sec. 2806) that would amend section 1507 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398) to clarify the moratorium on construction activities at Fort Buchanan, Puerto Rico to permit the conversion, rehabilitation, improvement, and repair of facilities at the installation.

The Senate amendment contained a provision (sec. 2883) that would amend the same section to remove the restriction on construction of facilities for Reserve component or non-appropriated fund projects.

The Senate recedes with an amendment that would combine the two provisions, and add an exception to the moratorium for the construction of facilities supporting Department of Defense Education activities and the installation of communication equipment.

Transfer of excess Department of Defense property on Santa Rosa and Okaloosa Island, Florida, to Gulf Islands National Seashore (sec. 2872)

The conferees agree to a provision that would amend section 7 of An Act to Provide for the Establishment of the Gulf Islands National Seashore and Related Matters (Public Law 91–660) to direct the Secretary of Defense to transfer to the administrative jurisdiction of the Secretary of the Interior, subject to mutually agreed terms and conditions, any land on Santa Rosa and Okaloosa Island, Florida which is currently under the control of the Department of Defense and determined to be excess to military requirements.

Authorized military uses of Papago Park Military Reservation, Phoenix, Arizona (sec. 2873)

The House bill contained a provision (sec. 2813) that would amend the Act of April 7, 1930 (Public No. 02), which authorized the use of land at Papago Park Military Reservation, Arizona for a rifle range only, to reflect current usage of the land.

The Senate amendment contained a similar provision (sec. 2884).

The Senate recedes.

Assessment of water needs for Presidio of Monterey and Ord military community (sec. 2874)

The House bill contained a provision (sec. 2863) that would require the Secretary of Defense to conduct an assessment of current and future needs of the Department of Defense for water for the Presidio of Monterey and the Ord military community by April 7, 2006, and to provide the results of that assessment to Congress.

The Senate amendment contained no similar provision.

The Senate recedes.

Redesignation of McEntire Air National Guard Station, South Carolina, as McEntire Joint National Guard Base (sec. 2875)

The House bill contained a provision (sec. 2862) that would redesignate McEntire Air National Guard Station, South Carolina as McEntire Joint National Guard Base in recognition of the use of the installation to house both Air National Guard and Army National Guard assets.

The Senate amendment contained no similar provision.

The Senate recedes.

Sense of Congress regarding community impact assistance related to construction of Navy landing field, North Carolina (sec. 2876)

The Senate amendment contained a provision (sec. 2889) that would express the sense of the Senate that the Department of Defense should work with other federal agencies to strive to provide assistance to the local community impacted by the location of a new outlying landing field.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Sense of Congress on establishment of Bakers Creek Memorial (sec. 2877)

The Senate amendment contained a provision (sec. 2886) that would express the sense of Congress that the Secretary of the Army may establish an appropriate marker, at a site to be chosen at the discretion of the Secretary, to commemorate the 40 members of the U.S. Armed Forces who lost their lives in the air crash at Bakers Creek, Australia, on June 14, 1943.

The House bill contained no similar provision.

The House recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

Authority to lease non-excess property of Department of Defense field activities

The Senate amendment contained a provision (sec. 2821) that would amend sections 2667a of title 10, United States Code, to authorize the Secretary of Defense to lease non-excess property that is under the control of a Department of Defense field activity.

The House bill contained no similar provision.

The Senate recedes.

Designation of William B. Bryant Annex

The Senate amendment contained a provision (sec. 2890) that would designate the annex to the E. Barrett Prettyman Federal Building and U.S. Courthouse in Washington, D.C., as the "William B. Bryant Annex."

The House bill contained no similar provision.

The Senate recedes. This provision has already been enacted in S. 1285 of the 109th Congress, which was signed by the President on November 11, 2005, (Public Law 109–101).

Expanded authority to enter into lease-purchase agreements

The Senate amendment contained a provision (sec. 2823) that would amend section 2812 of title 10, United States Code, to clarify the authority for a secretary of a military service to enter into an agreement with State and local governments for the lease-purchase of facilities.

The House bill contained no similar provision.

The Senate recedes.

Expansion of authority to convey property at military installations to support military construction

The House bill contained a provision (sec. 2803) that would amend section 2869 of title 10, United States Code, to authorize the secretaries of the military departments to exchange surplus property for military construction projects, land, or housing.

The Senate amendment contained no similar provision.

The House recedes.

The Department of Defense's request to Congress for authorization to expand the types of proceeds received from the disposal of surplus property is consistent with Congressional intent to allow the Department of Defense to efficiently manage facility and infrastructure assets. While the conferees support additional flexibility in the manner in which it seeks value in the disposal of its assets, the conferees are concerned that the expanded authority could potentially result in adverse effects, such as reduced Department and congressional oversight of the military construction program, and decisions to carry out land disposals specifically to receive military construction projects, rather than with consideration to military requirements over the long-term. The conferees are also concerned that the expanded authority would impose complex requirements on the General Services Administration in the process of carrying out property disposals in exchange for military construction. As such, the conferees direct the Secretary of Defense to fully consider the potential effects of expanding the land exchange program, and, if warranted, to resubmit a legislative proposal in the future which addresses such concerns.

Identification of environmental conditions at military installations closed or realigned under 2005 round of defense base closure and realignment

The Senate amendment contained a provision (sec. 2893) that would require the Secretary of Defense, in consultation with the Administrator of the Environmental Protection Agency, other appropriate federal agencies, and state, tribal, and local government officials, to complete an identification not later than May 31, 2007, of the environmental conditions of the real property of each military installation approved for closure or realignment under the 2005 round of defense base closure and realignment in accordance with section 120(h)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, (42 U.S.C. 9620(h)(4)). The Senate provision would also require the Secretary to coordinate with appropriate federal, state, tribal, and local government officials to expedite the environmental response at military installations approved for closure or realignment under the

2005 round of defense base closure and realignment. The provision would also require the Secretary to report the progress made in carrying out this section in the annual environmental report to Congress.

The House bill contained no similar provision.

The Senate recedes.

Increase in thresholds for unspecified minor military construction projects

The Senate amendment contained a provision (sec. 2801) that would amend section 2805(a)(1) of title 10, United States Code, by raising the threshold of the cost of a construction project authorized by this section from $1.5 million to $2.5 million. This provision would also raise the threshold of the cost of a construction project intended solely to correct a deficiency that is life-threatening, health-threatening, or safety-threatening from $3.0 million to $4.0 million.

The House bill contained no similar provision.

The Senate recedes.

One-year extension of Department of Defense laboratory revitalization program

The Senate amendment contained a provision (sec. 2885) that would extend by 1 year the authorization provided by section 2891 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375) for the Secretary of Defense to carry out a program for the revitalization of laboratories operated by the Department of Defense.

The House bill contained no similar provision.

The Senate recedes.

Sense of Congress regarding consideration of national defense industrial base interests during Base Closure and Realignment Commission review of Department of Defense base closure and realignment recommendations

The House bill contained a provision (sec. 2824) that would express the sense of Congress that national defense industrial base interests are part of military value and that the Base Closure and Realignment Commission should consider such interests when reviewing and analyzing the Secretary of Defense's closure and realignment recommendations.

The Senate amendment contained no similar provision.

The House recedes.

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

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Overview

Title XXXI authorizes appropriations for atomic energy defense activities of the Department of Energy for fiscal year 2006, including: the purchase, construction, and acquisition of plant and capital

equipment; research and development; nuclear weapons activities; defense nuclear nonproliferation; naval nuclear propulsion; environmental restoration and waste management; operating expenses; and other expenses necessary to carry out the purposes of the Department of Energy Organization Act (Public Law 95–91). The title would authorize appropriations in five categories: National Nuclear Security Administration (NNSA); defense environmental cleanup (formerly defense environmental management); other defense activities; defense nuclear waste disposal; and energy supply.

The budget request for atomic energy defense activities at the Department totaled $16.4 billion, a 1.4 percent decrease below the fiscal year 2005 appropriated level. Of the total amount requested, $9.4 billion would be for NNSA, of which $6.6 billion would be for weapons activities, $1.6 billion would be for defense nuclear nonproliferation activities, $786.0 million would be for naval reactors, and $343.9 million would be for the Office of the Administrator; $6.0 billion would be for defense environmental management, of which $5.2 billion would be for defense site acceleration completion, and $831.3 million would be for defense environmental services; $636.0 million would be for other defense activities; $351.4 million would be for defense nuclear waste disposal; and $12.0 million would be for energy supply.

The conferees agree to authorize $16.4 billion for atomic energy defense activities at the Department, a decrease of $18.9 million below the budget request. The conferees agree to authorize $9.2 billion for NNSA, a decrease of $200.8 million below the budget request. Of the amounts authorized for the NNSA, $6.4 billion would be for weapons activities, a decrease of $196.2 million; $1.6 billion would be for defense nuclear nonproliferation activities, a decrease of $6.1 million; $789.5 million would be for naval reactors, an increase of $3.5 million; and $341.9 million would be for the Office of the Administrator, a decrease of $2.0 million below the budget request. The conferees agree to authorize $6.2 billion for defense environmental cleanup (formerly defense environmental management), an increase of $177.3 million above the budget request. The conferees agree to authorize $642.0 million for other defense activities, an increase of $6.0 million above the budget request. The conferees agree to authorize $350.0 million for defense nuclear waste disposal, a decrease of $1.4 million below the budget request. The conferees agree to authorize $12.0 million for energy supply, the amount of the budget request.

The following table summarizes the budget request and the authorizations:

Department of Energy National Security Programs

(Dollars in Thousands)

	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
ATOMIC ENERGY DEFENSE ACTIVITIES (053)					
Department of Energy					
Energy Supply	12,000	12,000			12,000
National nuclear security administration:					
Weapons activities	6,630,133	6,455,744	6,590,319	-196,197	6,433,936
Defense nuclear nonproliferation	1,637,239	1,515,239	1,637,239	-6,088	1,631,151
Naval reactors	786,000	786,000	786,000	3,500	789,500
Office of the administrator	343,869	343,869	343,869	-2,000	341,869
Total, National nuclear security administration	**9,397,241**	**9,100,852**	**9,357,427**	**-200,785**	**9,196,456**
Environmental and other defense activities:					
Defense site acceleration completion	5,183,713	5,480,102	5,335,849		
Defense environmental services	831,331	831,331	853,584		
Defense environmental cleanup				177,327	6,192,371
Other defense activities	635,998	635,998	563,423	6,000	641,998
Defense nuclear waste disposal	351,447	351,447	301,447	-1,447	350,000
Total, Environmental & other defense activities	**7,002,489**	**7,298,878**	**7,054,303**	**181,880**	**7,184,369**
Total, Department of Energy	**16,411,730**	**16,411,730**	**16,411,730**	**-18,905**	**16,392,825**
OTHER ACTIVITIES (Discretionary)					
Defense Nuclear Facilities Safety Board	22,032	22,032	22,032		22,032
Corps of Engineers - Civil Works	140,000	140,000	140,000		140,000
Total, Other Activities Discretionary	**162,032**	**162,032**	**162,032**		**162,032**
Atomic Energy Defense Activities (053) Discretionary	**16,573,762**	**16,573,762**	**16,573,762**	**-18,905**	**16,554,857**

Department of Energy National Security Programs

(Dollars in Thousands)

	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Energy Supply	12,000	12,000			12,000
Weapons Activities					
Directed stockpile work (DSW)					
Life Extension Program					
B61 Life Extension Program	50,810	50,810	50,810		50,810
W76 Life Extension Program	162,268	162,268	162,268	-12,500	149,768
W80 Life Extension Program	135,240	135,240	135,240	-35,000	100,240
Total, Life Extension Program	348,318	348,318	348,318		300,818
Stockpile systems					
B61 Stockpile systems	66,050	66,050	66,050		66,050
W62 Stockpile systems	8,967	8,967	8,967		8,967
W76 Stockpile systems	63,538	63,538	63,538		63,538
W78 Stockpile systems	32,632	32,632	32,632		32,632
W80 Stockpile systems	26,315	26,315	26,315		26,315
B83 Stockpile systems	26,391	26,391	26,391		26,391
W84 Stockpile systems	4,402	4,402	4,402		4,402
W87 Stockpile systems	50,678	50,678	50,678		50,678
W88 Stockpile systems	32,831	32,831	32,831		32,831
Total, Stockpile systems	311,804	311,804	311,804		311,804
Retired warheads stockpile systems	35,245	35,245	35,245		35,245

Department of Energy National Security Programs

(Dollars in Thousands)

	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Stockpile services					
Production support	267,246	267,246	267,246	-37,246	230,000
Research & development support	66,753	66,753	66,753	-5,500	61,253
Research & development certification and safety	211,727	211,727	211,727		211,727
Management, technology, and production	166,587	166,587	166,587		166,587
Reliable replacement warhead	9,351	9,351	9,351	15,649	25,000
Robust nuclear earth penetrator	4,000		4,000	-4,000	
Total, Stockpile services	725,664	721,664	725,664		694,567
Program decrease		-44,400			
Budget realignment				43,755	43,755
Total, Directed stockpile work	**1,421,031**	**1,372,631**	**1,421,031**	**-34,842**	**1,386,189**
Campaigns					
Science campaign					
Primary assessment technologies	45,179	45,179	45,179		45,179
Dynamic materials properties	80,894	80,894	80,894		80,894
Advanced radiography	49,520	49,520	49,520		49,520
Secondary assessment technologies	61,332	61,332	61,332		61,332
Test readiness	25,000	25,000	25,000	-5,000	20,000
Total, Science campaign	**261,925**	**261,925**	**261,925**	**-5,000**	**256,925**
Engineering campaign					
Enhanced surety	29,845	29,845	29,845		29,845
Weapon systems engineering assessment technology	24,040	24,040	24,040	-6,500	17,540
Nuclear survivability and effects	9,386	9,386	9,386		9,386
Enhanced surveillance	96,207	96,207	96,207		96,207

Department of Energy National Security Programs

(Dollars in Thousands)

	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Engineering campaign construction activities					
Operations and maintenance / other project costs	4,714	4,714	4,714		4,714
01-D-108 Microsystem and engineering science applications (MESA), SNL, Albuquerque, NM	65,564	65,564	65,564		65,564
Total, Engineering campaign construction activities	70,278	70,278	70,278		70,278
Total, Engineering campaign	**229,756**	**229,756**	**229,756**	**-6,500**	**223,256**
Inertial confinement fusion ignition and high yield campaign					
Operation and maintenance					
Ignition	75,615	75,615	75,615		75,615
Support of other stockpile programs	9,872	9,872	9,872		9,872
NIF diagnostics, cryogenics, and experiment support	43,008	43,008	43,008		43,008
Pulsed power inertial confinement fusion	10,111	10,111	10,111		10,111
University grants / Other ICF support	9,946	9,946	9,946	-2,246	7,700
Facility operations and target production	54,623	54,623	54,623	10,000	64,623
NIF demonstration program	112,330	112,330	112,330	-10,000	102,330
High-energy Petawatt laser development	3,000	3,000	3,000		3,000
Total, Operation and maintenance	318,505	318,505	318,505		316,259
96-D-111 National ignition facility (NIF), LLNL, Livermore, CA	141,913	141,913	141,913		141,913
Total, Inertial confinement fusion and high yield campaign	**460,418**	**460,418**	**460,418**	**-2,246**	**458,172**

Department of Energy National Security Programs

(Dollars in Thousands)

	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Advanced simulation and computing campaign					
Program reduction				-55,000	-55,000
Operation and maintenance					
Advanced applications development	137,580	137,580	137,580		137,580
Verification and validation	50,015	50,015	50,015		50,015
Physics and material models	67,745	67,745	67,745		67,745
Problem solving environment (PSE)	39,464	39,464	39,464		39,464
Distance computing (DisCom)	15,852	15,852	15,852		15,852
Pathforward	7,442	7,442	7,442		7,442
Data and visualization sciences (D&VS)	58,959	58,959	58,959		58,959
Physical infrastructure & platforms	99,220	99,220	99,220		99,220
Computational systems	59,921	59,921	59,921		59,921
Simulation support	59,759	59,759	59,759		59,759
Advanced architectures	2,977	2,977	2,977		2,977
University partnerships	44,095	44,095	44,095		44,095
1 Program/3 labs	17,801	17,801	17,801		17,801
Total, Operation and maintenance	660,830	660,830	660,830		605,830
Total, Advanced simulation and computing	**660,830**	**660,830**	**660,830**	**-55,000**	**605,830**
Pit manufacturing and certification campaign					
W88 Pit manufacturing	120,926	120,926	120,926		120,926
W88 Pit certification	61,895	61,895	61,895		61,895
Pit Manufacturing capability	23,071	23,071	23,071		23,071
Modern pit facility	7,686	7,686	7,686	-7,686	
Pit campaign support activities at NTS	35,182	35,182	35,182		35,182
Pit manufacturing and certification campaign	**248,760**	**248,760**	**248,760**	**-7,686**	**241,074**

Department of Energy National Security Programs

(Dollars in Thousands)

	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Readiness campaign					
Stockpile readiness	31,400	31,400	31,400		31,400
High explosive readiness / Assembly campaign	17,097	17,097	17,097		17,097
Nonnuclear readiness	28,630	28,630	28,630		28,630
Tritium readiness	62,694	62,694	62,694		62,694
Construction					
98-D-125 Tritium extraction facility,					
Savannah River Site, Aiken, SC	24,894	24,894	24,894		24,894
Advanced design and production technologies	54,040	54,040	54,040		54,040
Total, Readiness campaign	**218,755**	**218,755**	**218,755**		**218,755**
Budget realignment				140,595	140,595
Total, Campaigns	**2,080,444**	**2,080,444**	**2,080,444**	**64,163**	**2,144,607**
Readiness in technical base and facilities (RTBF)					
Operation and maintenance					
Operation of facilities			57,975	10,118	10,118
Kansas City Plant	98,548	104,148	98,548		98,548
LLNL	85,564	91,564	85,564		85,564
LANL	304,212	304,212	304,212		304,212
Nevada Test Site	67,057	67,057	67,057		67,057
Pantex Plant	96,763	106,763	96,763		96,763
Sandia National Laboratories	140,347	140,347	140,347		140,347
Savannah River Site	94,378	94,378	94,378		94,378
Y-12 National Security Complex	208,262	208,262	208,262		208,262
Institutional site support	65,652	65,652	65,652		65,652
Total, operation of facilities	**1,160,783**	**1,182,383**	**1,218,758**	**10,118**	**1,170,901**

Department of Energy National Security Programs

(Dollars in Thousands)

	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Program readiness	105,738	105,738	105,738		105,738
Special projects	6,619	6,619	6,619	-6,619	
Material recycle and recovery	72,730	72,730	72,730		72,730
Containers	17,247	17,247	17,247		17,247
Storage	25,222	25,222	25,222		25,222
RTBF Operation and maintenance	**1,388,339**	**1,409,939**	**1,446,314**	**3,499**	**1,391,838**
RTBF Construction					
06-D-140 Project engineering design (PED) various locations	14,113	14,113	19,113		14,113
06-D-402 NTS replace fire stations 1 & 2 Nevada Test Site, NV	8,284	8,284	8,284		8,284
06-D-403 Tritium facility modernization Lawrence Livermore National Laboratory, Livermore, CA	2,600	2,600	2,600		2,600
06-D-404 Building B-3 remediation, restoration, and upgrade, Nevada Test Site, NV	16,000	16,000	16,000		16,000
05-D-140 Project engineering and design (PED) various locations	5,000	5,000	5,000	2,000	7,000
Pantex High Explosives Pressing Facility design		1,000		[1,000]	
LLNL size reduction station for radioactive waste		1,000		[1,000]	

Department of Energy National Security Programs

(Dollars in Thousands)

	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
05-D-401 Building 12-64 production bays upgrades Pantex Plant, Amarillo, TX	11,000	16,600	16,600		11,000
05-D-402 Berylium capabilty(BEC) project, Y-12 National Security Complex, Oak Ridge, TN	7,700	7,700	7,700		7,700
04-D-103 Project engineering and design, (PED) various locations	2,000	2,000	2,000		2,000
04-D-125 Chemistry and metallurgy research facility replacement, Los Alamos National Laboratory, Los Alamos, NM	55,000	55,000	55,000		55,000
04-D-128 TA-18 Criticality Experiments Facility Los Alamos National Laboratory, Los Alamos, NM	13,000	13,000	13,000		13,000
03-D-103 Project engineering and design (PED) various locations	29,000	29,000	29,000		29,000
01-D-103 Project engineering and design (PED) various locations	9,000	9,000	9,000		9,000
01-D-124 HEU materials facility, Y-12 plant, Oak Ridge, TN	70,350	70,350	70,350	11,000	81,350

Department of Energy National Security Programs

(Dollars in Thousands)

	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Y-12 HEU Chemical Project		1,700			
Y-12 Uranium metallurgy project (UPF support)		3,400			
Y-12 Uranium Processing Facility (06-05)		10,000			
Pantex Component Evaluation Facility design (05-03)		2,000			
LLNL Beryillium safety improvements--Contained Firing		2,100			
Total, Construction	**243,047**	**269,847**	**253,647**	**13,000**	**256,047**
Total, Readiness in technical base and facilities	**1,631,386**	**1,679,786**	**1,699,961**	**16,499**	**1,647,885**
Secure transportation asset					
Operations and equipment	143,766	143,766	147,766		143,766
Program direction	68,334	68,334	68,334		68,334
Total, Secure transportation asset	**212,100**	**212,100**	**216,100**		**212,100**
Nuclear weapons incident response					
Emergency response	101,682	101,682	101,682		101,682
Emergency management	6,615	6,615	6,615		6,615
Operations support	10,499	10,499	10,499		10,499
Total, Nuclear weapons incident response	**118,796**	**118,796**	**118,796**		**118,796**
Facilities and infrastructure recapitalization program (FIRP)					
Operation and maintenance	233,484	233,484	263,484	-132,636	100,848
Construction					
06-D-160 Project engineering and design (PED), various locations	5,811	5,811	5,811		5,811

Department of Energy National Security Programs

(Dollars in Thousands)

	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
06-D-601 Electrical distribution system upgrade, Pantex Plant, Amarillo, TX	4,000	4,000	4,000		4,000
06-D-602 Gas main and distribution system upgrade, Pantex Plant, Amarillo, TX	3,700	3,700	3,700		3,700
06-D-603 Steam plant life extension project (SLEP), Y-12 National Security Complex, Oak Ridge, TN	729	729	729		729
05-D-160 Facilities and infrastructure recapitalization program project engineering and design (PED), various locations	10,644	10,644	10,644		10,644
05-D-601 Compressed air upgrades project (CAUP), Y-12, National security complex, Oak Ridge, TN	9,741	9,741	9,741		9,741
05-D-602 Power grid infrastructure upgrade (PGIU), Los Alamos National Laboratory, Los Alamos, NM	8,500	8,500	8,500		8,500
05-D-603 New master substation (NMSU), TA I and IV, Sandia National Laboratory, Albuquerque, NM	6,900	6,900	6,900		6,900
Total, Construction	50,025	50,025	50,025		50,025
Total, Facilities and infrastructure recapitalization program	**283,509**	**283,509**	**313,509**	**-132,636**	**150,873**

Department of Energy National Security Programs

(Dollars in Thousands)

	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Environmental projects and operations					
Environmental projects and operations program	156,504			-156,504	
Program direction	17,885			-17,885	
Total, Environmental projects and operations	**174,389**			**-174,389**	
Safeguards and security					
Operation and maintenance	699,478	699,478	731,478	65,008	764,486
Construction					
05-D-170 Project engineering and design (PED), various locations	41,000	41,000	41,000		41,000
Total, Construction	41,000	41,000	41,000		41,000
Offset for S&S work for others	-32,000	-32,000	-32,000		-32,000
Total, Safeguards and security	**708,478**	**708,478**	**740,478**	**65,008**	**773,486**
Total, Weapons Activities	**6,630,133**	**6,455,744**	**6,590,319**	**-196,197**	**6,433,936**
Defense Nuclear Nonproliferation					
Nonproliferation and verification R&D					
Operation and maintenance	267,218	267,218	353,218	41,782	309,000
Construction					
06-D-180, Project engineering and design (PED), National Security Laboratory, Pacific Northwest National Lab, Richland, WA	5,000	13,000	5,000	8,000	13,000
Total, Nonproliferation & verification R&D	**272,218**	**280,218**	**358,218**	**49,782**	**322,000**

Department of Energy National Security Programs

(Dollars in Thousands)

	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Nonproliferation and international security				-5,173	-5,173
Nonproliferation policy	25,321	25,321	25,321		25,321
Export control	19,970	19,970	19,970		19,970
International safeguards	26,045	26,045	26,045		26,045
Treaties and agreements	2,000	2,000	2,000		2,000
International emergency management and cooperation	6,837	6,837	6,837		6,837
Total, Nonproliferation and international security	**80,173**	**80,173**	**80,173**	**-5,173**	**75,000**
International nuclear materials protection and cooperation					
Navy complex	6,500	6,500	6,500		6,500
Strategic rocket forces	47,500	47,500	47,500		47,500
Rosatom weapons complex	86,185	86,185	86,185		86,185
Civilian nuclear sites	47,320	57,320	47,320		47,320
Material consolidation and conversion	28,001	28,001	28,001		28,001
National programs and sustainability	30,000	40,000	30,000		30,000
Second line of defense	97,929	97,929	97,929		97,929
Nuclear weapons storage security			20,000	83,565	83,565
Total, International nuclear materials protection and cooperation	**343,435**	**363,435**	**363,435**	**83,565**	**427,000**
Global initiatives for proliferation prevention	37,890	37,890	37,890	2,110	40,000
HEU transparency implementation	20,483	20,483	20,483	-1,000	19,483

Department of Energy National Security Programs

(Dollars in Thousands)

	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Elimination of weapons-grade plutonium production program					
Seversk Pu production elimination	127,500	127,500	127,500		127,500
Zheleznogorsk Pu production elimination	2,500	77,500	82,500	44,185	46,685
Crosscutting and technical support activities	2,000	2,000	2,000		2,000
Total, EWGPP	**132,000**	**207,000**	**212,000**	**44,185**	**176,185**
Fissile materials disposition					
U S surplus materials disposition					
Operation and maintenance	226,500	226,500	226,500	-31,500	195,000
Construction					
99-D-141 Pit disassembly and conversion facility, Savannah River, SC	24,000	24,000	24,000		24,000
99-D-143 Mixed oxide fuel fabrication facility, Savannah River, SC	338,565	88,565	338,565	-118,565	220,000
Total, Construction	**362,565**	**112,565**	**362,565**	**-118,565**	**244,000**
US surplus material disposition, TOA	**589,065**	**339,065**	**589,065**	**-150,065**	**439,000**
Russian surplus materials disposition	64,000	64,000	64,000	-29,492	34,508
Thorium fuel project		5,000			
Reduction due to delay in program			-200,000		
Total, Fissile materials disposition	**653,065**	**408,065**	**453,065**	**-179,557**	**473,508**

Department of Energy National Security Programs

(Dollars in Thousands)

	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Global threat reduction initiative					
Reduced enrichment for research and rest reactors	24,732	24,732	24,732		24,732
Russian research reactor fuel return	14,703	14,703	14,703		14,703
Kazakhstan spent fuel	8,000	8,000	8,000		8,000
Nuclear fuel return	8,712	8,712	8,712		8,712
US radiological threat reduction	12,750	12,750	12,750		12,750
International radiological threat reduction	24,078	24,078	24,078		24,078
Emerging threats	5,000	5,000	5,000		5,000
Program increase for activities outside the U.S.		20,000			
Program increase			14,000		
Total, Global threat reduction initiative	**97,975**	**117,975**	**111,975**		**97,975**
Total, Defense Nuclear Nonproliferation	**1,637,239**	**1,515,239**	**1,637,239**	**-6,088**	**1,631,151**
Naval Reactors					
Naval reactors development					
Operation and maintenance	738,800	738,800	738,800	-10,000	728,800
Construction					
Transfer to Nuclear Energy				13,500	13,500
06-D-901 Central office building 2, Bettis Atomic Power Laboratory, West Mifflin, PA	7,000	7,000	7,000		7,000

Department of Energy National Security Programs

(Dollars in Thousands)

	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
05-D-900 Materials development facility building, Schenectady, NY	9,900	9,900	9,900		9,900
Total, Construction	16,900	16,900	16,900		16,900
Total, Naval reactors development	**755,700**	**755,700**	**755,700**	**3,500**	**759,200**
Program direction	30,300	30,300	30,300		30,300
Total, Naval Reactors	**786,000**	**786,000**	**786,000**	**3,500**	**789,500**
Office of the Administrator					
Office of the administrator	350,765	350,765	350,765	-2,000	348,765
Use of prior year balances	-6,896	-6,896	-6,896		-6,896
Total, Office of the Administrator	**343,869**	**343,869**	**343,869**	**-2,000**	**341,869**
Defense Site Acceleration Completion (was Defense Facilities Closure Projects)					
2006 Accelerated completions					
Operation and maintenance	1,016,508	1,016,508	1,047,003		1,016,508
2012 Accelerated completions					
Operation and maintenance	1,293,046	1,293,046	1,334,773		1,293,046
Construction					
06-D-401 Sodium bearing waste treatment project, Idaho National Laboratory, Idaho Falls, ID	15,000	15,000	15,000	39,270	54,270
04-D-414 Project engineering and design (PED), various locations	9,200	9,200	9,200		9,200

Department of Energy National Security Programs

(Dollars in Thousands)

	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
01-D-416 Waste treatment and immobilization plant, Richland, WA	625,893	689,993	625,893	-99,893	526,000
Nuclear facility D&D (RL-0041)		13,000			
Total, Construction	**650,093**	**727,193**	**650,093**	**-60,623**	**589,470**
Total, 2012 Accelerated completions	**1,943,139**	**2,020,239**	**1,984,866**	**-60,623**	**1,882,516**
2035 Accelerated completions					
Operation and maintenance	1,826,642	1,826,642	1,906,556		1,826,642
Construction					
05-D-405 Salt waste processing facility, Savannah River Site, Aiken, SC	70,000	70,000	70,000	-69,500	500
04-D-408 Glass waste storage building #2, Savannah River, Aiken, SC	6,975	6,975	6,975		6,975
03-D-403 Immobilized HLW interim storage facility, Richland, WA	7,495	7,495	7,495	-7,495	
03-D-414 Project engineering and design (PED), Salt waste processing facility, Savannah River, Aiken, SC	4,342	4,342	4,342	31,000	35,342
Radioactive liquid tank waste stabilization disposition (ORP-0014)		44,900		34,553	34,553
Total, Construction	88,812	133,712	88,812		42,817
Total, 2035 Accelerated completions	**1,915,454**	**1,960,354**	**1,995,368**	**-11,442**	**1,904,012**

Department of Energy National Security Programs
(Dollars in Thousands)

	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Safeguards and security	287,223	287,223	287,223		287,223
Technology development and deployment	21,389	21,389	21,389		21,389
Environmental projects and operations transfer from NNSA to EM		174,389		174,389	174,389
Total, Defense Site Acceleration Completion	**5,183,713**	**5,480,102**	**5,335,849**	**102,324**	**5,286,037**
Defense Environmental Services (was Defense Environmental Management Privatization)					
Community and regulatory support	62,032	62,032	66,400		62,032
Federal contribution to the uranium enrichment	451,000	451,000	451,000		451,000
Non-closure environmental activities Operation and maintenance	87,368	87,368	87,368		87,368
Program direction	230,931	230,931	248,816		230,931
Total, Defense Environmental Services	**831,331**	**831,331**	**853,584**		**831,331**
Budget realignment				75,003	75,003
Defense Environmental Cleanup				**177,327**	**6,192,371**

Department of Energy National Security Programs

(Dollars in Thousands)

	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Other Defense Activities					
Office of security and safety performance assurance					
Nuclear safeguards and security	176,878	176,878	191,878	10,000	186,878
Security investigations	48,725	48,725	48,725	-2,000	46,725
Program direction	75,492	75,492	75,492	-2,000	73,492
Total, Security and safety performance assurance	**301,095**	**301,095**	**316,095**	**6,000**	**307,095**
Environment, safety and health					
Environment, safety and health (defense)	56,483	56,483	56,483	1,000	57,483
Program direction	20,546	20,546	20,546	-1,000	19,546
Total, Environment, safety and health	**77,029**	**77,029**	**77,029**		**77,029**
Office of Legacy Management					
Legacy management	31,421	31,421	31,421		31,421
Program direction	13,655	13,655	13,655		13,655
Total, Office of Legacy Management	**45,076**	**45,076**	**45,076**		**45,076**
Nuclear energy					
Infrastructure					
Idaho facilities management					
INL infrastructure O&M	17,762	17,762	17,762		17,762
Idaho sitewide safeguards and security	75,008	75,008	75,008		75,008
Total, Infrastructure	**92,770**	**92,770**	**92,770**		**92,770**
Program direction	31,103	31,103	31,103		31,103
Total, Nuclear energy	**123,873**	**123,873**	**123,873**		**123,873**

Department of Energy National Security Programs

(Dollars in Thousands)

	FY2006 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Defense related administrative support	87,575	87,575			87,575
Office of hearings and appeals	4,353	4,353	4,353		4,353
Subtotal, Other defense activities	**639,001**	**639,001**	**566,426**		**645,001**
Adjustments					
Less security charge for reimbursable work (NE)	-3,003	-3,003	-3,003		-3,003
Total, Adjustments	-3,003	-3,003	-3,003		-3,003
Total, Other Defense Activities	**635,998**	**635,998**	**563,423**	**6,000**	**641,998**
Defense Nuclear Waste Disposal					
Defense nuclear waste disposal	351,447	351,447	301,447	-1,447	350,000
Total, Department of Energy	**16,411,730**	**16,411,730**	**16,411,730**	**-18,905**	**16,392,825**
Other Activities (Discretionary)					
Defense Nuclear Facilities Safety Board	22,032	22,032	22,032		22,032
Corps of Engineers - Civil Works	140,000	140,000	140,000		140,000
Total, Other Activities Discretionary	**162,032**	**162,032**	**162,032**		**162,032**
Total, Atomic Energy Defense Activities (053) (Discretionary)	**16,573,762**	**16,573,762**	**16,573,762**	**-18,905**	**16,554,857**

ITEMS OF SPECIAL INTEREST

Disposition of weapons-usable plutonium at Savannah River, South Carolina

The conferees note that section 4306 of the Atomic Energy Defense Act (50 U.S.C. 2566) requires the Secretary of Energy to make impact assistance payments to the State of South Carolina, if the Department of Energy fails to achieve certain interim and long-term milestones in the conversion of plutonium stored at the Savannah River Site. The conferees remain supportive of this program and of the commitments made to the State of South Carolina. The conferees urge the Department to remain mindful of these impending payments and to request a budget for fiscal year 2007 and thereafter that would keep the mixed oxide fuel facility construction on a schedule to make the payment of impact assistance unnecessary.

Nanotechnology Enterprise Development Center

The conferees direct the Secretary of Energy to submit a report to the Committees on Armed Services of the Senate and the House of Representatives within 30 days after the date of enactment of this Act setting forth the contribution, if any, of the Nanotechnology Enterprise Development Center to the Stockpile Stewardship Program or to the programmatic activities of the National Nuclear Security Administration (NNSA). The report shall include a description of any contribution of the center to the national security of the United States and a justification for using atomic energy defense funds available to the NNSA for the establishment of the center.

National laboratory work on force protection technologies

The conferees note that the Department of Energy national laboratories have provided exceptional technical assistance to the Department of Defense in testing and fielding various types of equipment to improve force protection for U.S. military personnel engaged in combat operations. The conferees urge the Departments of Energy and Defense to continue to work together to utilize the expertise resident in the national laboratories to research, develop, and field those force protection technologies that can improve combat capabilities and reduce combat casualties. The conferees support the continued use by the Department of Energy of its existing authority to waive, where appropriate, certain overhead charges associated with national laboratory work conducted for the Department of Defense.

In the event that the Department of Energy makes the decision, under existing authorities, to waive any charges other than the federal administrative charge, the Secretary of Energy shall provide notification to the congressional defense committees within 30 days of issuing such a decision. The notification shall include a description of the force protection technologies work, the fees waived, and the impact, if any, to overhead rates for other programs at the national laboratory.

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—National Security Programs Authorizations

National Nuclear Security Administration (sec. 3101)

The House bill contained a provision (sec. 3101) that would authorize $9.1 billion for the National Nuclear Security Administration (NNSA), including funds for weapons activities, defense nuclear nonproliferation programs, naval reactor programs, and the Office of the Administrator.

The Senate amendment contained a similar provision (sec. 3101) that would authorize $9.4 billion.

The conferees agree to authorize $9.2 billion for the NNSA.

The budget request included $6.6 billion for weapons activities. The House bill would authorize $6.5 billion, a decrease of $174.4 million below the budget request. The Senate amendment would authorize $6.6 billion, a decrease of $39.8 million below the budget request. The conferees agree to authorize $6.4 billion, a decrease of $196.2 million below the budget request. Within weapons activities, the conferees agree to authorize $605.8 million for advanced simulation and computing, a decrease of $55.0 million below the budget request. The conferees note that this reduction is without prejudice. Within weapons activities, the conferees also agree to authorize $2.1 billion for campaigns, an increase of $64.2 million above the budget request. The conferees agree to authorize a budget realignment of $140.6 million within campaigns to allow funding adjustments across the program elements which make up campaigns.

The budget request included $174.4 million for environmental projects and operations within NNSA. The House bill and the Senate amendment would authorize no funds for these activities within the NNSA. The conferees believe that the defense environmental cleanup program exists to address the environmental legacy from Cold War missions at Department of Energy sites. The conferees agree to authorize no funds within NNSA for these activities but to authorize funds for these activities within defense environmental cleanup, elsewhere in this Act. The conferees agree that this action is consistent with the provisions of title 32 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65), which established the NNSA.

The budget request included $1.6 billion for defense nuclear nonproliferation. The conferees agree to authorize $1.6 billion, a decrease of $6.1 million below the budget request. The conferees agree to provide an additional $83.6 million in funding for international nuclear materials protection and cooperation to implement the agreements entered into by the Russian Federation and the United States at the Bratislava Summit to accelerate improvements to security at certain Russian nuclear weapons storage sites. The conferees agree to authorize $13.0 million for Project 06–D–180, National Security Laboratory at the Pacific Northwest National Laboratory, an increase of $8.0 million above the budget request. The additional funds are to be used to complete project engineering and design and to initiate construction on the research facility needed to replace facilities being vacated due to the environmental cleanup activities at the Hanford Site 300 Area.

Defense environmental cleanup (sec. 3102)

The House bill contained a provision (sec. 3102) that would authorize $6.3 billion for the Department of Energy for defense environmental management (EM) activities for fiscal year 2006, including funds for defense site acceleration completion and defense environmental services.

The Senate amendment contained a similar provision (sec. 3102) that would authorize $6.2 billion for defense environmental management.

The conferees agree to authorize $6.2 billion for defense environmental cleanup, an increase of $177.3 million above the budget request. Defense environmental cleanup comprises those activities formerly termed defense environmental management.

The conferees note that the statement of managers accompanying the Energy and Water Appropriations Act for Fiscal Year 2006 (Public Law 109–103) provides funding for defense environmental cleanup in a new budget structure, which provides funding by site rather than by the program elements contained in the President's budget request for fiscal year 2006. The conferees direct the Department to submit with the budget request for fiscal year 2007 a funding crosswalk between the budget structure as requested and as appropriated for fiscal year 2006. The conferees also direct the Department to prepare a 5-year funding plan for the environmental cleanup program.

Other defense activities (sec. 3103)

The House bill contained a provision (sec. 3103) that would authorize $636.0 million for the Department of Energy for other defense activities for fiscal year 2006, the amount of the budget request.

The Senate amendment contained a similar provision (sec. 3103) that would authorize $563.4 million for the Department for other defense activities, a decrease of $72.6 million below the budget request.

The conferees agree to authorize $642.0 million, an increase of $6.0 million above the budget request.

Defense nuclear waste disposal (sec. 3104)

The House bill contained a provision (sec. 3104) that would authorize $351.4 million for defense nuclear waste disposal.

The Senate amendment contained a similar provision (sec. 3104) that would authorize $301.4 million for defense nuclear waste disposal.

The conferees agree to include a provision that would authorize $350.0 million, a decrease of $1.4 million below the budget request.

Subtitle B—Other Matters

Reliable Replacement Warhead program (sec. 3111)

The House bill contained a provision (sec. 3111) that would authorize the Secretary of Energy to carry out a Reliable Replacement Warhead program. The provision would establish objectives for the program and require reports to Congress.

The Senate amendment contained no similar provision. In the Senate report accompanying S. 1042 (S. Rept. 109–69) of the National Defense Authorization Act for Fiscal Year 2006, the Senate authorized funds for the program and specified goals for the program.

The Senate recedes with a technical amendment that would add the Secretaries of Defense and Energy to the reporting requirement.

The conferees support the goal of continuing to ensure that the nuclear weapons stockpile remains safe, secure, and reliable. The conferees believe that the Reliable Replacement Warhead program is essential to the achievement of this goal and support its establishment with the objectives as defined in the provision, and as further described in the committee reports of the Committees on Armed Services of the Senate and the House of Representatives for fiscal year 2006.

Rocky Flats Environmental Technology Site (sec. 3112)

The Senate amendment contained a provision (sec. 3116) that would authorize up to $10.0 million for the purchase of certain mineral rights at the Department of Energy Rocky Flats Environmental Technology Site by the Secretary of Energy and for payment to extinguish all natural resource damage liability at the site.

The House bill contained no similar provision.

The House recedes with an amendment that would specify section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607) as the provision of law applicable to natural resource damage liability.

Report on compliance with Design Basis Threat issued by Department of Energy in 2005 (sec. 3113)

The Senate amendment contained a provision (sec. 3111) that would require the Secretary of Energy to submit to the congressional defense committees a report describing plans for upgrading the security posture of the Department of Energy and the National Nuclear Security Administration in response to the design basis threat issued by the Secretary in October 2004.

The House bill contained no similar provision.

The House recedes with a clarifying amendment that would: (1) identify the design basis threat issued by the Department in November 2005 as the design basis threat to be analyzed in the report; (2) require a comparison of the security requirements contained in the design basis threat issued in May 2003 with those contained in the design basis threat issued in November 2005; and (3) require a review by the Government Accountability Office not later than 1 year after enactment of this Act of the Department's plan for complying with the design basis threat of November 2005.

Reports associated with Waste Treatment and Immobilization Plant Project, Hanford Site, Richland, Washington (sec. 3114)

The Senate amendment contained a provision (sec. 3112) that would require the Secretary of Energy to submit to the congressional defense committees an independent cost estimate prepared by the U.S. Army Corps of Engineers for the Waste Treatment and

Immobilization Plant Project at the Department of Energy Hanford Site.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary to submit to the congressional defense committees reports received by the Department from the U.S. Army Corps of Engineers documenting any evaluation or validation of costs, schedule, and technical issues, including seismic issues, associated with the Waste Treatment and Immobilization Plant Project.

The conferees direct the Secretary to develop an independent cost estimate prior to concluding negotiations on the cost of any additions to work scope for contracts under the Waste Treatment and Immobilization Plant Project, if the Department contracting officer makes an affirmative determination that a change in scope has occurred. The conferees further direct the Secretary to notify the congressional defense committees 30 days prior to the restart of those construction activities that were suspended due to the revision of the seismic criteria for either the High-Level Waste facility or the Pretreatment facility of the Waste Treatment and Immobilization Plant Project.

Report on assistance for a comprehensive inventory of Russian nonstrategic nuclear weapons (sec. 3115)

The House bill contained a provision (sec. 3112) that would require the Secretary of Energy, in consultation with the Secretary of Defense, to provide a report containing an evaluation of efforts by the United States to encourage or facilitate a proper accounting for and securing of the nonstrategic nuclear weapons of the Russian Federation.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would change the due date for the reporting requirement to April 15, 2006.

Report on international border security programs (sec. 3116)

The Senate amendment contained a provision (sec. 3113) that would require the Secretary of Energy, in consultation with the Secretaries of Defense, State and, as appropriate, Homeland Security, to submit a report to the Committees on Armed Services of the Senate and the House of Representatives on the management of border security programs in the countries of the former Soviet Union and in other countries.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Savannah River National Laboratory (sec. 3117)

The Senate amendment contained a provision (sec. 3115) that would designate the Savannah River National Laboratory as a participating laboratory in the Department of Energy laboratory directed research and development program.

The House bill contained no similar provision.

The House recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

Prohibition on use of funds for robust nuclear earth penetrator

The Senate amendment contained a provision (sec. 3117) that would prohibit the use of any funds authorized to be appropriated to the Department of Energy to be made available for the robust nuclear earth penetrator (RNEP).

The House bill contained no similar provision. The House authorized a related study effort for penetrators to hold at risk hard and deeply buried targets within the Department of Defense elsewhere in this Act.

The Senate recedes.

The conferees agree to authorize no funding for the RNEP study under the Department of Energy, but instead authorize a related study effort within the Department of Defense elsewhere in this Act. The conference outcome is reflected in the tables of this report.

Report on advanced technologies for nuclear power reactors in the United States

The Senate amendment contained a provision (sec. 3119) that would require the Secretary of Energy to submit to Congress a report containing a description and assessment of technologies under development that offer the potential to further enhance the safety and proliferation-resistance of nuclear power reactors.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that the Department of Energy leads the federal government's efforts to develop new nuclear energy generation technologies to meet energy goals, to develop advanced, proliferation-resistant nuclear fuel technologies that maximize energy from nuclear fuel, and to maintain and enhance the national nuclear technology infrastructure. The conferees support these objectives for the purpose of enhancing both the energy and economic security of the United States and seek to further efforts to better communicate the advancements being made towards these objectives to the general public.

The Secretary of Energy shall submit to Congress a report on advanced technologies for nuclear power reactors in the United States. The report shall include a description and assessment of the following: (1) technologies under development for advanced nuclear power reactors that offer the potential for further enhancements of the safety performance of nuclear power reactors, and (2) technologies under development for advanced nuclear power reactors that offer the potential for further enhancements of proliferation-resistant nuclear power reactors. The information in the report shall be presented in a manner and format that facilitates the dissemination of such information to, and the ready understanding of such information by, members of the general public, not later than six months after the date of enactment of this Act.

Sense of the Senate regarding interim reports on residual beryllium contamination at Department of Energy vendor facilities

The Senate amendment contained a provision (sec. 3118) that would state the sense of the Senate regarding interim reports on residual beryllium contamination at Department of Energy vendor facilities, and would urge the Director of the National Institute for Occupational Safety and Health (NIOSH) to provide to Congress interim reports on residual beryllium contamination at such facilities not later than 14 days after completing the internal review of such reports.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that section 3169 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 42 U.S.C. 7384 note) requires NIOSH to submit not later than December 31, 2006, an update to the October 2003 report of NIOSH on residual beryllium contamination at Department vendor facilities.

The conferees note that workers at Department vendor facilities who were potentially exposed to beryllium contamination should be informed at the earliest opportunity once the results of the site-specific study are available. The conferees note that NIOSH has completed its evaluation of residual beryllium contamination at some Department vendor facilities. The conferees direct the Secretary of Energy to request the Director of NIOSH: (1) to provide to Congress and the Department Office of Environment, Safety and Health interim reports on residual beryllium contamination at Department vendor facilities not later than 14 days after completing the internal review of such reports; and (2) to publish in the Federal Register summaries of the findings of such reports, including the dates of any significant residual beryllium contamination, at such time as the reports are provided to the Department Office of Environment, Safety and Health.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

LEGISLATIVE PROVISIONS ADOPTED

Defense Nuclear Facilities Safety Board (sec. 3201)

The House bill contained a provision (sec. 3201) that would authorize $22.0 million for the Defense Nuclear Facilities Safety Board, the amount of the budget request.

The Senate amendment contained an identical provision (sec. 3201). The conference agreement includes this provision.

TITLE XXXIII—NATIONAL DEFENSE STOCKPILE

LEGISLATIVE PROVISIONS ADOPTED

Authorized uses of National Defense Stockpile funds (sec. 3301)

The House bill contained a provision (sec. 3301) that would authorize $52.1 million from the National Defense Stockpile Transaction Fund for the operation and maintenance of the National De-

fense Stockpile for fiscal year 2006. The provision would also permit the use of additional funds for extraordinary or emergency conditions 45 days after Congress receives notification.

The Senate amendment contained no similar provision.

The Senate recedes.

Revisions to required receipt objectives for previously authorized disposals from National Defense Stockpile (sec. 3302)

The Senate amendment contained a provision (sec. 3301) that would authorize increased sales of certain materials in the National Defense Stockpile through the end of fiscal year 2013.

The House bill contained similar provisions (secs. 3302–3303).

The House recedes.

Authorization for disposal of tungsten ores and concentrates (sec. 3303)

The Senate amendment contained a provision (sec. 3302) that would authorize the sale of up to 8.0 million pounds of tungsten from the National Defense Stockpile in fiscal year 2006.

The House bill contained no similar provision.

The House recedes.

Disposal of ferromanganese (sec. 3304)

The Senate amendment contained a provision (sec. 3303) that would authorize the disposal of up to 75,000 tons of ferromanganese from the National Defense Stockpile during fiscal year 2006. If that amount is disposed of before September 30, 2006, up to an additional 25,000 tons may be disposed of before that date. This additional disposal of ferromanganese may take place only if the Secretary of Defense submits written certification to the Committees on Armed Services of the Senate and the House of Representatives, not later than 30 days before the commencement of disposal, that: (1) the disposal of the additional ferromanganese is in the interest of national defense; (2) the disposal will not cause undue disruption to the usual markets of producers and processors of ferromanganese in the United States; and (3) the disposal is consistent with the requirements and purpose of the National Defense Stockpile.

The House bill contained no similar provision.

The House recedes.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

LEGISLATIVE PROVISIONS ADOPTED

Authorization of appropriations (sec. 3401)

The House bill contained a provision (sec. 3401) that would authorize $18.5 million for the operation and maintenance of the Naval Petroleum and Oil Shale Reserves.

The Senate amendment contained no similar provision.

The Senate recedes.

TITLE XXXV—MARITIME ADMINISTRATION

LEGISLATIVE PROVISIONS ADOPTED

Maritime administration (secs. 3501–3510)

The House bill contained provisions (sec. 3501–3505) that would authorize funds for fiscal year 2006, authorize payments for State and regional maritime academies, make modifications to the maintenance and repair pilot program, authorize improvements to the National Defense Tank Vessel Construction Assistance Program, and authorize improvements to the Maritime Administration (MARAD) vessel disposal program.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would: (1) authorize appropriations for fiscal year 2006 for operations and training, administrative expenses related to loan guarantee commitments under the title XI program, and for expenses to dispose of obsolete vessels in the National Defense Reserve Fleet; (2) authorize payments for State and regional maritime academies; (3) modify the maintenance and repair pilot program; (4) authorize improvements to the National Defense Tank Vessel Construction Assistance Program; (5) authorize improvements to the MARAD vessel disposal program; (6) authorize a new program to assist small shipyards and maritime communities; (7) transfer authority over the title XI non-fishing vessel loan guarantee decisions to the Maritime Administrator and make other improvements to the title XI program; (8) provide for a technical correction related to certain intermodal facilities; (9) provide for expanded use of the United States Maritime Service; and (10) provide certain awards and medals free of charge.

Section 3503 would direct the Secretary of Transportation to carry out the domestic maintenance and repair pilot program authorized in the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136) for at least one vessel under a Military Security Program (MSP) contract. The amendment would allow for reimbursement of the cost differential between performing qualified maintenance and repair work in the United States as opposed to performing it overseas. Qualified maintenance or repair work would include work identified before and during the Coast Guard-required vessel inspection and survey process, including, but not limited to, cutting out and replacing the hull structure; removal, repair, or replacement of machinery and equipment of all types; and repair of internal and external coatings. This section authorizes the Secretary to issue an interim rule, and the conferees urge the Secretary to work with the MSP contractors to establish a viable, sustainable program capable of accommodating more vessels, in addition to providing contractors' assistance in locating qualified maintenance and repair facilities in the U.S. in the geographic area in which a contracted vessel normally operates.

Section 3504 requires the Secretary of Transportation, to the extent of the availability of appropriations, to enter into a contract with a proposed purchaser and proposed shipbuilder for the construction of a product tank vessel under the National Defense Tank Vessel Construction Program. This section also eliminates the limi-

tation that only allows the program to fund up to 75 percent of the actual construction costs of the vessel.

Section 3505 would repeal obsolete requirements of title 35 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398), and would require the development of a comprehensive management program consistent with recommendations made by the Government Accountability Office. The plan for implementation of this program is due to the Committees on Armed Services of the Senate and the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate 180 days from enactment of this Act. If this plan is not delivered within 180 days, the Secretary would be required to award a contract for the private management of the obsolete vessel disposal program after an open, competitive bid process. The amendment would authorize the title transfer of obsolete vessels for disposal as artificial reefs at a time deemed appropriate by the Secretary.

Section 3506 would authorize the MARAD to establish a loan, loan guarantee, and grant program to assist small shipyards to make capital improvements and improve maritime training programs for small communities largely served by the maritime industry. The conferees encourage the Secretary to administer the program established by this section in a manner that is consistent with procedural safeguards contained in section 1104A of the Merchant Marine Act, such as those providing for assessing economic soundness, monitoring, review of applications, and agreements with obligors under that section, and with other Federal laws and standards applicable to similar Federal programs as determined appropriate by the Secretary.

Section 3507 would make technical and substantive amendments to title XI of the Merchant Marine Act, 1936 (46 U.S.C. App. 1274), which authorizes the Maritime Guaranteed Loan Program. The conferees intend for the MARAD to retain adequate resources with sufficient expertise to perform all functions of this program without requiring assistance from the Department of Transportation or other agencies. The conferees also agree that the decision to subject loan guarantee applications to a third-party independent analysis should be based on risk factors enumerated in section 1104A(f) of the Merchant Marine Act, 1936, as amended by this Act. The conferees agree there should be no rule, regulation, or procedure governing the Maritime Guaranteed Loan Program that requires a third-party independent analysis for all applications without regard to these risk factors. When an independent analysis is required, the conferees would expect only experts in maritime finance or operations be funded to conduct the analysis.

From the Committee on Armed Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

DUNCAN HUNTER,
CURT WELDON,
JOEL HEFLEY,
JIM SAXTON,
JOHN M. MCHUGH,
TERRY EVERETT,

ROSCOE BARTLETT,
HOWARD P. MCKEON,
MAC THORNBERRY,
JOHN N. HOSTETTLER,
JIM RYUN,
JIM GIBBONS,
ROBIN HAYES,
KEN CALVERT,
ROB SIMMONS,
THELMA DRAKE,
IKE SKELTON,
JOHN SPRATT,
SOLOMON P. ORTIZ,
LANE EVANS,
GENE TAYLOR,
SILVESTRE REYES,
VIC SNYDER,
ADAM SMITH,
LORETTA SANCHEZ,
ELLEN TAUSCHER,

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X:

PETE HOEKSTRA,
JANE HARMAN,

From the Committee on Education and the Workforce, for consideration of secs. 561–563, 571, and 815 of the House bill, and secs. 581–584 of the Senate amendment, and modifications committed to conference:

MICHAEL N. CASTLE,
JOE WILSON,
RUSH HOLT,

From the Committee on Energy and Commerce, for consideration of secs. 314, 601, 1032, and 3201 of the House bill, and secs. 312, 1084, 2893, 3116, and 3201 of the Senate amendment, and modifications committed to conference:

JOE BARTON,
PAUL GILLMOR,

From the Committee on Financial Services, for consideration of secs. 676 and 1073 of the Senate amendment, and modifications committed to conference:

MICHAEL G. OXLEY,
ROBERT W. NEY,

From the Committee on Government Reform, for consideration of secs. 322, 665, 811, 812, 820A, 822–825, 901, 1101–1106, 1108, title XIV, secs. 2832, 2841, and 2852 of the House bill, and secs. 652, 679, 801, 802, 809E, 809F, 809G, 809H, 811, 824, 831, 843–845, 857, 922, 1073, 1106, and 1109 of the Senate amendment, and modifications committed to conference:

TOM DAVIS,
CHRISTOPHER SHAYS,

From the Committee on Homeland Security, for consideration of secs. 1032, 1033, and 1035 of the House bill, and

sec. 907 of the Senate amendment, and modifications committed to conference:

JOHN LINDER,
DANIEL E. LUNGREN,
BENNIE G. THOMPSON,

From the Committee on International Relations, for consideration of secs. 814, 1021, 1203–1206, and 1301–1305 of the House bill, and secs. 803, 1033, 1203, 1205–1207, and 1301–1306 of the Senate amendment, and modifications committed to conference:

HENRY HYDE,
JAMES A. LEACH,
TOM LANTOS,

From the Committee on the Judiciary, for consideration of secs. 551, 673, 1021, 1043, and 1051 of the House bill, and secs. 553, 615, 617, 619, 1072, 1075, 1077, and 1092 of the Senate amendment, and modifications committed to conference:

F. JAMES SENSENBRENNER,
STEVE CHABOT,

From the Committee on Resources, for consideration of secs. 341–346, 601, and 2813 of the House bill, and secs. 1078, 2884, and 3116 of the Senate amendment, and modifications committed to conference:

RICHARD POMBO,
HENRY E. BROWN, Jr.,

From the Committee on Science, for consideration of sec. 223 of the House bill, and secs. 814 and 3115 of the Senate amendment, and modifications committed to conference:

SHERWOOD BOEHLERT,
W. TODD AKIN,
BART GORDON,

From the Committee on Small Business, for consideration of sec. 223 of the House bill, and secs. 814, 849–852, 855, and 901 of the Senate amendment, and modifications committed to conference:

DONALD A. MANZULLO,
SUE W. KELLY,

From the Committee on Transportation and Infrastructure, for consideration of secs. 314, 508, 601, and 1032–1034 of the House bill, and secs. 312, 2890, 2893, and 3116 of the Senate amendment, and modifications committed to conference:

DON YOUNG,
JOHN J. DUNCAN, Jr.,
JOHN T. SALAZAR,

From the Committee on Veterans Affairs, for consideration of secs. 641, 678, 714, and 1085 of the Senate amendment, and modifications committed to conference:

STEVE BUYER,
JEFF MILLER,
SHELLEY BERKLEY,

From the Committee on Ways and Means, for consideration of sec. 677 of the Senate amendment, and modifications committed to conference:

WILLIAM THOMAS,
WALLY HERGER,
JIM MCDERMOTT,
Managers on the Part of the House.

JOHN W. WARNER,
JOHN MCCAIN,
JAMES M. INHOFE,
PAT ROBERTS,
JEFF SESSIONS,
SUSAN COLLINS,
JOHN ENSIGN,
JIM TALENT,
SAXBY CHAMBLISS,
LINDSEY GRAHAM,
ELIZABETH DOLE,
JOHN CORNYN,
JOHN THUNE,
CARL LEVIN,
TED KENNEDY,
ROBERT C. BYRD,
JOSEPH LIEBERMAN,
JACK REED,
DANIEL K. AKAKA,
BILL NELSON,
BEN NELSON,
MARK DAYTON,
EVAN BAYH,
H.R. CLINTON,
Managers on the Part of the Senate.

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