

Calendar No. 376

111TH CONGRESS }
2d Session }

SENATE

{ REPORT
{ 111-188

MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF AND SUMMER JOBS FOR THE FIS- CAL YEAR ENDING SEPTEMBER 30, 2010, AND FOR OTHER PURPOSES

—————
MAY 14, 2010.—Ordered to be printed
—————

Mr. INOUE, from the Committee on Appropriations,
submitted the following

REPORT

[To accompany H.R. 4899]

The Committee on Appropriations, to which was referred the bill (H.R. 4899) making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, and for other purposes, reports the same with an amendment, and an amendment to the title, and recommends that the bill as amended do pass.

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BACKGROUND

PURPOSE OF THE BILL

The Committee recommendation addresses the President's fiscal year 2010 supplemental requests contained in his fiscal year 2011 budget submission, transmitted on February 1, 2010 (H. Doc. 111-82), budget estimate No. 2, transmitted on February 12, 2010 (H. Doc. 111-92), budget estimate No. 3, transmitted on March 24, 2010 (H. Doc. 111-101), budget estimate No. 4, transmitted on April 5, 2010 (H. Doc. 111-104), and budget estimate No. 5, transmitted on May 12, 2010 (H. Doc. 111-).

SUMMARY OF BILL

The administration requested \$58,962,697,000 for the costs of overseas deployments and related activities in Iraq and Afghanistan, for increased costs for compensation of veterans, for costs of natural disasters, including the devastating earthquake in Haiti. The Committee is recommending \$58,962,089,000 for these purposes.

TITLE I
CHAPTER 1
SUBCOMMITTEE ON AGRICULTURE, RURAL DEVELOPMENT, FOOD AND
DRUG ADMINISTRATION, AND RELATED AGENCIES
DEPARTMENT OF AGRICULTURE
FARM SERVICE AGENCY
AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT
AGRICULTURAL CREDIT PROGRAMS
 [In thousands of dollars]

| | 2010 appropriation to date | 2010 supplemental estimate | Committee recommendation |
|---|----------------------------------|----------------------------------|-----------------------------|
| Loan authorizations: | | | |
| Direct farm operating | 1,000,000 | ..... | 350,000 |
| Unsubsidized guaranteed operating | 1,500,000 | ..... | 250,000 |
| Subsidized guaranteed operating | 170,000 | ..... | 50,000 |
| Guaranteed farm ownership | 1,500,000 | ..... | 300,000 |
| Loan subsidies: | | | |
| Direct farm operating | 47,400 | ..... | 16,590 |
| Unsubsidized guaranteed operating | 35,100 | ..... | 5,850 |
| Subsidized guaranteed operating | 23,902 | ..... | 7,030 |
| Guaranteed farm ownership | 5,550 | ..... | 1,110 |
| Administrative expenses | 7,920 | ..... | 1,000 |

The fiscal year 2010 demand for Farm Service Agency direct and guaranteed operating and farm ownership loans continues to remain strong. Lower prices in the livestock sector, adverse weather conditions, and constrained commercial lending have resulted in a substantial increase in the use of direct and guaranteed loans compared to a year ago. Projections indicate there will be a substantial shortfall in direct and guaranteed operating and farm ownership loan funds by summer. As a result, USDA will be unable to meet the credit needs of many farmers and livestock producers struggling to recover from low prices in fiscal year 2010. Difficulties due to limits on credit availability will fall especially hard on beginning farmers and ranchers. In the guaranteed farm ownership program, the Committee recommends priority be given to producers needing to refinance debt to maintain operations.

EMERGENCY FOREST RESTORATION PROGRAM

| | |
|----------------------------------|--------------|
| 2010 appropriation to date | |
| 2010 supplemental estimate | |
| House allowance | |
| Committee recommendation | \$18,000,000 |

The Committee recommends \$18,000,000 for the Emergency Forest Restoration Program to restore forest lands damaged by natural disasters that occurred on or after January 1, 2010.

FOOD AND NUTRITION SERVICE

COMMODITY ASSISTANCE PROGRAM

Food Bank Assistance.—The Committee is aware of increased demand for services provided by community food banks throughout the country. The Secretary is directed to review the levels of unobligated funds within the Food and Nutrition Service to determine if any reprogramming or transfer of dollars for use through The Emergency Food Assistance Program is warranted. If the Secretary determines that such action is prudent, he is further instructed to provide the Congress with proper notification as required by law before such reprogramming or transfer occurs.

FOREIGN AGRICULTURAL SERVICE

FOOD FOR PEACE TITLE II GRANTS

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$1,690,000,000 |
| 2010 supplemental estimate | 150,000,000 |
| House allowance | |
| Committee recommendation | 150,000,000 |

The Committee recommends \$150,000,000 for Public Law 480 title II grants, as requested, for humanitarian assistance resulting from the Haiti earthquake that occurred January 12, 2010.

The Committee supports activities to stabilize and rebuild the food production capabilities in Haiti and encourages the Secretary to work with other Departments on the use of available resources to supplement Public Law 480 assistance with other programs designed to develop agricultural production and marketing systems, as appropriate, in that country.

Food insecurity throughout the world remains a critical problem that contributes to regional instability and human tragedy. The Committee has determined that a combination of appropriations previously made available for fiscal year 2010, a higher than usual level of resources carried in from previous years, and this supplemental will allow for emergency operations to continue near the previous year levels and higher than those of a few years ago. The Committee notes the availability of the Bill Emerson Humanitarian Trust and recommends exercise of its authorities and a review of requirements for fiscal year 2011, if appropriate, as conditions unfold throughout this fiscal year, especially in the event that timing of food deliveries are complicated by transportation and other logistical barriers.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 101. This section includes language regarding the biomass crop assistance program.

SEC. 102. This section includes language regarding the section 502 guaranteed single family housing loan program. This program is one of the few sources available for home loans for creditworthy rural families, and has contributed to job creation and economic re-

covery in rural areas. Currently, the program is guaranteeing more than \$2,000,000,000 in loans per month. In April 2010, the guaranteed single family housing loan program supported the purchase of over 19,000 homes. Even with the recent economic decline, this program has been very successful with delinquency rates at a 10 year low. However, funding is exhausted. This section provides for increased borrower fees and thereby extends program availability at no cost to the public.

CHAPTER 2

SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES

DEPARTMENT OF COMMERCE

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

(RESCISSION)

| | |
|----------------------------------|----------------|
| 2010 appropriation to date | |
| 2010 supplemental estimate | |
| House allowance | |
| Committee recommendation | -\$111,500,000 |

The Committee recommends a rescission of unobligated balances for the Digital-to-Analog Converter Box Program.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

| | |
|----------------------------------|---------------|
| 2010 appropriation to date | \$255,000,000 |
| 2010 supplemental estimate | |
| House allowance | |
| Committee recommendation | 49,000,000 |

The Committee recommends \$49,000,000 for economic development assistance in Presidentially declared disaster areas to provide disaster relief, long-term recovery and restoration of infrastructure.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH AND FACILITIES

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$3,305,178,000 |
| 2010 supplemental estimate | |
| House allowance | |
| Committee recommendation | 5,000,000 |

The Committee recommends \$5,000,000 for the National Oceanic and Atmospheric Administration to work with Federal, State and local partners to provide fisheries disaster relief to communities impacted by commercial fishery failures as determined by the Secretary of Commerce in January 2010.

CHAPTER 3

SUBCOMMITTEE ON DEPARTMENT OF DEFENSE

DEPARTMENT OF DEFENSE—MILITARY

| | |
|----------------------------------|-------------------|
| 2010 appropriation to date | \$625,919,024,000 |
| 2010 supplemental estimate | 33,139,763,000 |
| House allowance ..... | ..... |
| Committee recommendation | 32,787,401,000 |

The Committee recommends an appropriation of \$32,787,401,000 for overseas contingency operations.

COMMITTEE RECOMMENDED PROGRAM

The following table summarizes the Committee recommendation:

(In thousands of dollars)

| Account | Budget request | Committee recommendation | Committee recommendation v. budget request |
|---|-------------------|--------------------------|--|
| Military Personnel: | | | |
| Military Personnel, Army | 1,615,809 | 1,429,809 | – 186,000 |
| Military Personnel, Navy | 40,478 | 40,478 | ..... |
| Military Personnel, Marine Corps | 83,399 | 145,499 | + 62,100 |
| Military Personnel, Air Force | 94,068 | 94,068 | ..... |
| Reserve Personnel, Army | 22,118 | 5,722 | – 16,396 |
| Reserve Personnel, Navy | 2,637 | 2,637 | ..... |
| Reserve Personnel, Marine Corps | 1,258 | 34,758 | + 33,500 |
| Reserve Personnel, Air Force | 1,292 | 1,292 | ..... |
| National Guard Personnel, Army | 33,184 | 33,184 | ..... |
| National Guard Personnel, Air Force | 1,518 | ..... | – 1,518 |
| Total, Military Personnel | 1,895,761 | 1,787,447 | – 108,314 |
| Operation and Maintenance: | | | |
| Operation and Maintenance, Army | 11,700,965 | 11,719,927 | + 18,962 |
| Operation and Maintenance, Navy | 2,428,702 | 2,735,194 | + 306,492 |
| Operation and Maintenance, Marine Corps | 1,090,873 | 829,326 | – 261,547 |
| Operation and Maintenance, Air Force | 3,845,047 | 3,835,095 | – 9,952 |
| Operation and Maintenance, Defense-Wide | 1,188,421 | 1,236,727 | + 48,306 |
| Operation and Maintenance, Army Reserve | 67,399 | 41,006 | – 26,393 |
| Operation and Maintenance, Navy Reserve | 61,842 | 75,878 | + 14,036 |
| Operation and Maintenance, Marine Corps Reserve | 674 | 857 | + 183 |
| Operation and Maintenance, Air Force Reserve | 95,819 | 124,039 | + 28,220 |
| Operation and Maintenance, Army National Guard | 171,834 | 180,960 | + 9,126 |
| Operation and Maintenance, Air National Guard | 161,281 | 203,287 | + 42,006 |
| Overseas Humanitarian, Disaster, and Civic Aid | 255,000 | ..... | – 255,000 |
| Afghanistan Security Forces Fund | 2,604,000 | 2,604,000 | ..... |
| Iraq Security Forces Fund | 1,000,000 | 1,000,000 | ..... |
| Overseas Contingency Operations Transfer Fund | 350,000 | ..... | – 350,000 |
| Total, Operation and Maintenance | 25,021,857 | 24,586,296 | – 435,561 |
| Procurement: | | | |
| Aircraft Procurement, Army | 182,170 | 219,470 | + 37,300 |
| Procurement of WTCV, Army | 3,000 | 3,000 | ..... |
| Procurement of Ammunition, Army | 17,055 | 17,055 | ..... |
| Other Procurement, Army | 1,997,918 | 2,065,006 | + 67,088 |
| Aircraft Procurement, Navy | 104,693 | 296,000 | + 191,307 |
| Other Procurement, Navy | 15,000 | 31,576 | + 16,576 |
| Procurement, Marine Corps | 18,927 | 162,927 | + 144,000 |
| Aircraft Procurement, Air Force | 209,766 | 174,766 | – 35,000 |
| Procurement of Ammunition, Air Force | 5,000 | ..... | – 5,000 |
| Other Procurement, Air Force | 576,895 | 672,741 | + 95,846 |
| Procurement, Defense-Wide | 189,276 | 189,276 | ..... |

[In thousands of dollars]

| Account | Budget request | Committee recommendation | Committee recommendation v. budget request |
|--|-------------------|--------------------------|--|
| Mine Resistant Ambush Protected Vehicle Fund | 1,123,000 | 1,123,000 | ..... |
| Total, Procurement | 4,442,700 | 4,954,817 | + 512,117 |
| Research, Development, Test and Evaluation: | | | |
| Research, Development, Test and Evaluation, Army | 61,962 | ..... | - 61,962 |
| Research, Development, Test and Evaluation, Navy | 5,360 | 44,835 | + 39,475 |
| Research, Development, Test and Evaluation, Air Force | 187,651 | 163,775 | - 23,876 |
| Research, Development, Test and Evaluation, Defense-Wide | 22,138 | 65,138 | + 43,000 |
| Total, Research, Development, Test and Evaluation ... | 277,111 | 273,748 | - 3,363 |
| Revolving and Management Funds: Defense Working Capital Funds | 974,967 | 1,134,887 | + 159,920 |
| Total, Revolving and Management Funds | 974,967 | 1,134,887 | + 159,920 |
| Other Department of Defense Programs: | | | |
| Defense Health Program | 33,367 | 33,367 | ..... |
| Drug Interdiction and Counter-Drug Activities | 94,000 | 94,000 | ..... |
| Joint Improvised Explosive Device Defeat Fund | 400,000 | ..... | - 400,000 |
| Total, Other Department of Defense Programs | 527,367 | 127,367 | - 400,000 |
| General Provisions: | | | |
| Special Transfer Authority | [4,000,000] | ..... | [4,000,000] |
| Increase to General Transfer Authority | [2,000,000] | [500,000] | [- 1,500,000] |
| Rescissions ..... | ..... | - 77,161 | - 77,161 |
| Total, General Provisions ..... | ..... | - 77,161 | - 77,161 |
| TOTAL | 33,139,763 | 32,787,401 | - 352,362 |

OVERVIEW

COMMITTEE RECOMMENDATION

The Department of Defense requested \$33,139,763,000 in additional supplemental funding for overseas contingency operations in Iraq and Afghanistan, and for emergency relief activities related to the devastating earthquake in Haiti. This request, together with the \$128,246,739,000 already made available this fiscal year for overseas contingency operations, would bring funding for overseas contingency operations in fiscal year 2010 to \$161,386,502,000. The Committee has carefully reviewed the budget request and recommends \$32,787,401,000 for operations, personnel costs, and equipment reconstitution related to overseas contingency operations.

This funding will ensure that our forces engaged in operations overseas have the best force protection equipment available as well as the most effective weaponry, communications gear, munitions, and other essential items. Support for the Iraqi and Afghan security forces is funded enabling those nations to continue stepping up their roles in building safety and security. Finally, this recommendation provides funds to ensure that our wounded warriors receive the medical care and services they need upon return from

theater. The Committee believes that taking care of our military members and their families is a moral responsibility and has fully funded programs to meet those needs.

REPORTING REQUIREMENTS

The Secretary of Defense is directed to provide a report to the congressional defense committees within 30 days of enactment of this legislation on the allocation of the funds within the accounts listed in this chapter. The Secretary shall submit updated reports 30 days after the end of each fiscal quarter until funds listed in this chapter are no longer available for obligation. The Secretary is directed that these reports shall include: a detailed accounting of obligations and expenditures of appropriations provided in this chapter by program and subactivity group for the continuation of military operations in Iraq and Afghanistan; and a listing of equipment procured using funds provided in this chapter. It is expected that in order to meet unanticipated requirements, the Department of Defense may need to transfer funds within these appropriation accounts for purposes other than those specified in this report. The Department of Defense is directed to follow normal prior approval reprogramming procedures should it be necessary to transfer funding between different appropriations accounts in this chapter.

Additionally, the Department of Defense is directed to submit monthly supplemental execution reports to the congressional defense committees that include the following information by appropriation: funding appropriated, funding allocated, monthly obligations, monthly disbursements, cumulative fiscal year obligations, and cumulative fiscal year disbursements.

FUNDING OF URGENT WARTIME REQUIREMENTS

The Committee has vigorously supported efforts to rapidly field critical equipment to our troops serving in Iraq and Afghanistan. These programs have saved countless lives and contributed to important battlefield successes by improving protection from improvised explosive devices and increasing intelligence, surveillance, and reconnaissance on the battlefield.

To date, Congress has provided \$15,900,000,000 to the Joint Improved Explosive Device Defeat Organization [JIEDDO] and \$5,300,000,000 to the Intelligence, Surveillance, and Reconnaissance [ISR] Task Force. In addition to this significant amount of spending, the Committee has accepted the flexible authorities granted to each organization as being justified for the urgency of the mission at hand. These authorities include the ability to bypass much of the traditional acquisition process, focusing on short-term development and fielding of critical equipment.

It has been the expectation that those enhanced authorities would be exercised judiciously, to avoid any abuse or perception of abuse, and utilize the enhanced authorities for truly urgent situations. Unfortunately, the record shows that JIEDDO and the ISR Task Force have used their authorities to make investments that were outside of specific program directives, unwise, or not suitable for organizations focused on rapid fielding.

In one case, JIEDDO provided \$24,600,000 for information operations, despite congressional direction to cease funding such efforts.

The funds were then allegedly used to hire private contractors to carry out intelligence operations, over the objections of the intelligence community.

As described elsewhere in the report, the Committee recommendation rejects a proposal to use JIEDDO-requested funds for two Army force protection programs, in contrast to the common-sense expectation that the Army would fund known requirements without using JIEDDO as a cash-flow mechanism.

The supplemental also requests \$16,000,000 to develop an airship to host developmental sensors for a project endorsed by JIEDDO, the ISR Task Force, and the military services. Although JIEDDO is prohibited by its charter from procuring platforms, an agreement was reached among these stakeholders for the Air Force to pay 51 percent of platform costs, while JIEDDO would pay for the remainder, plus hundreds of millions of dollars for a multi-year development and assessment program.

Finally, the ISR Task Force has adopted several programs that feature multi-phased development efforts for which mature capabilities would be fielded in years, rather than months. Examples include initiating the Long Endurance Multi-Intelligence Vehicle and platform development and integration for VADER radars. The Committee questions whether these types of development efforts are consonant with the Secretary of Defense's April 16, 2008, memorandum creating the Task Force, which directed that "[s]peed of deployment and enhancement of operational capability should be the prime objectives in evaluating all available options."

While the Committee has thus far accepted the need for flexible authorities to meet critical needs, those authorities are not the only method of meeting warfighter requirements. There are numerous examples of the Committee acting with alacrity to either approve reprogrammings or to add funds to appropriations bills for which there was no formal budget amendment, including the procurement of thousands of mine resistant, ambush protected [MRAP] vehicles to cite just one example.

The Committee intends to exercise increased oversight and scrutiny of these types of acquisition programs in its review of the fiscal year 2011 budget request to improve accountability of spending requests to the Department's improving acquisition system, as modified by the Weapons System Acquisition and Reform Act of 2009. The Committee expects the Department, including the recently formed Counter IED Senior Integration Group, to focus greater attention on the accountability of alternative acquisition programs. This should include strict adherence to the charters and purpose of the programs, and fixing, rather than circumventing, the weapons acquisitions process. If significant improvements do not materialize, the Committee is prepared to address this issue in the fiscal year 2011 defense appropriations bill.

MILITARY PERSONNEL

The Committee recommends \$1,787,447,000 for pay, allowances, and other personnel costs for Active, Reserve, and Guard troops activated for duty in Iraq, Afghanistan, and other contingency operations. This recommendation includes funding for subsistence, permanent change of station travel, and special pays including Immi-

ment Danger Pay, Family Separation Allowance, and Hardship Duty Pay.

The following table provides details of recommendations for the military personnel accounts:

[In thousands of dollars]

| Account | Budget request | Committee recommendation | Committee recommendation v. budget request |
|---|------------------|--------------------------|--|
| Military Personnel: | | | |
| Military Personnel, Army | 1,615,809 | 1,429,809 | - 186,000 |
| Military Personnel, Navy | 40,478 | 40,478 | ..... |
| Military Personnel, Marine Corps | 83,399 | 145,499 | + 62,100 |
| Military Personnel, Air Force | 94,068 | 94,068 | ..... |
| Reserve Personnel, Army | 22,118 | 5,722 | - 16,396 |
| Reserve Personnel, Navy | 2,637 | 2,637 | ..... |
| Reserve Personnel, Marine Corps | 1,258 | 34,758 | + 33,500 |
| Reserve Personnel, Air Force | 1,292 | 1,292 | ..... |
| National Guard Personnel, Army | 33,184 | 33,184 | ..... |
| National Guard Personnel, Air Force | 1,518 | ..... | - 1,518 |
| Total, Military Personnel | 1,895,761 | 1,787,447 | - 108,314 |

MILITARY PERSONNEL, ARMY

| | |
|----------------------------------|------------------|
| 2010 appropriation to date | \$50,964,452,000 |
| 2010 supplemental estimate | 1,615,809,000 |
| House allowance ..... | ..... |
| Committee recommendation | 1,429,809,000 |

The Committee recommends \$1,429,809,000 for Military Personnel, Army. The recommendation is \$186,000,000 below the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|--|---------------------------------------|------------------|--------------------------|--|
| BA 1: PAY AND ALLOWANCES OF OFFICERS: | | | | |
| 5 | Basic Pay | 194,000 | 194,000 | ..... |
| 10 | Retired Pay Accrual | 133,232 | 133,232 | ..... |
| 25 | Basic Allowance for Housing | 18,747 | 18,747 | ..... |
| 30 | Basic Allowance for Subsistence | 2,310 | 2,310 | ..... |
| 35 | Incentive Pays | 10,302 | 10,302 | ..... |
| 40 | Special Pays | 6,691 | 6,691 | ..... |
| 45 | Allowances | 15,431 | 15,431 | ..... |
| 50 | Separation Pay | 958 | 958 | ..... |
| 55 | Social Security Tax | 9,325 | 9,325 | ..... |
| | TOTAL, BUDGET ACTIVITY 1 | 390,996 | 390,996 | ..... |
| BA 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL: | | | | |
| 60 | Basic Pay | 330,836 | 330,836 | ..... |
| 65 | Retired Pay Accrual | 254,842 | 254,842 | ..... |
| 80 | Basic Allowance for Housing | 291,109 | 291,109 | ..... |
| 85 | Incentive Pays | 1,030 | 1,030 | ..... |
| 90 | Special Pays | 36,966 | 36,966 | ..... |
| 95 | Allowances | 112,070 | 112,070 | ..... |
| 100 | Separation Pay | 1,341 | 1,341 | ..... |
| 105 | Social Security Tax | 13,301 | 13,301 | ..... |
| | TOTAL, BUDGET ACTIVITY 2 | 1,041,495 | 1,041,495 | ..... |

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|---|----------------|--------------------------|--|
| 120 | BA 4: SUBSISTENCE OF ENLISTED PERSONNEL: Subsistence-In-Kind | 74,725 | 74,725 | ..... |
| | TOTAL, BUDGET ACTIVITY 4 | 74,725 | 74,725 | ..... |
| 135 | BA 5: PERMANENT CHANGE OF STATION TRAVEL: Operational Travel | 7,367 | 7,367 | ..... |
| | TOTAL, BUDGET ACTIVITY 5 | 7,367 | 7,367 | ..... |
| 180 | BA 6: OTHER MILITARY PERSONNEL COSTS: Death Gratuities | 16,809 | 16,809 | ..... |
| | 185 Unemployment Benefits | 84,417 | 84,417 | ..... |
| | TOTAL, BUDGET ACTIVITY 6 | 101,226 | 101,226 | ..... |
| | UNDISTRIBUTED ADJUSTMENT: Excess to Requirement | | - 186,000 | - 186,000 |
| | TOTAL, UNDISTRIBUTED ADJUSTMENT | | - 186,000 | - 186,000 |
| | TOTAL, MILITARY PERSONNEL, ARMY | 1,615,809 | 1,429,809 | - 186,000 |

MILITARY PERSONNEL, NAVY

| | |
|----------------------------------|------------------|
| 2010 appropriation to date | \$26,677,650,000 |
| 2010 supplemental estimate | 40,478,000 |
| House allowance | |
| Committee recommendation | 40,478,000 |

The Committee recommends \$40,478,000 for Military Personnel, Navy. The recommendation is equal to the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request | |
|--------------------------------------|---|--|--------------------------|--|-------|
| 5 | BA 1: PAY AND ALLOWANCES OF OFFICERS: Basic Pay | 8,704 | 8,704 | ..... |  |
| | 10 Retired Pay Accrual | 2,133 | 2,133 | ..... |  |
| | 25 Basic Allowance for Housing | 2,572 | 2,572 | ..... |  |
| | 30 Basic Allowance for Subsistence | 291 | 291 | ..... |  |
| | 40 Special Pays | 364 | 364 | ..... |  |
| | 45 Allowances | 650 | 650 | ..... |  |
| | 55 Social Security Tax | 666 | 666 | ..... |  |
| | TOTAL, BUDGET ACTIVITY 1 | 15,380 | 15,380 | ..... |  |
| | 60 | BA 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL: Basic Pay | 9,437 | 9,437 | |
| | | 65 Retired Pay Accrual | 2,312 | 2,312 | |
| 80 Basic Allowance for Housing | | 4,454 | 4,454 | ..... |  |
| 90 Special Pays | | 2,415 | 2,415 | ..... |  |
| 95 Allowances | | 1,671 | 1,671 | ..... |  |
| 105 Social Security Tax | | 722 | 722 | ..... |  |
| | TOTAL, BUDGET ACTIVITY 2 | 21,011 | 21,011 | ..... |  |
| 115 | BA 4: SUBSISTENCE OF ENLISTED PERSONNEL: Basic Allowance for Subsistence | 1,097 | 1,097 | ..... |  |

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|---|----------------|--------------------------|--|
| | TOTAL, BUDGET ACTIVITY 4 | 1,097 | 1,097 | ..... |
| | BA 5: PERMANENT CHANGE OF STATION TRAVEL: | | | |
| 125 | Accession Travel | 96 | 96 | ..... |
| 135 | Operational Travel | 442 | 442 | ..... |
| 140 | Rotational Travel | 571 | 571 | ..... |
| 145 | Separation Travel | 58 | 58 | ..... |
| | TOTAL, BUDGET ACTIVITY 5 | 1,167 | 1,167 | ..... |
| | BA 6: OTHER MILITARY PERSONNEL COSTS: | | | |
| 180 | Death Gratuities | 74 | 74 | ..... |
| 185 | Unemployment Benefits | 713 | 713 | ..... |
| 216 | SGLI Extra Hazard Payments | 1,036 | 1,036 | ..... |
| | TOTAL, BUDGET ACTIVITY 6 | 1,823 | 1,823 | ..... |
| | TOTAL, MILITARY PERSONNEL, NAVY | 40,478 | 40,478 | ..... |

MILITARY PERSONNEL, MARINE CORPS

| | |
|----------------------------------|------------------|
| 2010 appropriation to date | \$13,578,712,000 |
| 2010 supplemental estimate | 83,399,000 |
| House allowance | |
| Committee recommendation | 145,499,000 |

The Committee recommends \$145,499,000 for Military Personnel, Marine Corps. The recommendation is \$62,100,000 above the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|---|----------------|--------------------------|--|
| | BA 1: PAY AND ALLOWANCES OF OFFICERS: | | | |
| 40 | Special Pays | 2,632 | 2,632 | ..... |
| 45 | Allowances | 1,824 | 1,824 | ..... |
| | TOTAL, BUDGET ACTIVITY 1 | 4,456 | 4,456 | ..... |
| | BA 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL: | | | |
| 60 | Basic Pay | 9,348 | 9,348 | ..... |
| 65 | Retired Pay Accrual | 2,291 | 2,291 | ..... |
| 85 | Basic Allowance for Housing | 8,925 | 8,925 | ..... |
| 90 | Special Pays | 23,688 | 23,688 | ..... |
| 95 | Allowances | 17,353 | 17,353 | ..... |
| 105 | Social Security Tax | 715 | 715 | ..... |
| | TOTAL, BUDGET ACTIVITY 2 | 62,320 | 62,320 | ..... |
| | BA 4: SUBSISTENCE OF ENLISTED PERSONNEL: | | | |
| 115 | Basic Allowance for Subsistence | 1,125 | 1,125 | ..... |
| | TOTAL, BUDGET ACTIVITY 4 | 1,125 | 1,125 | ..... |
| | BA 6: OTHER MILITARY PERSONNEL COSTS: | | | |
| 180 | Death Gratuities | 7,200 | 7,200 | ..... |
| 216 | SGLI Extra Hazard Payments | 8,298 | 8,298 | ..... |
| | TOTAL, BUDGET ACTIVITY 6 | 15,498 | 15,498 | ..... |

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|---|----------------|--------------------------|--|
| | UNDISTRIBUTED ADJUSTMENT: Marine Corps Requested Transfer from OMMC | | 62,100 | + 62,100 |
| | TOTAL, UNDISTRIBUTED ADJUSTMENT | | 62,100 | + 62,100 |
| | TOTAL, MILITARY PERSONNEL, MARINE CORPS | 83,399 | 145,499 | + 62,100 |

MILITARY PERSONNEL, AIR FORCE

| | |
|----------------------------------|------------------|
| 2010 appropriation to date | \$27,841,512,000 |
| 2010 supplemental estimate | 94,068,000 |
| House allowance | |
| Committee recommendation | 94,068,000 |

The Committee recommends \$94,068,000 for Military Personnel, Marine Corps. The recommendation is equal to the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|--|----------------|--------------------------|--|
| | BA 1: PAY AND ALLOWANCES OF OFFICERS: | | | |
| 5 | Basic Pay | 15,545 | 15,545 | ..... |
| 10 | Retired Pay Accrual | 3,809 | 3,809 | ..... |
| 25 | Basic Allowance for Housing | 1,730 | 1,730 | ..... |
| 30 | Basic Allowance for Subsistence | 149 | 149 | ..... |
| 55 | Social Security Tax | 1,189 | 1,189 | ..... |
| | TOTAL, BUDGET ACTIVITY 1 | 22,422 | 22,422 | ..... |
| | BA 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL: | | | |
| 60 | Basic Pay | 35,751 | 35,751 | ..... |
| 65 | Retired Pay Accrual | 8,759 | 8,759 | ..... |
| 85 | Basic Allowance for Housing | 10,454 | 10,454 | ..... |
| 105 | Social Security Tax | 2,735 | 2,735 | ..... |
| | TOTAL, BUDGET ACTIVITY 2 | 57,699 | 57,699 | ..... |
| | BA 4: SUBSISTENCE OF ENLISTED PERSONNEL: | | | |
| 115 | Basic Allowance for Subsistence | 1,258 | 1,258 | ..... |
| 120 | Subsistence-In-Kind | 4,394 | 4,394 | ..... |
| | TOTAL, BUDGET ACTIVITY 4 | 5,652 | 5,652 | ..... |
| | BA 5: PERMANENT CHANGE OF STATION TRAVEL: | | | |
| 135 | Operational Travel | 540 | 540 | ..... |
| | TOTAL, BUDGET ACTIVITY 5 | 540 | 540 | ..... |
| | BA 6: OTHER MILITARY PERSONNEL COSTS: | | | |
| 185 | Unemployment Benefits | 6,732 | 6,732 | ..... |
| 216 | SGLI Extra Hazard Payments | 1,023 | 1,023 | ..... |
| | TOTAL, BUDGET ACTIVITY 6 | 7,755 | 7,755 | ..... |
| | TOTAL, MILITARY PERSONNEL, AIR FORCE | 94,068 | 94,068 | ..... |

RESERVE PERSONNEL, ARMY

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$4,597,850,000 |
| 2010 supplemental estimate | 22,118,000 |
| House allowance | |
| Committee recommendation | 5,722,000 |

The Committee recommends \$5,722,000 for Reserve Personnel, Army. The recommendation is \$16,396,000 below the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|--------------------------------------|----------------|--------------------------|--|
| | BA 1: UNIT AND INDIVIDUAL TRAINING: | | | |
| 10 | Pay Group A Training | 9,727 | | - 9,727 |
| | Excess to Requirement | | | - 9,727 |
| 70 | School Training | 885 | 385 | - 500 |
| | Excess to Requirement | | | - 500 |
| 80 | Special Training | 11,506 | 5,337 | - 6,169 |
| | Excess to Requirement | | | - 6,169 |
| | TOTAL, BUDGET ACTIVITY 1 | 22,118 | 5,722 | - 16,396 |
| | TOTAL, RESERVE PERSONNEL, ARMY | 22,118 | 5,722 | - 16,396 |

RESERVE PERSONNEL, NAVY

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$1,946,341,000 |
| 2010 supplemental estimate | 2,637,000 |
| House allowance | |
| Committee recommendation | 2,637,000 |

The Committee recommends \$2,637,000 for Reserve Personnel, Navy. The recommendation is equal to the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|--------------------------------------|----------------|--------------------------|--|
| | BA 1: UNIT AND INDIVIDUAL TRAINING: | | | |
| 80 | Special Training | 2,637 | 2,637 | |
| | TOTAL, BUDGET ACTIVITY 1 | 2,637 | 2,637 | |
| | TOTAL, RESERVE PERSONNEL, NAVY | 2,637 | 2,637 | |

RESERVE PERSONNEL, MARINE CORPS

| | |
|----------------------------------|---------------|
| 2010 appropriation to date | \$644,837,000 |
| 2010 supplemental estimate | 1,258,000 |
| House allowance | |
| Committee recommendation | 34,758,000 |

The Committee recommends \$34,758,000 for Reserve Personnel, Marine Corps. The recommendation is \$33,500,000 above the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|---|----------------|--------------------------|--|
| 80 | BA 1: UNIT AND INDIVIDUAL TRAINING: | | | |
| | Special Training | 1,258 | 1,258 | ..... |
| | TOTAL, BUDGET ACTIVITY 1 | 1,258 | 1,258 | ..... |
| | UNDISTRIBUTED ADJUSTMENT: Marine Corps Requested Transfer from OMMC ..... | ..... | 33,500 | + 33,500 |
| | TOTAL, UNDISTRIBUTED ADJUSTMENT ..... | ..... | 33,500 | + 33,500 |
| | TOTAL, RESERVE PERSONNEL, MARINE CORPS | 1,258 | 34,758 | + 33,500 |

RESERVE PERSONNEL, AIR FORCE

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$1,609,234,000 |
| 2010 supplemental estimate | 1,292,000 |
| House allowance ..... | ..... |
| Committee recommendation | 1,292,000 |

The Committee recommends \$1,292,000 for Reserve Personnel, Air Force. The recommendation is equal to the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|---|----------------|--------------------------|--|
| 80 | BA 1: UNIT AND INDIVIDUAL TRAINING: | | | |
| | Special Training | 1,292 | 1,292 | ..... |
| | TOTAL, BUDGET ACTIVITY 1 | 1,292 | 1,292 | ..... |
| | TOTAL, RESERVE PERSONNEL, AIRFORCE | 1,292 | 1,292 | ..... |

NATIONAL GUARD PERSONNEL, ARMY

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$8,371,871,000 |
| 2010 supplemental estimate | 33,184,000 |
| House allowance ..... | ..... |
| Committee recommendation | 33,184,000 |

The Committee recommends \$33,184,000 for National Guard Personnel, Army. The recommendation is equal to the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|----------|---|----------------|--------------------------|--|
| 10 80 | BA 1: UNIT AND INDIVIDUAL TRAINING: | | | |
| | Pay Group A Training | 22,122 | 22,122 | ..... |
| | Special Training | 11,062 | 11,062 | ..... |
| | TOTAL, BUDGET ACTIVITY 1 | 33,184 | 33,184 | ..... |
| | TOTAL, NATIONAL GUARD PERSONNEL, ARMY | 33,184 | 33,184 | ..... |

NATIONAL GUARD PERSONNEL, AIR FORCE

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$2,947,729,000 |
| 2010 supplemental estimate | 1,518,000 |
| House allowance | |
| Committee recommendation | |

The Committee recommends no appropriation for National Guard Personnel, Air Force. The recommendation is \$1,518,000 below the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|---|----------------|--------------------------|--|
| 80 | BA 1: UNIT AND INDIVIDUAL TRAINING: | | | |
| | Special Training | 1,518 | ..... | - 1,518 |
| | Excess to Requirement ..... | ..... | ..... | - 1,518 |
| | TOTAL, BUDGET ACTIVITY 1 | 1,518 | ..... | - 1,518 |
| | TOTAL, NATIONAL GUARD PERSONNEL, AIRFORCE | 1,518 | ..... | - 1,518 |

OPERATION AND MAINTENANCE

The Committee recommends \$24,586,296,000 for the operation and maintenance accounts. These funds are available to fund military operations by the services and Special Operations Forces for incremental pre-deployment training and support, transportation to and from theater, operating tempo in theater, sustainment of equipment, and the full range of logistics and communications and intelligence assets support. The recommendation includes funding for approved and announced additional units to support the troop expansion into Afghanistan. These include one-time operation and maintenance costs to establish facilities and theater infrastructure as well as increased support contracts for new force levels.

The operation and maintenance accounts also include \$655,000,000 to restore amounts transferred from operation and maintenance accounts to "Overseas Humanitarian, Disaster, and Civic Aid" for emergency relief and other disaster-response activities related to Haiti following the earthquake of January 12, 2010.

The following table provides details of the recommendation for the operation and maintenance accounts:

[In thousands of dollars]

| Account | Budget request | Committee recommendation | Committee recommendation v. budget request |
|---|----------------|--------------------------|--|
| Operation and Maintenance: | | | |
| Operation and Maintenance, Army | 11,700,965 | 11,719,927 | + 18,962 |
| Operation and Maintenance, Navy | 2,428,702 | 2,735,194 | + 306,492 |
| Operation and Maintenance, Marine Corps | 1,090,873 | 829,326 | - 261,547 |
| Operation and Maintenance, Air Force | 3,845,047 | 3,835,095 | - 9,952 |
| Operation and Maintenance, Defense-Wide | 1,188,421 | 1,236,727 | + 48,306 |
| Operation and Maintenance, Army Reserve | 67,399 | 41,006 | - 26,393 |
| Operation and Maintenance, Navy Reserve | 61,842 | 75,878 | + 14,036 |
| Operation and Maintenance, Marine Corps Reserve | 674 | 857 | + 183 |
| Operation and Maintenance, Air Force Reserve | 95,819 | 124,039 | + 28,220 |
| Operation and Maintenance, Army National Guard | 171,834 | 180,960 | + 9,126 |
| Operation and Maintenance, Air National Guard | 161,281 | 203,287 | + 42,006 |

[In thousands of dollars]

| Account | Budget request | Committee recommendation | Committee recommendation v. budget request |
|--|----------------|--------------------------|--|
| Overseas Humanitarian, Disaster, and Civic Aid | 255,000 | ..... | - 255,000 |
| Afghanistan Security Forces Fund | 2,604,000 | 2,604,000 | ..... |
| Iraq Security Forces Fund | 1,000,000 | 1,000,000 | ..... |
| Overseas Contingency Operations Transfer Fund | 350,000 | ..... | - 350,000 |
| Total, Operation and Maintenance | 25,021,857 | 24,586,296 | - 435,561 |

OPERATION AND MAINTENANCE, ARMY

| | |
|----------------------------------|------------------|
| 2010 appropriation to date | \$78,755,704,000 |
| 2010 supplemental estimate | 11,700,965,000 |
| House allowance | |
| Committee recommendation | 11,719,927,000 |

The Committee recommends \$11,719,927,000 for Operation and Maintenance, Army. The recommendation is \$18,962,000 above the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|--------|---|----------------|--------------------------|--|
| 111 | Maneuver Units | 15,006 | 15,006 | ..... |
| 113 | Echelons Above Brigade | 21,824 | 21,824 | ..... |
| 114 | Theater Level Assets | 12,293 | 12,293 | ..... |
| 116 | Aviation Assets | 33,325 | 33,325 | ..... |
| 121 | Force Readiness Operations Support | 13,005 | 13,005 | ..... |
| 131 | Base Operations Support | 15,530 | 15,530 | ..... |
| 135 | Additional Activities | 10,883,207 | 10,777,207 | - 106,000 |
| | Pricing Reduction To Make Fiscal Year 2010 Amount Consistent With Fiscal Year 2011 Amount Requested For Contractors | | | - 106,000 |
| 322 | Flight Training | 17,618 | 17,618 | ..... |
| 411 | Security Programs | 300,857 | 300,857 | ..... |
| 421 | Servicewide Transportation | 255,000 | 255,000 | ..... |
| UNDIST | Haiti Operations | 133,300 | 218,300 | + 85,000 |
| | Transfer from OHDACA | | | + 85,000 |
| UNDIST | Fuel Shortfall | | 39,962 | + 39,962 |
| | Total, Operation and Maintenance, Army | 11,700,965 | 11,719,927 | + 18,962 |

OPERATION AND MAINTENANCE, NAVY

| | |
|----------------------------------|------------------|
| 2010 appropriation to date | \$40,190,321,000 |
| 2010 supplemental estimate | 2,428,702,000 |
| House allowance | |
| Committee recommendation | 2,735,194,000 |

The Committee recommends \$2,735,194,000 for Operation and Maintenance, Navy. The recommendation is \$306,492,000 above the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|---|----------------|--------------------------|--|
| 1A1A | Mission And Other Flight Operations | 557,421 | 557,421 | ..... |
| 1A2A | Fleet Air Training | 1,812 | 1,812 | ..... |
| 1B1B | Mission And Other Ship Operations | 488,153 | 488,153 | ..... |

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|--------|---|------------------|--------------------------|--|
| 1B2B | Ship Operations Support & Training | 38 | 38 | ..... |
| 1B4B | Ship Depot Maintenance | 414,936 | 414,936 | ..... |
| 1C1C | Combat Communications | 953 | 8,653 | + 7,700 |
| | VSAT Systems JUON—Transfer from OCOTF | | | + 7,700 |
| 1C3C | Space Systems And Surveillance | 11 | 11 | ..... |
| 1C4C | Warfare Tactics | 764 | 764 | ..... |
| 1C5C | Operational Meteorology And Oceanography | 66 | 66 | ..... |
| 1C6C | Combat Support Forces | 631,916 | 633,116 | + 1,200 |
| | ISR Payload JUON—Transfer from OCOTF | | | + 1,200 |
| 1C7C | Equipment Maintenance | 24 | 24 | ..... |
| 1CCM | Combatant Commanders Direct Mission Support | 52 | 52 | ..... |
| 1D2D | Fleet Ballistic Missile | 2,967 | 2,967 | ..... |
| BSM1 | Sustainment, Restoration And Modernization | 3,107 | 3,107 | ..... |
| BSS1 | Base Operating Support | 118,267 | 118,267 | ..... |
| 2C1H | Expeditionary Health Services Systems | 7 | 7 | ..... |
| 3A1J | Officer Acquisition | 28 | 28 | ..... |
| 3B1K | Specialized Skill Training | 230 | 230 | ..... |
| 3B2K | Flight Training | 90,217 | 90,217 | ..... |
| 3C1L | Recruiting And Advertising | 2,095 | 2,095 | ..... |
| 4A6M | Service-wide Communications | 3 | 3 | ..... |
| 4B1N | Service-wide Transportation | 60 | 60 | ..... |
| 4C1P | Naval Investigative Service | 825 | 825 | ..... |
| 9999 | Classified Programs | 150 | 150 | ..... |
| UNDIST | Haiti Operations | 114,600 | 187,600 | + 73,000 |
| | Transfer from OHDACA | | | + 73,000 |
| UNDIST | Fuel Shortfall | | 152,092 | + 152,092 |
| UNDIST | Emergency Flood Repairs | | 72,500 | + 72,500 |
| | Total, Operation and Maintenance, Navy | 2,428,702 | 2,735,194 | + 306,492 |

OPERATION AND MAINTENANCE, MARINE CORPS

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$8,969,375,000 |
| 2010 supplemental estimate | 1,090,873,000 |
| House allowance | |
| Committee recommendation | 829,326,000 |

The Committee recommends \$829,326,000 for Operation and Maintenance, Marine Corps. The recommendation is \$261,547,000 below the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|--------|---|----------------|--------------------------|--|
| 1A1A | Operational Forces | 785,673 | 606,073 | - 179,600 |
| | Cargo UAS—Funds Requested Ahead of Need | | | - 40,000 |
| | Marine Corps Requested Transfer to Procurement, Marine Corps | | | - 44,000 |
| | Marine Corps Requested Transfer to Military Personnel and Reserve Personnel, Marine Corps | | | - 95,600 |
| 1A2A | Field Logistics | 50,000 | 50,000 | ..... |
| 1A3A | Depot Maintenance | 100,000 | | - 100,000 |
| | Marine Corps Requested Transfer to Procurement, Marine Corps | | | - 100,000 |
| 3B4D | Training Support | 6,500 | 6,500 | ..... |
| 4A3G | Service-wide Transportation | 130,000 | 130,000 | ..... |
| UNDIST | Haiti Operations | 18,700 | 30,700 | + 12,000 |
| | Transfer from OHDACA | | | + 12,000 |
| UNDIST | Fuel Shortfall | | 6,053 | + 6,053 |

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|--|----------------|--------------------------|--|
| | Total, Operation and Maintenance, Marine Corps | 1,090,873 | 829,326 | - 261,547 |

OPERATION AND MAINTENANCE, AIR FORCE

| | |
|----------------------------------|------------------|
| 2010 appropriation to date | \$42,693,435,000 |
| 2010 supplemental estimate | 3,845,047,000 |
| House allowance | |
| Committee recommendation | 3,835,095,000 |

The Committee recommends \$3,835,095,000 for Operation and Maintenance, Air Force. The recommendation is \$9,952,000 below the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|--------|---|----------------|--------------------------|--|
| 011A | Primary Combat Forces | 545,348 | 545,348 | ..... |
| 011C | Combat Enhancement Forces | 628,240 | 628,240 | ..... |
| 011D | Air Operations Training (OJT, Maintain Skills) | 87,800 | 87,800 | ..... |
| 011M | Depot Maintenance | 69,100 | 69,100 | ..... |
| 011R | Facilities Sustainment, Restoration & Modernization | 483,000 | 283,000 | - 200,000 |
| | Contingency Construction Authority Requested— | | | |
| | Transfer to Military Construction, Air Force | | | - 127,500 |
| | Remainder of Contingency Construction Authority Requested | | | - 72,500 |
| 011Z | Base Support | 497,002 | 537,027 | + 40,025 |
| | Transfer Transportation Expenses from SAG 41A | | | + 40,025 |
| 012C | Other Combat Ops Spt Programs | 24,000 | 24,000 | ..... |
| 012F | Tactical Intel And Other Special Activities | 47,300 | | - 47,300 |
| | Classified Adjustment | | | - 47,300 |
| 021A | Airlift Operations | 1,082,543 | 1,082,543 | ..... |
| 021D | Mobilization Preparedness | 86,000 | 86,000 | ..... |
| 021M | Depot Maintenance | 48,100 | 48,100 | ..... |
| 021R | Facilities Sustainment, Restoration & Modernization | 4,000 | 4,000 | ..... |
| 041A | Logistics Operations | 40,025 | | - 40,025 |
| | Transfer Transportation Expenses to SAG 11Z | | | - 40,025 |
| 042G | Other Servicewide Activities | 65,000 | 65,000 | ..... |
| 9999 | Classified Programs | 4,189 | 4,189 | ..... |
| UNDIST | Haiti Operations | 133,400 | 218,400 | + 85,000 |
| | Transfer from OHDACA | | | + 85,000 |
| UNDIST | Fuel Shortfall | | 152,348 | + 152,348 |
| | Total, Operation and Maintenance, Air Force | 3,845,047 | 3,835,095 | - 9,952 |

Contingency Construction Authority.—The Committee is concerned the Air Force Operation and Maintenance budget request includes funding in anticipation of using Contingency Construction Authority [CCA]. Although CCA provides the Secretary of Defense the authority to use funds appropriated for operation and maintenance for military construction projects to meet temporary operational requirements during a time of declared war, national emergency, or contingency, it is not intended to be included in operation and maintenance budget requests. If the requirements for contingency construction are known at the time of the budget request, then they should be included in the Military Construction budget request. If they are not known at that time, then the Department

of Defense should continue the practice of notifying the Committee when projects and their corresponding funding sources are identified. The Committee recommendation includes a reduction to Operation and Maintenance, Air Force for the \$200,000,000 requested for CCA but transfers \$127,500,000 to Military Construction, Air Force to accelerate the construction of specific projects in Afghanistan identified by the Subcommittee on Military Construction and Veterans Affairs and Related Agencies.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

2010 appropriation to date \$35,606,693,000
 2010 supplemental estimate 1,188,421,000
 House allowance
 Committee recommendation 1,236,727,000

The Committee recommends \$1,236,727,000 for Operation and Maintenance, Defense-Wide. The recommendation is \$48,306,000 above the estimate.

[In thousands of dollars]

| Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|---|----------------|--------------------------|--|
| Special Operations Command | 376,903 | 386,350 | + 9,447 |
| Fuel Shortfall | | | + 9,447 |
| Defense Contract Audit Agency | 8,800 | 8,800 | ..... |
| Defense Contract Management Agency | 11,658 | 11,658 | ..... |
| Department of Defense Education Activity | 58,000 | 58,000 | ..... |
| Office of the Secretary of Defense | 91,550 | 87,550 | - 4,000 |
| Civilian Expedition Workforce Pricing | | | - 4,000 |
| Classified Programs | 641,510 | 634,369 | - 7,141 |
| Request for Transfer to the Department of Transportation's Port of Guam Improvement Enterprise Fund | | 50,000 | + 50,000 |
| Total, Operation and Maintenance, Defense-Wide | 1,188,421 | 1,236,727 | + 48,306 |

OPERATION AND MAINTENANCE, ARMY RESERVE

2010 appropriation to date \$2,821,822,000
 2010 supplemental estimate 67,399,000
 House allowance
 Committee recommendation 41,006,000

The Committee recommends \$41,006,000 for Operation and Maintenance, Army Reserve. The recommendation is \$26,393,000 below the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|--------|--|----------------|--------------------------|--|
| 113 | Echelons Above Brigade | 5,032 | 5,032 | ..... |
| 115 | Land Forces Operations Support | 3,357 | 3,357 | ..... |
| 135 | Additional Activities | 59,010 | 30,010 | - 29,000 |
| | Army Reserve—Identified Excess to Requirement | | | - 29,000 |
| UNDIST | Fuel Shortfall | | 2,607 | + 2,607 |
| | Total, Operation and Maintenance, Army Reserve | 67,399 | 41,006 | - 26,393 |

OPERATION AND MAINTENANCE, NAVY RESERVE

2010 appropriation to date \$1,341,760,000
 2010 supplemental estimate 61,842,000
 House allowance
 Committee recommendation 75,878,000

The Committee recommends \$75,878,000 for Operation and Maintenance, Navy Reserve. The recommendation is \$14,036,000 above the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|--------|--|----------------|--------------------------|--|
| 1A1A | Mission and Other Flight Operations | 40,251 | 40,251 | ..... |
| 1B1B | Mission and Other Ship Operations | 14,231 | 14,231 | ..... |
| 1B4B | Ship Depot Maintenance | 1,900 | 1,900 | ..... |
| 1C6C | Combat Support Forces | 5,344 | 5,344 | ..... |
| BSSR | Base Operating Support | 116 | 116 | ..... |
| UNDIST | Fuel Shortfall ..... | ..... | 14,036 | + 14,036 |
| | Total, Operation and Maintenance, Navy Reserve | 61,842 | 75,878 | + 14,036 |

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

2010 appropriation to date \$309,842,000
 2010 supplemental estimate 674,000
 House allowance
 Committee recommendation 857,000

The Committee recommends \$857,000 for Operation and Maintenance, Marine Corps Reserve. The recommendation is \$183,000 above the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|--------|--|----------------|--------------------------|--|
| 1A1A | Operating Forces | 674 | 674 | ..... |
| UNDIST | Fuel Shortfall ..... | ..... | 183 | + 183 |
| | Total, Operation and Maintenance, Marine Corps Reserve | 674 | 857 | + 183 |

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

2010 appropriation to date \$3,257,125,000
 2010 supplemental estimate 95,819,000
 House allowance
 Committee recommendation 124,039,000

The Committee recommends \$124,039,000 for Operation and Maintenance, Air Force Reserve. The recommendation is \$28,220,000 above the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|-----------------------------|----------------|--------------------------|--|
| 011A | Primary Combat Forces | 90,819 | 90,819 | ..... |
| 011Z | Base Support | 5,000 | 5,000 | ..... |

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|--------|---|----------------|--------------------------|--|
| UNDIST | Fuel Shortfall ..... | ..... | 28,220 | + 28,220 |
| | Total, Operation and Maintenance, Air Force Reserve | 95,819 | 124,039 | + 28,220 |

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$6,511,359,000 |
| 2010 supplemental estimate | 171,834,000 |
| House allowance ..... | ..... |
| Committee recommendation | 180,960,000 |

The Committee recommends \$180,960,000 for Operation and Maintenance, Army National Guard. The recommendation is \$9,126,000 above the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|--------|---|----------------|--------------------------|--|
| 111 | Maneuver Units | 14,496 | 14,496 | ..... |
| 116 | Aviation Assets | 14,874 | 14,874 | ..... |
| 135 | Additional Activities | 142,464 | 142,464 | ..... |
| UNDIST | Fuel Shortfall ..... | ..... | 9,126 | + 9,126 |
| | Total, Operation and Maintenance, Army National Guard | 171,834 | 180,960 | + 9,126 |

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$6,172,113,000 |
| 2010 supplemental estimate | 161,281,000 |
| House allowance ..... | ..... |
| Committee recommendation | 203,287,000 |

The Committee recommends \$203,287,000 for Operation and Maintenance, Air National Guard. The recommendation is \$42,006,000 above the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|--------|--|----------------|--------------------------|--|
| 011F | Aircraft Operations | 157,581 | 157,581 | ..... |
| 011M | Depot Maintenance | 3,700 | 3,700 | ..... |
| UNDIST | Fuel Shortfall ..... | ..... | 42,006 | + 42,006 |
| | Total, Operation and Maintenance, Air National Guard | 161,281 | 203,287 | + 42,006 |

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

| | |
|----------------------------------|---------------|
| 2010 appropriation to date | \$109,869,000 |
| 2010 supplemental estimate | 255,000,000 |
| House allowance ..... | ..... |
| Committee recommendation ..... | ..... |

The funding requested for the Department of Defense's Haiti disaster relief efforts in the Overseas Humanitarian, Disaster, and Civic Aid account has been realigned into the Services' operation and maintenance accounts.

AFGHANISTAN SECURITY FORCES FUND

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$6,562,769,000 |
| 2010 supplemental estimate | 2,604,000,000 |
| House allowance ..... | ..... |
| Committee recommendation | 2,604,000,000 |

The Committee recommends \$2,604,000,000 for the Afghanistan Security Forces Fund. The recommendation is equal to the estimate.

[In thousands of dollars]

| Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|---|----------------|--------------------------|--|
| Infrastructure | 559,000 | 559,000 | ..... |
| Equipment and Transportation | 577,300 | 577,300 | ..... |
| Training and Operations | 7,300 | 7,300 | ..... |
| Sustainment | 363,900 | 363,900 | ..... |
| Subtotal, Ministry of Defense | 1,507,500 | 1,507,500 | ..... |
| Infrastructure | 412,000 | 412,000 | ..... |
| Equipment and Transportation | 158,500 | 158,500 | ..... |
| Training and Operations | 118,900 | 118,900 | ..... |
| Sustainment | 367,000 | 367,000 | ..... |
| Subtotal, Ministry of Interior | 1,056,400 | 1,056,400 | ..... |
| Detainee Operations—Infrastructure | 40,100 | 40,100 | ..... |
| Subtotal, Related Activities | 40,100 | 40,100 | ..... |
| Total, Afghanistan Security Forces Fund | 2,604,000 | 2,604,000 | ..... |

The Department of Defense is directed to submit monthly commitment, obligation, and expenditure data by subactivity group for the Afghanistan Security Forces Fund to the congressional defense committees no later than 30 days after each month.

Contract Oversight and Management.—The Committee is recommending \$2,604,000,000 for the Afghanistan Security Forces Fund [ASFF] in this act, which is in addition to the \$6,600,000,000 previously enacted in fiscal year 2010. While the Committee fully recognizes the critical importance of these funds to achieve U.S. objectives in Afghanistan, it is also imperative that they be closely monitored and executed to achieve the greatest value without waste.

The Committee remains concerned that audit findings and recommendations regarding contract oversight and management of the ASFF have not been sufficiently addressed by the Department of Defense and Department of State. The Department of State contract to train Afghan National Police is of particular concern.

To address some of the contract oversight shortcomings, Combined Security Transition Command—Afghanistan [CSTC-A] planned to take control of the training contract and create one that would meet the mission requirements and would have the necessary personnel in theater to properly oversee the contract and

contractors. However, the Government Accountability Office recently upheld a protest of the Department of Defense’s contract strategy. As a result, the Department of Defense will need to rebid the contract resulting in a significant delay in executing a new contract.

The Committee understands the Department of Defense is working with the Department of State to modify the existing contract in order to meet the training needs of the Afghan National Police and to improve contract management and oversight. The Committee notes that the following areas need to be addressed in both the extension of the existing contract and any future contract: adequately define contract requirements; change requirements to include out of scope work; improve contract pricing and include measurable metrics for fees and payments; improve contract documentation, property accountability, and oversight and surveillance. In order to accomplish this, both Departments need to increase the number of properly trained contracting officer representatives and approve a sufficient quality assurance plan that has the resources attached to it. Therefore, the Committee directs the Department of Defense to report to the congressional defense committees no later than June 23, 2010 on the improvements and changes made to the existing police training contract to address requirements developed by CSTC–A. The report shall also detail the path forward for the new contract under the Department of Defense, as well as how and when the Department of Defense and Department of State have responded to the various contracting oversight and management issues raised by several audits and congressional hearings as it relates to funds executed from the Afghanistan Security Forces Fund.

IRAQ SECURITY FORCES FUND

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | |
| 2010 supplemental estimate | \$1,000,000,000 |
| House allowance | |
| Committee recommendation | 1,000,000,000 |

The Committee recommends \$1,000,000,000 for the Iraq Security Forces Fund. The recommendation is equal to the estimate.

[In thousands of dollars]

| Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|--|----------------|--------------------------|--|
| Equipment and Transportation | 158,425 | 158,425 | ..... |
| Sustainment | 550,000 | 550,000 | ..... |
| Subtotal, Ministry of Defense | 708,425 | 708,425 | ..... |
| Training | 291,575 | 291,575 | ..... |
| Subtotal, Ministry of Interior | 291,575 | 291,575 | ..... |
| Total, Iraq Security Forces Fund | 1,000,000 | 1,000,000 | ..... |

The Department of Defense is directed to submit monthly commitment, obligation, and expenditure data by subactivity group for the Iraq Security Forces Fund to the congressional defense committees no later than 30 days after each month.

OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$5,000,000,000 |
| 2010 supplemental estimate | 350,000,000 |
| House allowance | |
| Committee recommendation | |

The Committee recommends no appropriation for the Overseas Contingency Operations Transfer Fund [OCOTF]. The recommendation is \$350,000,000 below the request. The request included \$200,000,000 to respond to Joint Urgent Operational Needs [JUONS] under the direction of the Joint Rapid Acquisition Cell [JRAC]. Since the submission of the supplemental request, the Committee has been made aware of specific JUONS and other high-priority items by the Department of Defense and has recommended funds under the appropriate accounts for those purposes rather than providing them under the JRAC. The request also included \$150,000,000 to provide flexibility to transfer funds to appropriations incurring unexpected, unplanned costs during the year of execution. However, the Committee continues to believe that supplemental funding provides sufficient flexibility to meet contingency requirements.

PROCUREMENT

The Committee recommends \$4,954,817,000 for procurement. The procurement items funded in this act are intended for immediate or near-term fielding to support the deployed forces in theater and those units training for deployment. Once again, the Committee has strongly supported additional equipment for a more robust intelligence, surveillance and reconnaissance posture including additional unmanned aerial vehicles, manned aircraft, sensors and information processing systems. Networks and information systems to enhance communications and situational awareness are funded. The act also provides the basic equipment that is essential to forces in combat: vehicles, weapons, ammunition, and force protection systems. The Committee has also funded the replacement of equipment and aircraft lost in combat. Funds were not provided for proposed purchases where the equipment would not be fielded in time to support the surge.

The following table provides details of the recommendation for the procurement accounts:

[In thousands of dollars]

| Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|--|----------------|--------------------------|--|
| Procurement: | | | |
| Aircraft Procurement, Army | 182,170 | 219,470 | + 37,300 |
| Procurement of WTCV, Army | 3,000 | 3,000 | ..... |
| Procurement of Ammunition, Army | 17,055 | 17,055 | ..... |
| Other Procurement, Army | 1,997,918 | 2,065,006 | + 67,088 |
| Aircraft Procurement, Navy | 104,693 | 296,000 | + 191,307 |
| Other Procurement, Navy | 15,000 | 31,576 | + 16,576 |
| Procurement, Marine Corps | 18,927 | 162,927 | + 144,000 |
| Aircraft Procurement, Air Force | 209,766 | 174,766 | - 35,000 |
| Procurement of Ammunition, Air Force | 5,000 | ..... | - 5,000 |
| Other Procurement, Air Force | 576,895 | 672,741 | + 95,846 |
| Procurement, Defense-Wide | 189,276 | 189,276 | ..... |

[In thousands of dollars]

| Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|--|----------------|--------------------------|--|
| Mine Resistant Ambush Protected Vehicle Fund | 1,123,000 | 1,123,000 | ..... |
| Total, Procurement | 4,442,700 | 4,954,817 | + 512,117 |

AIRCRAFT PROCUREMENT, ARMY

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$6,332,041,000 |
| 2010 supplemental estimate | 182,170,000 |
| House allowance ..... | ..... |
| Committee recommendation | 219,470,000 |

The Committee recommends \$219,470,000 for Aircraft Procurement, Army. The recommendation is \$37,300,000 above the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|---|----------------|--------------------------|--|
| 2 | C-12 Aircraft ..... | ..... | 45,000 | + 45,000 |
| | Transfer from line 4 due to budgeting error ..... | ..... | ..... | + 45,000 |
| 4 | MQ-1 UAV | 45,000 | ..... | - 45,000 |
| | Transfer to line 2 due to budgeting error ..... | ..... | ..... | - 45,000 |
| 5 | RQ-11 (Raven) ..... | ..... | 4,800 | + 4,800 |
| | Puma UAV—transfer from OPA, line 186 ..... | ..... | ..... | + 4,800 |
| 9 | AH-64 Apache Block III ..... | ..... | 34,600 | + 34,600 |
| | Battle loss AH-64 ..... | ..... | ..... | + 34,600 |
| 11 | UH-60 Blackhawk [MYP] | 42,170 | 58,270 | + 16,100 |
| | Battle loss UH-60 ..... | ..... | ..... | + 16,100 |
| 13 | CH-47 Helicopter | 55,000 | 36,800 | - 18,200 |
| | Stroking seats ahead of need ..... | ..... | ..... | - 35,000 |
| | Ballistic protection systems ..... | ..... | ..... | + 16,800 |
| 16 | C-12 Aircraft Mods | 40,000 | 40,000 | ..... |
| | Total, Aircraft Procurement, Army | 182,170 | 219,470 | + 37,300 |

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$3,505,273,000 |
| 2010 supplemental estimate | 3,000,000 |
| House allowance ..... | ..... |
| Committee recommendation | 3,000,000 |

The Committee recommends \$3,000,000 for Procurement of Weapons and Tracked Combat Vehicles, Army. The recommendation is equal to the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|--|----------------|--------------------------|--|
| 42 | M14 7.62 | 3,000 | 3,000 | ..... |
| | Total, Weapons and Tracked Combat Vehicles, Army | 3,000 | 3,000 | ..... |

PROCUREMENT OF AMMUNITION, ARMY

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$2,421,750,000 |
| 2010 supplemental estimate | 17,055,000 |
| House allowance | |
| Committee recommendation | 17,055,000 |

The Committee recommends \$17,055,000 for Procurement of Ammunition, Army. The recommendation is equal to the estimate.

(In thousands of dollars)

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|--|----------------|--------------------------|--|
| 1 | CTG, 5.56MM, All Types | 2,000 | 2,000 | ..... |
| 2 | CTG, 7.62MM, All Types | 2,000 | 2,000 | ..... |
| 14 | CTG, ARTY, 105MM: All Types | 2,000 | 2,000 | ..... |
| 16 | PROJ 155MM EXTENDED RANGE XM982 | 2,055 | 2,055 | ..... |
| 18 | Artillery Fuzes, All Types | 2,000 | 2,000 | ..... |
| 19 | Mines, All Types | 2,000 | 2,000 | ..... |
| 24 | Rocket, HYDRA 70, All Types | 5,000 | 5,000 | ..... |
| | Total, Procurement of Ammunition, Army | 17,055 | 17,055 | ..... |

OTHER PROCUREMENT, ARMY

| | |
|----------------------------------|------------------|
| 2010 appropriation to date | \$14,383,176,000 |
| 2010 supplemental estimate | 1,997,918,000 |
| House allowance | |
| Committee recommendation | 2,065,006,000 |

The Committee recommends \$2,065,006,000 for Other Procurement, Army. The recommendation is \$67,088,000 above the estimate.

(In thousands of dollars)

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|---|----------------|--------------------------|--|
| 7 | Family of Heavy Tactical Vehicles [FHTV] | 53,440 | 53,440 | ..... |
| 9 | Armored Security Vehicles | 12,000 | 12,000 | ..... |
| 10 | Mine Protection Vehicle Family | 262,847 | 131,447 | - 131,400 |
| | Army identified as excess to need | | | - 131,400 |
| 29 | Navstar Global Positioning System (Space) | 20,000 | 20,000 | ..... |
| 47 | Radio, Improved High Frequency Family | 5,794 | 5,794 | ..... |
| 51 | Information System Security Program—ISSP | 48,500 | 69,233 | + 20,733 |
| | Army identified requirement, ISAF Automated Biometric Identification System | | | + 20,733 |
| 55 | Information Systems | 296,000 | 251,300 | - 44,700 |
| | Army identified as excess to need | | | - 44,700 |
| 57 | Installation Info Installation Infrastructure Mod Program | 83,000 | 83,000 | ..... |
| 70 | DCGS-A [MIP] | 45,103 | 45,103 | ..... |
| 76 | Lightweight Counter Mortar Radar | 1,150 | 1,150 | ..... |
| 77 | Warlock | 36,697 | 36,697 | ..... |
| 79 | Counterintelligence/Security Countermeasures | 92,100 | 82,100 | - 10,000 |
| | M-ATVs funded in separate appropriation | | | - 10,000 |
| 89 | Counter Rocket, Artillery and Mortar [C-RAM] | 126,000 | 126,000 | ..... |
| 90 | Base Expeditionary Targeting and Surveillance Systems .. | 203,003 | 162,003 | - 41,000 |
| | Reduction to transportation funding | | | - 41,000 |
| 122 | CSS Communications | 15,000 | 15,000 | ..... |
| 137 | Ground Standoff Mine Detection System | 173,000 | 173,000 | ..... |
| 149 | Force Provider | 171,349 | 171,349 | ..... |
| 151 | Quality Surveillance Equipment | 4,103 | 4,103 | ..... |
| 159 | Grader, Road MTZD, Heavy, 6x4 [CCE] | 3,390 | 3,390 | ..... |

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|---|----------------|--------------------------|--|
| 161 | Scrapers, Earthmoving | 3,195 | 1,495 | -1,700 |
| | Army identified pricing correction | | | -1,700 |
| 164 | Loaders | 1,157 | 1,157 | |
| 165 | Hydraulic Excavator | 2,832 | 2,832 | |
| 168 | High Mobility Engineer Excavator (HMEE) | 11,765 | 11,765 | |
| 170 | Items less than \$5.0 Million (Const. Equipment) | 4,140 | 4,140 | |
| 186 | Rapid Equipping Soldier Support Equipment | 124,845 | 400,000 | +275,155 |
| | Transfer of funds from JIEDDO | | | +400,000 |
| | Funding requirement met with available prior year funds | | | -120,045 |
| | Transfer funds for PUMA to Aircraft Procurement, Army, line 5 | | | -4,800 |
| 187 | Physical Security Systems | 197,508 | 197,508 | |
| | Total, Other Procurement Army | 1,997,918 | 2,065,006 | +67,088 |

Ground Standoff Mine Detection Systems [GSTAMIDS].—The Army requested \$173,000,000 to procure 27 route clearance packages for convoy protection and road clearing in Afghanistan. The equipment needed for safe route clearance includes self protection roller kits, ground penetrating radar, vehicle mounted optical sensor systems and robotic interrogation arms. The Committee recognizes the importance of this effort for forces in Afghanistan and fully supports the budget request. However, the Committee is concerned that the proposed acquisition timeline shows contract awards in fiscal year 2011 and equipment deliveries starting a year later. The Committee urges the Army to look for ways to field this critical equipment more rapidly.

AIRCRAFT PROCUREMENT, NAVY

| | |
|----------------------------------|------------------|
| 2010 appropriation to date | \$19,496,518,000 |
| 2010 supplemental estimate | 104,693,000 |
| House allowance | |
| Committee recommendation | 296,000,000 |

The Committee recommends \$296,000,000 for Aircraft Procurement, Navy. The recommendation is \$191,307,000 above the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|---|----------------|--------------------------|--|
| 11 | UH-1Y/AH-1Z | 59,000 | 57,600 | -1,400 |
| | Pricing adjustment | | | -1,400 |
| 26 | MQ-8 UAV | 13,400 | 64,400 | +51,000 |
| | Ground stations and outfitting for UAVs transferred from Army | | | +51,000 |
| XX | C-130J | | 174,000 | +174,000 |
| | C-130J (Coast Guard replacement) | | | +174,000 |
| 32 | F-18 Series | 32,293 | | -32,293 |
| | Navy identified as excess to need | | | -32,293 |
| | Total, Aircraft Procurement, Navy | 104,693 | 296,000 | +191,307 |

Expeditionary Vertical Take-off Unmanned Aerial Vehicle [VTUAV].—The MQ-8 Fire Scout is a vertical take-off unmanned

aircraft system capable of providing full motion video, laser designation, and communications relay for deployed U.S. Forces. The fiscal year 2010 Overseas Contingency Operations supplemental budget requested \$13,400,000 in the “Aircraft Procurement, Navy” appropriation to support a land-based deployment of MQ-8 Fire Scouts as part of a Quick Reaction Capability initiative. This initiative will help satisfy the large demands for persistent Intelligence, Surveillance and Reconnaissance [ISR] and shortfalls in full motion video capabilities in Afghanistan. The Committee is also aware that maritime ISR is a significant capability gap of U.S. Naval Forces Central Command.

The Army bought eight Fire Scout vehicles as part of the now-terminated Future Combat System; these assets are currently in storage. The Committee directs the Department to expeditiously transfer these vehicles from the Army to the Navy so that they can be used to address the ISR shortfalls in the Central Command area of responsibility. The Committee provides additional funding to properly outfit the vehicles with mission equipment and acquire the necessary ground stations. The Committee recommendation provides \$64,400,000 for the Navy MQ-8 Fire Scout program.

C-130J.—The Committee recommends an additional \$174,000,000 for the acquisition, missionization and sparing of two C-130J aircraft for the Coast Guard. These aircraft are necessary to replace two maritime patrol aircraft lost in accidents in 2009 and 2006. Replacing these assets is vital for the Coast Guard to maintain long-range surveillance and search and rescue capacity and will enhance the Coast Guard’s ability to provide logistics support for overseas contingency operations.

OTHER PROCUREMENT, NAVY

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$5,682,252,000 |
| 2010 supplemental estimate | 15,000,000 |
| House allowance | |
| Committee recommendation | 31,576,000 |

The Committee recommends \$31,576,000 for Other Procurement, Navy. The recommendation is \$16,576,000 above the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|--|----------------|--------------------------|--|
| 144 | C4ISR EQUIPMENT | 15,000 | 28,168 | + 13,168 |
| | MESF System Upgrades | | | − 4,900 |
| | VSAT System JUON—Transfer from OCOTF | | | + 18,068 |
| 146 | PHYSICAL SECURITY EQUIPMENT | | 3,408 | + 3,408 |
| | ISR Payload JUON—Transfer from OCOTF | | | + 3,408 |
| | Total, Other Procurement, Navy | 15,000 | 31,576 | + 16,576 |

PROCUREMENT, MARINE CORPS

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$2,414,702,000 |
| 2010 supplemental estimate | 18,927,000 |
| House allowance | |
| Committee recommendation | 162,927,000 |

The Committee recommends \$162,927,000 for Procurement, Marine Corps. The recommendation is \$144,000,000 above the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|---|----------------|--------------------------|--|
| 9 | Modification Kits | | 55,000 | + 55,000 |
| | Improved Recovery Vehicle—Marine Corps requested transfer from OMMC | | | + 55,000 |
| 24 | Intelligence Support Equipment | 14,300 | 14,300 | |
| 47 | EOD Systems | | 71,000 | + 71,000 |
| | Mine Roller System—Marine Corps requested transfer from OMMC | | | + 38,000 |
| | Assault Breacher Vehicle—Marine Corps requested transfer from OMMC | | | + 33,000 |
| 52 | Field Medical Equipment | | 18,000 | + 18,000 |
| | Family of Field Medical Equipment—Marine Corps requested transfer from OMMC | | | + 18,000 |
| 53 | Training Devices | 4,627 | 4,627 | |
| | Total, Procurement, Marine Corps | 18,927 | 162,927 | + 144,000 |

AIRCRAFT PROCUREMENT, AIR FORCE

2010 appropriation to date \$14,031,975,000
 2010 supplemental estimate 209,766,000
 House allowance
 Committee recommendation 174,766,000

The Committee recommends \$174,766,000 for Aircraft Procurement, Air Force. The recommendation is \$35,000,000 below the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|--|----------------|--------------------------|--|
| 22 | C-12A | 40,000 | 40,000 | |
| 40 | F-15 | 40,166 | 40,166 | |
| 58 | MC-12W | 85,000 | 85,000 | |
| 77 | MQ-9 Reaper Mods | 9,600 | 9,600 | |
| 78 | MQ-9 Payload—UAS | 23,000 | | – 23,000 |
| | Transfer to OPAF, line 63 | | | – 23,000 |
| 98 | Other Production Charges | 12,000 | | – 12,000 |
| | Program adjustment | | | – 12,000 |
| | Total, Aircraft Procurement, Air Force | 209,766 | 174,766 | – 35,000 |

PROCUREMENT OF AMMUNITION, AIR FORCE

2010 appropriation to date \$1,058,369,000
 2010 supplemental estimate 5,000,000
 House allowance
 Committee recommendation

The Committee recommends no appropriation for Procurement of Ammunition, Air Force. The recommendation is \$5,000,000 below the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|---|----------------|--------------------------|--|
| 1 | Rockets | 5,000 | ..... | - 5,000 |
| | Requirement met with previous funding ..... | ..... | ..... | - 5,000 |
| | Total, Procurement of Ammunition, Air Force | 5,000 | ..... | - 5,000 |

OTHER PROCUREMENT, AIR FORCE

| | |
|----------------------------------|------------------|
| 2010 appropriation to date | \$19,721,660,000 |
| 2010 supplemental estimate | 576,895,000 |
| House allowance ..... | ..... |
| Committee recommendation | 672,741,000 |

The Committee recommends \$672,741,000 for Other Procurement, Air Force. The recommendation is \$95,846,000 above the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|---|----------------|--------------------------|--|
| 2 | MEDIUM TACTICAL VEHICLE | 6,000 | 6,000 | ..... |
| 5 | SECURITY AND TACTICAL VEHICLES | 7,184 | 6,184 | - 1,000 |
| | Uparmored HMMWV—Unjustified Cost Growth ..... | ..... | ..... | - 1,000 |
| 11 | ITEMS LESS THAN \$5,000,000 (VEHICLES) | 750 | 750 | ..... |
| 16 | INTELLIGENCE COMM EQUIPMENT | 34,400 | 18,400 | - 16,000 |
| | Blue Devil—Transfer to RDAF, Line 20 ..... | ..... | ..... | - 16,000 |
| 19 | THEATER AIR CONTROL SYS IMPROVEMENT | 5,000 | 5,000 | ..... |
| 44 | MILSATCOM SPACE | 32,200 | 32,200 | ..... |
| 56 | BASE PROCURED EQUIPMENT | 7,200 | 7,200 | ..... |
| 59 | MOBILITY EQUIPMENT | 31,600 | 23,929 | - 7,671 |
| | Refrigeration Units—Unjustified Contingency Request ..... | ..... | ..... | - 7,671 |
| 60 | ITEMS LESS THAN \$5,000,000 [BASE S] | 15,100 | 15,100 | ..... |
| 63 | DCGS—AF ..... | ..... | 23,000 | + 23,000 |
| | DCGS Modifications—Transferred from APAF, Line 78 ..... | ..... | ..... | + 23,000 |
| | Classified Programs | 437,461 | 534,978 | + 97,517 |
| | Total, Other Procurement, Air Force | 576,895 | 672,741 | + 95,846 |

PROCUREMENT, DEFENSE-WIDE

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$4,531,317,000 |
| 2010 supplemental estimate | 189,276,000 |
| House allowance ..... | ..... |
| Committee recommendation | 189,276,000 |

The Committee recommends \$189,276,000 for Procurement, Defense-Wide. The recommendation is equal to the estimate.

[In thousands of dollars]

| Line | Account | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|---|----------------|--------------------------|--|
| 5 | DIA Support to CENTCOM Intelligence Act | 19,000 | 19,000 | ..... |
| 50 | Major Equipment, OSD | 6,000 | 6,000 | ..... |
| 52 | Major Equipment, Intelligence | 16,000 | 16,000 | ..... |
| | Classified Programs | 86,029 | 86,029 | ..... |
| 56 | MH-47 Service Life Extension Program | 28,500 | 28,500 | ..... |
| 57 | MH-60 SOF Modernization Program | 4,600 | 4,600 | ..... |

[In thousands of dollars]

| Line | Account | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|--|----------------|--------------------------|--|
| 74 | SOF Intelligence Systems | 3,647 | 3,647 | ..... |
| 75 | Small Arms and Weapons | 234 | 234 | ..... |
| 81 | Tactical Vehicles | 24,853 | 24,853 | ..... |
| 96 | Miscellaneous Equipment | 153 | 153 | ..... |
| 97 | SOF Operational Enhancements | 260 | 260 | ..... |
| 50 | Total, Procurement, Defense-Wide | 189,276 | 189,276 | ..... |

MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$6,281,000,000 |
| 2010 supplemental estimate | 1,123,000,000 |
| House allowance ..... | ..... |
| Committee recommendation | 1,123,000,000 |

The Committee recommends \$1,123,000,000 for the Mine Resistant Ambush Protected Vehicle Fund. The recommendation is equal to the estimate.

Reporting Requirements.—The Department is directed to continue to provide monthly MRAP program updates, to include program requirements and status, execution of funds, and the contracting and sustainment strategy.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The Committee recommends \$273,748,000 for research, development, test and evaluation.

The Committee recommendation provides funds to support force protection, improvements and enhancements for equipment being used in support of overseas contingency operations in Iraq and Afghanistan, and classified activities. The Committee recommends funding for initiatives that will yield near-term benefits to the warfighter and result in the rapid fielding of technologies into theater.

The following table provides details of the recommendation for the research, development, test and evaluation accounts:

[In thousands of dollars]

| Account | Budget request | Committee recommendation | Committee recommendation v. budget request |
|--|----------------|--------------------------|--|
| Research, Development, Test and Evaluation: | | | |
| Research, Development, Test and Evaluation, Army | 61,962 | ..... | – 61,962 |
| Research, Development, Test and Evaluation, Navy | 5,360 | 44,835 | + 39,475 |
| Research, Development, Test and Evaluation, Air Force | 187,651 | 163,775 | – 23,876 |
| Research, Development, Test and Evaluation, Defense-Wide | 22,138 | 65,138 | + 43,000 |
| Total, Research, Development, Test and Evaluation | 277,111 | 273,748 | – 3,363 |

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

| | |
|----------------------------------|------------------|
| 2010 appropriation to date | \$11,532,142,000 |
| 2010 supplemental estimate | 61,962,000 |
| House allowance ..... | ..... |
| Committee recommendation ..... | ..... |

The Committee recommends no appropriation. The recommendation is \$61,962,000 below the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|---|----------------|--------------------------|--|
| 75 | Electronic Warfare Development | 61,962 | ..... | - 61,962 |
| | Program adjustment ..... | ..... | ..... | - 61,962 |
| | Total, Research, Development, Test and Evaluation, Army | 61,962 | ..... | - 61,962 |

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

2010 appropriation to date \$20,062,123,000
 2010 supplemental estimate 5,360,000
 House allowance
 Committee recommendation 44,835,000

The Committee recommends \$44,835,000 for Research, Development, Test and Evaluation, Navy. The recommendation is \$39,475,000 above the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|--|----------------|--------------------------|--|
| 92 | V-22A | 1,645 | 1,645 | ..... |
| 94 | EA-18 | 269 | 269 | ..... |
| 102 | Small Diameter Bomb ..... | ..... | 6,000 | + 6,000 |
| | Very Low Collateral Damage Precision Air Drop Weapon [VLCDW]—transfer from OCOTF ..... | ..... | ..... | + 6,000 |
| 127 | Joint Strike Fighter | 1,985 | ..... | - 1,985 |
| | Program delays ..... | ..... | ..... | - 1,985 |
| 150 | RDT&E Ship and Aircraft Support | 1,461 | 1,461 | ..... |
| 166 | Rapid Technology Transition ..... | ..... | 8,960 | + 8,960 |
| | ISR Payloads JUON—transfer from OCOTF ..... | ..... | ..... | + 8,960 |
| 204 | Tactical Unmanned Aerial Vehicles ..... | ..... | 26,500 | + 26,500 |
| | Cargo UAS JUON—transfer from OCOTF ..... | ..... | ..... | + 26,500 |
| | Total, Research, Development, Test and Evaluation, Navy | 5,360 | 44,835 | + 39,475 |

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

2010 appropriation to date \$28,161,271,000
 2010 supplemental estimate 187,651,000
 House allowance
 Committee recommendation 163,775,000

The Committee recommends \$163,775,000 for Research, Development, Test and Evaluation, Air Force. The recommendation is \$23,876,000 below the estimate.

[In thousands of dollars]

| Line | Account | 2010 supplemental request | Committee recommendation | Committee recommendation v. budget request |
|------|--|---------------------------|--------------------------|--|
| 20 | Advanced Aerospace Sensors ..... | ..... | 16,000 | + 16,000 |
| | Blue Devil—Block 2 (Air Force requested transfer from OPAF, line 16) ..... | ..... | ..... | + 16,000 |
| 76A | Joint Direct Attack Munition ..... | ..... | 29,500 | + 29,500 |

[In thousands of dollars]

| Line | Account | 2010 supplemental request | Committee recommendation | Committee recommendation v. budget request |
|------|--|---------------------------|--------------------------|--|
| | Very Low Collateral Damage Precision Air Drop Weapon [VLCDW]—Transfer from OCOTF | | | + 29,500 |
| 102 | Test and Evaluation Support | 3,291 | 3,291 | |
| 999 | Classified Programs | 184,360 | 114,984 | − 69,376 |
| | Total, Research, Development, Test and Evaluation, Air Force | 187,651 | 163,775 | − 23,876 |

Very Low Collateral Damage Precision Air Drop Weapon.—The Committee recommends \$29,500,000 to the Air Force and \$6,000,000 to the Navy for the Very Low Collateral Damage Precision Air Drop Weapon [VLCDW]. This funding is in response to a Joint Urgent Operational Needs Statement [JUONS] from U.S. Central Command for rapid acquisition of a low-collateral damage weapon that can be integrated on multiple platforms for Combat Air Support missions in Afghanistan. The Committee understands that this amount of funding will provide for 5 months of development and testing of the VLCDW. If the program is able to meet its schedule and test objectives during those 5 months, the Committee encourages the services to continue the development and fielding of the weapon in fiscal year 2011.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

| | |
|----------------------------------|------------------|
| 2010 appropriation to date | \$20,859,277,000 |
| 2010 supplemental estimate | 22,138,000 |
| House allowance | |
| Committee recommendation | 65,138,000 |

The Committee recommends \$65,138,000 for Research, Development, Test and Evaluation, Defense-Wide. The recommendation is \$43,000,000 above the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|--|----------------|--------------------------|--|
| 108 | Defense Acquisition Challenge Program [DACP] | | 6,438 | + 6,438 |
| | Transfer from RDDW, line 160, for execution, at request of the Department of Defense | | | + 6,438 |
| 160 | Development Test and Evaluation | 6,438 | | − 6,438 |
| | Transfer to RDDW, line 108, for execution, at request of the Department of Defense | | | − 6,438 |
| 188 | Defense Info Infrastructure Engineering and Integration .. | | 10,000 | + 10,000 |
| | Cybersecurity Pilot Programs | | | + 10,000 |
| 262 | SOF Rotary Wing Aviation | | 25,000 | + 25,000 |
| | Cargo UAS JUON—Transfer from OCOTF | | | + 25,000 |
| xxx | Classified Programs | 15,700 | 23,700 | + 8,000 |
| | Total, Research, Development, Test and Evaluation, Defense-Wide | 22,138 | 65,138 | + 43,000 |

Cybersecurity Pilot Programs.—The information networks of the Department of Defense and its industrial base partners are under unrelenting attack in what has been characterized as cyber war. As a Nation and a military that depends upon the flow of secure information across multiple networks, strengthening our network de-

fenses is a fundamental requirement. The Committee believes that the Department must take better advantage of industry’s ability to quickly incorporate new technologies. With that objective, the Assistant Secretary of Defense for Networks and Information Integration is directed to work with the Defense Information Systems Agency to research and conduct demonstration projects where innovative and high-pay off commercial technologies, such as security services, are identified, quickly developed and effectively applied to national cybersecurity requirements. The Department is expected to use the streamlined acquisition authorities developed under section 804 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111–84. This effort should not conflict with, but contribute to, the larger Comprehensive National Cybersecurity Initiative [CNCI]. The Assistant Secretary of Defense for Networks and Information Integration is directed to provide a report, accompanying the fiscal year 2012 budget request, to the congressional defense committees describing the processes developed to work with industry and its evaluations of the benefits or shortcomings of the pilot programs. The Committee provides \$10,000,000 to the Defense Information Systems Agency for this effort in fiscal year 2010.

Furthermore, the Committee understands that the Department of Defense and the Department of Homeland Security are collaborating on a plan for future joint pilot programs. The Assistant Secretary of Defense for Networks and Information Integration and the Under Secretary for the Department of Homeland Security for National Protection and Programs Directorate are directed to submit this plan to the Committees on Appropriations within 90 days of enactment. The Committee encourages the Departments to explore how future pilot projects can support the deployment of innovative commercial technologies across government agencies and key elements of the private sector. The Committee expects that any joint pilot programs will be conducted in accordance with the plan and single Department pilots should be coordinated with other Federal agencies who have shared jurisdiction.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$1,867,219,000 |
| 2010 supplemental estimate | 974,967,000 |
| House allowance | |
| Committee recommendation | 1,134,887,000 |

The Committee recommends \$1,134,887,000 for the Defense Working Capital Funds. The recommendation is \$159,920,000 above the estimate.

The following table provides details of the recommendation for the Defense Working Capital Funds:

[In thousands of dollars]

| Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|----------------------|----------------|--------------------------|--|
| DWCF–Army | 8,792 | 11,524 | + 2,732 |
| Fuel Shortfall | | | + 2,732 |

[In thousands of dollars]

| Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|--|----------------|--------------------------|--|
| DWCF—Navy | 155,290 | 203,544 | + 48,254 |
| Fuel Shortfall | | | + 48,254 |
| DWCF—Air Force | 738,506 | 739,740 | + 1,234 |
| Fuel Shortfall | | | + 1,234 |
| DWCF—Defense-Wide | 72,379 | 180,079 | + 107,700 |
| DLA Supply Chain Management | 3,237 | 3,237 | ..... |
| DLA Energy Management | 69,142 | 69,142 | ..... |
| TRANSCOM Fuel Shortfall | | | + 107,700 |
| Grand Total, Defense Working Capital Funds | 974,967 | 1,134,887 | + 159,920 |

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

| | |
|----------------------------------|------------------|
| 2010 appropriation to date | \$30,500,103,000 |
| 2010 supplemental estimate | 33,367,000 |
| House allowance ..... | ..... |
| Committee recommendation | 33,367,000 |

The Committee recommends \$33,367,000 for Defense Health Program. The recommendation is equal to the estimate.

[In thousands of dollars]

| Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|---------------------------------|----------------|--------------------------|--|
| OPERATION AND MAINTENANCE | 33,367 | 33,367 | ..... |
| IN-HOUSE CARE | 5,192 | 5,192 | ..... |
| PRIVATE SECTOR CARE | 28,175 | 28,175 | ..... |

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$1,504,829,000 |
| 2010 supplemental estimate | 94,000,000 |
| House allowance ..... | ..... |
| Committee recommendation | 94,000,000 |

The Committee recommends \$94,000,000 for Drug Interdiction and Counter-Drug Activities. The recommendation is equal to the estimate.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$1,883,560,000 |
| 2010 supplemental estimate | 400,000,000 |
| House allowance ..... | ..... |
| Committee recommendation ..... | ..... |

The Committee recommends no appropriation for the Joint Improvised Explosive Device Defeat Fund. The recommendation is \$400,000,000 below the estimate.

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|---|----------------|--------------------------|--|
| 1 | Attack the Network | 100,000 | ..... | - 100,000 |
| | Transfer to OPA for proper execution of funds ..... | ..... | ..... | - 100,000 |

[In thousands of dollars]

| Line | Item | Budget request | Committee recommendation | Committee recommendation v. budget request |
|------|---|----------------|--------------------------|--|
| 2 | Defeat the Device | 300,000 | ..... | — 300,000 |
| | Transfer to OPA for proper execution of funds ..... |  | ..... | — 300,000 |
| | Total, JIEDDO | 400,000 | ..... | — 400,000 |

Joint Improvised Explosive Device Defeat Organization.—The Committee recognizes that the Joint Improvised Explosive Device Defeat Organization [JIEDDO] continues to support a critically vital mission in protecting our troops from improvised explosive devices and attacking the terrorist networks responsible for them. While the Committee continues to support JIEDDO's efforts, it does not condone the use of JIEDDO funds for purposes beyond a direct focus on the IED threat. JIEDDO should not be viewed as a funding source and mechanism to circumvent Service funding limitations and acquisition rules. As detailed elsewhere in this report, the Committee believes that JIEDDO is misapplying the significant flexibility which it has been granted.

For example, the Committee is aware that JIEDDO is funding two force protection programs which were previously funded by the Army. Rather than directing the Army to fund the remainder of this requirement and submit a reprogramming request, the Department of Defense directed JIEDDO to fund these programs. The Committee believes this approach violates the intent of Congress regarding the role of JIEDDO and therefore has transferred the \$400,000,000 requested by JIEDDO to the Army. The Committee is also aware that the Department is deliberating where to fund the sustainment of these systems and is considering JIEDDO as a funding source. The Committee believes that both the procurement and the sustainment of these systems is an Army requirement and JIEDDO should not be used for either portion.

The Committee notes that new leadership at JIEDDO, in conjunction with the IED Task Force, is attempting to regain the Department's focus to combat IEDs and commends these efforts. However, the Committee believes JIEDDO should increase its oversight and scrutiny of all its programs or it could face the loss of certain flexibilities.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 301. The Committee recommendation includes a provision that provides for the intelligence authorization for intelligence activities funded in this act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 302. The Committee recommendation includes a provision that amends section 8005 of Public Law 111–118, providing additional general transfer authority.

SEC. 303. The Committee recommendation includes a provision that provides a Combatant Commander engaged in contingency operations overseas with the authority to use operation and mainte-

nance funds to purchase an investment item of not more than \$500,000.

SEC. 304. The Committee recommendation includes a provision that provides authority for Federal agencies to provide humanitarian assistance to support U.S. Government relief efforts in Haiti.

SEC. 305. The Committee recommendation includes a provision that extends the reporting requirement of section 8011 of Public Law 111–118.

SEC. 306. *Rescissions.*—The Committee recommends a general provision rescinding funds from prior years as displayed below:

| | Amount |
|---|--------------|
| 2009 Appropriations: | |
| Research, Development, Test and Evaluation, Army: BFVS improvements | \$72,161,000 |
| Other Procurement, Air Force: Classified | 5,000,000 |

SEC. 307. The Committee recommendation includes a provision that prohibits the use of funds in this chapter for the Department of Defense to finance projects denied by the Congress in the fiscal year 2009 or fiscal year 2010 Department of Defense Appropriations Acts.

SEC. 308. Section 308 requires the Director of National Intelligence to provide the congressional intelligence committees with the charter and procedures for the specialized interagency interrogation group and an analysis and assessment of the lessons learned as a result of the operations and activities of the Group.

CHAPTER 4

SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

INVESTIGATIONS

| | |
|----------------------------------|---------------|
| 2010 appropriation to date | \$160,000,000 |
| 2010 supplemental estimate | |
| House allowance | |
| Committee Recommendation | 5,400,000 |

The Committee has recommended an additional \$5,400,000 for “Investigations” to study the flood prone areas in States affected by severe storms and flooding. A reporting requirement to the Congress is included in the text providing these funds.

MISSISSIPPI RIVER AND TRIBUTARIES

| | |
|----------------------------------|---------------|
| 2010 appropriation to date | \$340,000,000 |
| 2010 supplemental estimate | |
| House allowance | |
| Committee recommendation | 18,600,000 |

The Committee has recommended an additional \$18,600,000 for “Mississippi River and tributaries” to dredge eligible projects, address emergency situations and rehabilitate and repair damage to

Federal projects caused by natural disasters. A reporting requirement to the Congress is included in the text providing these funds.

OPERATION AND MAINTENANCE

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$2,400,000,000 |
| 2010 supplemental estimate | |
| House allowance | |
| Committee recommendation | 173,000,000 |

The Committee has recommended an additional \$173,000,000 for “Operation and Maintenance” to dredge navigation projects in response to and repair damage to Federal projects caused by natural disasters. The Committee has directed that a portion of these funds be directed to nondisaster-related emergency repairs to critical infrastructure. A reporting requirement to the Congress is included in the text providing these funds.

FLOOD CONTROL AND COASTAL EMERGENCIES

| | |
|----------------------------------|--------------|
| 2010 appropriation to date | |
| 2010 supplemental estimate | |
| House allowance | |
| Committee recommendation | \$20,000,000 |

The Committee recommends \$20,000,000 for “Flood Control and Coastal Emergencies” for the Corps to prepare for flood, hurricane, and other natural disasters; support emergency operations, repairs, and other activities in response to emergencies, as authorized by law; and repair and rehabilitate eligible projects that were affected by natural disasters. A reporting requirement to the Congress is included in the text providing these funds.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

The Committee is aware of persistent drought conditions in a number of the Western States, particularly in the Pacific Northwest. The Committee expects to work with the administration to better define and mitigate these needs.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 401. The bill includes a technical provision authorizing the purchase of one aircraft for the National Nuclear Security Administration.

SEC. 402. The bill includes a technical provision relating to the LANSCE facility.

SEC. 403. The bill includes a provision extending portions of the Reclamation States Emergency Drought Relief Act of 1991.

SEC. 404. The bill includes a provision on the Dallas Floodway, Texas, project.

CHAPTER 5

SUBCOMMITTEE ON FINANCIAL SERVICES AND GENERAL
GOVERNMENT

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

| | |
|----------------------------------|---------------|
| 2010 appropriation to date | \$304,888,000 |
| 2010 supplemental estimate | 690,000 |
| House allowance | |
| Committee recommendation | 690,000 |

The Committee recommends \$690,000 for the Departmental Offices account to fund costs associated with the Treasury Attaché program in support of earthquake recovery and reconstruction efforts in Haiti. The Treasury Attaché program supports the United States' international economic policy by providing comprehensive analysis and monitoring of economic, monetary, financial, and illicit financing activities in foreign countries. This analysis will support the Treasury Department in promoting sound economic policies in Haiti in pursuit of mutually beneficial economic outcomes for both Haiti and the United States.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(RESCISSION)

| | |
|----------------------------------|--------------|
| 2010 appropriation to date | \$29,700,000 |
| 2010 supplemental estimate | |
| House allowance | |
| Committee recommendation | -1,800,000 |

The Committee recommends a rescission of \$1,800,000 in prior appropriations. The Office of the Inspector General retained balances from fiscal year 2009 appropriations that remain available for spending in fiscal year 2010. The rescission adjusts the fiscal year 2010 funding level to account for the availability of these carryover balances.

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS
APPROPRIATED TO THE PRESIDENT

NATIONAL SECURITY COUNCIL

CYBERSECURITY INCIDENT RESPONSE

It is essential that the United States Government has an effective organization for rapidly providing a coordinated response to a cyber attack. The White House released its cyberspace policy review on May 29, 2009, which requires the development of a cybersecurity incident plan, including the contributions of the private sector; and a process between the Government and the private sector to assist in preventing, detecting, and responding to cyber incidents. While the Committee is encouraged that efforts are under-

way to develop a National Cyber Incident Plan, and to exercise that plan, 12 months have passed and Congress has not received recommendations on how to meet the requirement contained in the May 29 policy review. The Committee directs the National Security Council, in coordination with the Secretary of Homeland Security to provide a report to the Committees on Appropriations and other appropriate committees of Congress no later than November 15, 2010, on the details of that plan, the exercise of the plan conducted to date, the lessons learned from those exercises, and any resulting recommendations for changes or further actions to be taken.

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT TO THE PUBLIC DEFENDER SERVICE FOR THE DISTRICT OF COLUMBIA

(INCLUDING RESCISSION)

| | |
|----------------------------------|--------------|
| 2010 appropriation to date | \$37,316,000 |
| 2010 supplemental estimate | |
| House allowance | |
| Committee recommendation: | |
| Appropriation | 700,000 |
| Rescission | -700,000 |

The Committee recommends \$700,000 for the District of Columbia Public Defender Service [PDS], for the relocation expenses of the PDS's Mental Health Division. This funding, available until September 30, 2012, is needed due to delays precluding the obligation of prior-year funds. The Committee also rescinds \$700,000 for PDS that would otherwise have expired on September 30, 2010.

INDEPENDENT AGENCIES

FINANCIAL CRISIS INQUIRY COMMISSION

SALARIES AND EXPENSES

| | |
|----------------------------------|-------------|
| 2010 appropriation to date | |
| 2010 supplemental estimate | |
| House allowance | |
| Committee recommendation | \$1,800,000 |

The Committee recommends \$1,800,000 for the Financial Crisis Inquiry Commission for expenses associated with investigations and research related to the causes of the current financial and economic crisis in the United States. Pursuant to the Fraud Enforcement and Recovery Act of 2009 (Public Law 111-21), the Commission will deliver a comprehensive report on December 15, 2010.

SMALL BUSINESS ADMINISTRATION

BUSINESS LOANS PROGRAM ACCOUNT

| | |
|----------------------------------|--------------|
| 2010 appropriation to date | |
| 2010 supplemental estimate | |
| House allowance | \$20,000,000 |
| Committee recommendation | |

The Committee does not recommend additional funds for extending certain Recovery Act programs through the end of April 2010 as included by the House. A total of \$80,000,000 was provided in the Continuing Extension Act of 2010 (Public Law 111–157) to extend these programs through May 31, 2010, therefore additional funding is not necessary.

DISASTER LOANS PROGRAM ACCOUNT

The Committee notes that sufficient balances are available in the Small Business Administration [SBA] Disaster Loans Program account to support lending to small businesses and residents affected by recent flooding in Rhode Island and Tennessee, the recent oil leak affecting Louisiana, Mississippi, and other Gulf Coast States, and other recent disasters. The Committee commends the SBA for its response to these disasters. The Committee directs the SBA to prioritize working with communities impacted by the disasters and to provide regular updates to the Committee regarding program developments and funding availability.

CHAPTER 6

SUBCOMMITTEE ON DEPARTMENT OF HOMELAND SECURITY

DEPARTMENT OF HOMELAND SECURITY

U.S. CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

In the Department of Homeland Security Appropriations Act, 2010 (Public Law 111–83), the Committee fully funded the President’s budget request to hire 144 new Office of Air and Marine pilots, vessel commanders, and support personnel. The Committee agreed with the President that it is critical to fill these positions in order to fly the planes and command the unmanned aerial systems and vessels which protect our borders from entry of illegal persons, drugs, or other contraband. The Committee is disappointed that not only are funds not included in the fiscal year 2011 request to sustain the majority of these positions but, in fact, a decision was made early in fiscal year 2010 to hire only 24 of the 144 positions. This decision is penny wise and pound foolish. Given the very lengthy hiring and training process before these personnel can be considered fully operational, as well as the increased demand for security operations along our borders, the Committee urges the Department to reconsider its decision to not hire the additional pilots and commanders it originally requested and provide the Committee with details on the funding required in fiscal year 2011 to sustain these crucial positions.

COAST GUARD

OPERATING EXPENSES

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$6,805,391,000 |
| 2010 supplemental estimate | 45,000,000 |
| House allowance ..... | ..... |
| Committee recommendation | 50,000,000 |

The Committee recommends an additional \$50,000,000, \$5,000,000 more than the budget request, to be used for emergency relief, rehabilitation, and other disaster-response activities related to Haiti following the earthquake of January 12, 2010. The \$5,000,000 above the request will support the Coast Guard’s continuing operational requirements for these purposes beyond April 14, 2010.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$1,537,080,000 |
| 2010 supplemental estimate | |
| House allowance | |
| Committee recommendation | 15,500,000 |

The Committee recommends an additional \$15,500,000 to replace a Coast Guard H-60 medium-range recovery helicopter that crashed on March 3, 2010. The H-60 is an essential asset necessary for the Coast Guard to perform its many missions. No additional funds were requested for this purpose.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

In response to an inquiry made by the Committee on Appropriations, the Government Accountability Office [GAO], in a letter dated April 27, 2010, determined that the United States Secret Service [USSS] violated the Antideficiency Act in fiscal year 2009. The Antideficiency Act requires that the agency head “shall report immediately to the President and Congress all relevant facts and a statement of actions taken.” In addition, the Committee directs the Department of Homeland Security Chief Financial Officer and the USSS to implement the GAO’s recommendations for improved financial management.

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

CYBERSECURITY PILOTS

The cybersecurity threat continues to evolve and the Nation’s responses against this threat must be agile. In order to keep pace, Federal agencies with major responsibilities in this area should ensure cutting-edge solutions are made available for Government use as soon as possible. A clear plan to test and evaluate evolving solutions through pilot programs is a prudent method to ensure the best investments are made. Therefore, the Department of Defense and the Department of Homeland Security, in conjunction with other relevant Federal agencies, are directed to jointly produce an execution plan to undertake cybersecurity pilot programs, to be submitted to the Committees on Appropriations no later than 90 days after the date of enactment of this act. The pilot programs shall illustrate how innovative commercial technologies can be quickly identified and effectively applied to national cybersecurity requirements and to explore how these innovative technologies can

be deployed across Government agencies and key elements of the private sector consistent with an executable operational concept.

Each pilot, to the extent possible, should maximize the work of the other pilots while also recognizing the authorities and leadership of the respective Federal agency taking the lead for the pilot. All pilots shall avoid unnecessarily disrupting the execution of ongoing programs and should inform decisions on deployment of operational capabilities; reflect a feasible legal and operational construct; have some track record of success to reduce risk; and be able to be implemented in no more than 1 year. This effort shall not conflict with, but instead contribute to, the President’s Cyber-space Policy Review and the Comprehensive National Cybersecurity Initiative.

FEDERAL PROTECTIVE SERVICE

Federal employees have been killed or injured in numerous attacks on facilities that house Federal employees in the United States, including the 1993 attack at the World Trade Center, the 1995 Oklahoma City bombing, and the 2001 attacks at the World Trade Center and the Pentagon. In addition, there have been recent attacks at Federal facilities at Fort Hood in Texas; in Austin, Texas; Las Vegas, Nevada; and the Pentagon. Unfortunately, in spite of the increased threat and a projected 2 percent increase in protected square footage since the last Federal Protective Service [FPS] fee increase, the President’s budget does not assume an increase in fees for fiscal year 2011.

The Government Accountability Office (GAO–10–341 and July, 2009 testimony) has identified significant challenges for the FPS to meet the current threat. FPS is currently funded through fees assessed on participating agencies based on a rate approved by the Office of Management and Budget [OMB]. In establishing the fee for fiscal year 2012, OMB is directed to increase the fee appropriately to meet the threat to the security of Federal employees and is encouraged to adjust the existing fee for fiscal year 2011. The Committee understands that an FPS staffing model has been developed. The Committee directs the National Protection and Programs Directorate to provide the staffing model to the Committee on Appropriations and the GAO within 45 days after the date of enactment of this act. The GAO is directed to report to the Committee on Appropriations within 75 days after the date of enactment of this act on the validity of the model.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$1,600,000,000 |
| 2010 supplemental estimate | 5,100,000,000 |
| House allowance | 5,100,000,000 |
| Committee recommendation | 5,100,000,000 |

The Committee recommends an additional \$5,100,000,000, the same amount as requested by the President, for disaster relief.

The Office of Management and Budget fails to provide Congress with timely information on funding requirements for disaster relief activities. The President’s \$5,100,000,000 supplemental request

was not submitted until February, 2010, when a shortfall was known in May, 2009. Further, the Committee is aware that the President's fiscal year 2011 request is \$1,000,000,000 to \$2,000,000,000 short of known requirements for prior disasters, including Hurricanes Katrina, Rita, Gustav, Ike, and the Midwest floods. That shortfall may grow as a result of 2010 disasters, such as the floods in Rhode Island and Tennessee.

FLOOD PREVENTION AND RECOVERY

Flood prevention and recovery at the local level are impacted by several Federal agencies and programs, including the Federal Emergency Management Agency [FEMA] and the United States Army Corps of Engineers [USACE], which interact in the establishment of certain Flood Insurance Rate Maps. Updating Flood Insurance Rate Maps and educating residents about flood risk contributes significantly to mitigating future losses to floods for homeowners, businesses, and American taxpayers. However, communities seeking a resolution to disagreements about flood control infrastructure protection and mapping are often left at an impasse due to the inability of FEMA and USACE to clarify Federal roles and responsibilities. The stovepiped approach by Federal agencies has left communities with two options—ignore the risk or face unaffordable costs. Neither is acceptable. There is not a clear understanding of the scope of the problems or the full set of reasonable solutions to mitigate them. Nonetheless, the costs to communities to complete flood control infrastructure repairs, and to individuals as a result of sudden increases in flood insurance, are causing serious concerns about affordability, especially in the current economy.

Therefore, FEMA is directed to create an inter-agency task force, to include the USACE and the Office of Management and Budget [OMB], to track, address, and where possible, resolve concerns stemming from FEMA mapping efforts in communities with issues related to flood control infrastructure protection, such as levees, drainage, or dams. OMB, as a participant in the task force, shall work to ensure any conflicts between agencies on the task force are resolved in a timely fashion. The task force shall provide a quarterly report to the Committee on Appropriations and other appropriate congressional committees, the first of which shall be issued no later than 45 days after the date of enactment of this act. The report shall provide a list of contacts made by a community official to either FEMA or USACE, including the date of each contact; a brief summary of the community official's concern; a determination of which governmental entity is legally responsible for the maintenance and certification of the flood protection infrastructure; and a joint response from FEMA and USACE to the concern, including all options the Federal Government allows to resolve the concern. Within 6 months after the date of enactment of this act, the Government Accountability Office [GAO] shall initiate an examination of the number and status, including timeliness, of responses to issues communities have submitted to the task force members regarding flood control infrastructure and the effect on Flood Insurance Rate Maps and the estimated costs to the community. GAO

shall periodically update the report on a schedule to be agreed upon with the Committee on Appropriations.

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

| | |
|-----------------------------------|---------------|
| 2010 appropriations to date | \$224,000,000 |
| 2010 supplemental estimate | 15,000,000 |
| House allowance | |
| Committee recommendation | 10,600,000 |

The administration requests an additional \$15,000,000 in emergency funding, \$11,000,000 of which is based on the estimated receipt of up to 250,000 Temporary Protected Status [TPS] applications. Halfway into the 6-month application period, which ends July 20, 2010, approximately 43,000 applications have been received. Due to the low level of application submittals, the Committee recommends an additional \$10,600,000 for United States Citizenship and Immigration Services for reception and resettlement services provided under the Cuban/Haitian Entrant Program; fee waivers for eligible Haitians granted TPS; and the humanitarian parole program to bring medical evacuees and certain categories of Haitians into the United States. Funds are available until September 30, 2011.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 601. The bill includes a provision authorizing the transfer of up to \$20,000,000 for activities authorized by 8 U.S.C. 1101 note, subject to notification to the Committees on Appropriations 5 days in advance.

SEC. 602. The bill rescinds \$11,100,000 from prior-year balances, including \$4,489,152 from balances made available pursuant to section 505 of Public Law 110–329; \$5,910,848 from Coast Guard “Alteration of Bridges”; and \$700,000 from balances available for the “Office of the Federal Coordinator for Gulf Coast Rebuilding”. The rescission to the “Alteration of Bridges” appropriation shall be taken only from a bridge project that is no longer considered to be eligible under the Truman-Hobbs Act (33 U.S.C. 516).

SEC. 603. The bill includes a provision related to non-Federal match requirements for activities authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act for Hurricane Katrina recovery.

In August 2005, Hurricane Katrina left nearly 93,000 square miles of devastation, and took the lives of more than 1,300 people. To date, more than \$38,000,000,000 has been provided, through the Disaster Relief fund, to assist States in the gulf coast region hit by Hurricane Katrina. An often unrecognized additional toll is the burden of the administrative management that this particular disaster has caused for State and local governments when they are still in a weakened state. Ironically, FEMA has admittedly been impacted by the same administrative burdens. The Committee finds it unconscionable that almost 5 years after Hurricane Katrina it is still put in a position of mediating between States and FEMA on administrative matters related to Hurricane Katrina. This approach has left much to be desired in government efficiency and delayed the recovery effort. FEMA and the Office of Management and

Budget [OMB] remain tied to a narrow approach to disaster administrative management that does not recognize the scale of Hurricane Katrina nor the advanced tools available today to ease the administrative burden yet maintain accountability. This lack of innovative thinking has cost Federal, State, and local governments untold amounts in funds, frustration, and time that would have been better spent on true recovery efforts.

A prime example of the unwillingness to recognize the scale of Hurricane Katrina is in the collection of documentation to prove a 25 percent State match to the Federal funds used for mitigation projects. For example, the State—and Community Development Block Grant—funded homeowner rebuilding programs supported the construction of homes that were built to the required flood elevation level. However, to date some States have not been able to count any portion of these mitigation efforts toward the global match. In rejecting the request to count these efforts, FEMA has cited OMB Circular A-87 which demands individual construction receipts and invoices to verify the exact amounts spent by thousands of individual homeowners. The time and cost associated with such an effort is excessive when other alternative documentation methods would provide sufficient accountability.

It is the responsibility of the States to document mitigation activity, and a responsibility that must be taken seriously to ensure taxpayers' dollars are protected against waste, fraud, and abuse. Traditionally, this protection for the taxpayers has been realized through matching 25 percent to each individual project. Nearly 1½ years after Hurricane Katrina and after much contention, FEMA entered into a global match agreement with the States, a more cost effective method to hold States accountable, than attempting an overly burdensome project-by-project match for over \$1,698,840,000. Nearly 3½ years after that agreement was reached, States and FEMA are still dickering over which bureaucratic method they will use to document this global match.

To avoid unnecessary complications like this in the future, FEMA is directed to issue guidance for States, not later than 60 days after the date of enactment of this act, which clearly outlines updated and efficient methods to document Hazard Mitigation Grant Program match funding when a disaster exceeds \$20,000,000,000 in Federal Disaster Relief fund allocations.

SEC. 604. The bill includes a provision to make fiscal year 2010 appropriations available for facility upgrades to establish a cybersecurity continuity of operations capability in accordance with the fiscal year 2009 and fiscal year 2010 cybersecurity expenditure plans submitted by the Department to the Committee on April 27, 2009, and March 28, 2010, respectively.

SEC. 605. The bill includes a provision transferring two C-130J aircraft funded elsewhere in this act to the Coast Guard.

SEC. 606. The bill includes a provision related to non-Federal match requirements for activities authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act for flood and other disaster response and recovery.

SEC. 607. The bill includes a provision requiring the Transportation Security Administration to issue a security directive that requires a commercial foreign air carrier who operates flights in and

out of the United States to check the list of individuals that the Transportation Security Administration has prohibited from flying not later than 30 minutes after such list is modified and provided to such air carrier. Certain exceptions apply.

CHAPTER 7

SUBCOMMITTEE ON DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$3,828,530,000 |
| 2010 supplemental estimate | |
| House allowance | 600,000,000 |
| Committee recommendation | |

The Committee recommends no funding under this account. The House bill includes \$600,000,000.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

| | |
|----------------------------------|---------------|
| 2010 appropriation to date | \$356,006,000 |
| 2010 supplemental estimate | |
| House allowance | |
| Committee recommendation | 18,200,000 |

The Committee recommends an additional \$18,200,000 for this account, as described below. These funds are available for obligation for 1 year after the date of enactment of this act. The Committee bill also provides authority to the Secretary to allocate funds to the Mine Safety and Health Administration, provided the Committees on Appropriations of the Senate and the House of Representatives are notified not later than 15 days in advance of such transfers.

The Committee intends these funds to support necessary expenses of the Department of Labor related to an increased capacity of the Federal Mine Safety and Health Review Commission [FMSHRC] to process caseloads pending before the Commission. The Committee expects the Department to make every effort to support the timely processing of contested citations, particularly for operators that have the highest proportion of significant and substantial citations or an unacceptable health and safety record.

The Committee recognizes that the Department and FMSHRC each have important roles to play in the timely processing of contested citation and penalty caseloads and therefore requests that they develop a joint operating plan describing the planned actions and associated timelines for hiring staff and other actions necessary to eliminate the current backlog as quickly as possible and to improve the timeliness of processing of caseloads. The Committee requests that the Department and FMSHRC submit such a

plan not later than 30 days after enactment of this act, and provide quarterly progress reports thereafter on the status of activities identified in the plan, including an explanation for any activity that is not completed within the timeframe identified in the operating plan.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$2,306,694,000 |
| 2010 supplemental estimate | 220,000,000 |
| House allowance | |
| Committee recommendation | 220,000,000 |

The Committee recommends \$220,000,000 for critical response and relief activities related to the Haitian earthquake on January 12, 2010. The recommendation is the same as the request. Funds will be used for the medical care of evacuees transported to the United States, cash and medical assistance for humanitarian parolees and the State share of Medicaid and Children’s Health Insurance Program [CHIP] services. Funds will also support the development of surveillance systems for tracking disease outbreaks and other public health infrastructure in Haiti.

RELATED AGENCY

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

| | |
|----------------------------------|--------------|
| 2010 appropriation to date | \$10,358,000 |
| 2010 supplemental estimate | |
| House allowance | |
| Committee recommendation | 3,800,000 |

The Committee recommends \$3,800,000 for reducing the backlog of cases at the Federal Mine Safety and Health Review Commission [FMSHRC]. The administration did not request funds for this purpose. Funds will remain available for 1 year after enactment of this act.

The Committee intends these funds to increase the capacity of FMSHRC to process caseloads pending before the Commission. The Committee expects FMSHRC to make every effort to support the timely processing of contested citations, particularly for operators that have the highest proportion of significant and substantial citations or an unacceptable health and safety record.

FMSHRC shall appoint a Senior Executive Service level individual for a term of up to 2 years, which may be extended at the discretion of the Chair. Such person shall report to the Chair and, in coordination with the Chair, oversee the hiring of new administrative law judges and support staff, the development and execution of a plan to reduce the backlog of appeals, and the implementation of an electronic case filing system.

The Committee recognizes that FMSHRC and the Department of Labor [DOL] each have important roles to play in the timely processing of contested citation and penalty caseloads and therefore requests that they develop a joint operating plan, as describe in the DOL’s Departmental Management section of this report.

In addition, the Committee supports the development of the most efficient system possible in the processing of cases. The Committee has included funding for the exploration of information technology upgrades that would speed the processing of cases and would allow for increased tracking capabilities for individual cases. The Committee requests that FMSHRC submit a report within 6 months of enactment on the various options for upgrades, the feasibility of such upgrades and the associated costs.

CHAPTER 8

SUBCOMMITTEE ON THE LEGISLATIVE BRANCH

HOUSE OF REPRESENTATIVES

PAYMENT TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

| | |
|----------------------------------|-----------|
| 2010 appropriation to date | |
| 2010 supplemental estimate | |
| House allowance | \$174,000 |
| Committee recommendation | 174,000 |

The Committee recommends an appropriation of \$174,000 for Joyce Murtha, widow of John P. Murtha.

CAPITOL POLICE

GENERAL EXPENSES

| | |
|----------------------------------|--------------|
| 2010 appropriation to date | \$63,130,000 |
| 2010 supplemental estimate | 15,956,000 |
| House allowance | |
| Committee recommendation | 12,956,000 |

The Committee recommends \$12,956,000 for the ongoing acquisition and installation of a new radio system for the U.S. Capitol Police. The Committee expects this level of funding to complete the indoor coverage portion of the radio system. The Government Accountability Office is directed to continue its oversight of the execution of this project.

CHAPTER 9

SUBCOMMITTEE ON MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, ARMY

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$3,719,419,000 |
| 2010 supplemental estimate | 242,296,000 |
| House allowance | |
| Committee recommendation | 242,296,000 |

The Committee recommends \$242,296,000 for Military Construction, Army, to support overseas contingency operations in Afghanistan, as requested by the President. The funds are provided as follows:

[In thousands of dollars]

| Location | Project title | Budget request | Committee recommendation |
|--------------------------------------|---|----------------|--------------------------|
| Afghanistan: Delaram | Fuel Storage and Distribution System | 16,500 | 16,500 |
| Afghanistan: Delaram | Waste Management Complex | 5,600 | 5,600 |
| Afghanistan: Dwyer | Fuel Storage System | 13,600 | 13,600 |
| Afghanistan: Kandahar | Entry Control Point | 12,800 | 12,800 |
| Afghanistan: Kandahar | Perimeter Fence and Guard Towers, Ph 2 .. | 10,400 | 10,400 |
| Afghanistan: Kandahar | Utilities, Ph 2 | 32,000 | 32,000 |
| Afghanistan: Kandahar | Waste Water Treatment Facility | 4,300 | 4,300 |
| Afghanistan: Kunduz | Perimeter Fence and Guard Towers | 10,400 | 10,400 |
| Afghanistan: Kunduz | Rotary Wing Apron | 26,000 | 26,000 |
| Afghanistan: Mazar E Sharif | Perimeter Fence and Guard Towers | 10,400 | 10,400 |
| Afghanistan: Tombstone/Bastion | Command and Control HQ Facility | 24,000 | 24,000 |
| Afghanistan: Tombstone/Bastion | Gravel Roads | 8,600 | 8,600 |
| Afghanistan: Tombstone/Bastion | Utilities Infrastructure | 21,000 | 21,000 |
| Various Locations | Unspecified Minor Military Construction | 40,000 | 40,000 |
| Various Locations | Planning and Design | 6,696 | 6,696 |
| Total ..... | ..... | 242,296 | 242,296 |

MILITARY CONSTRUCTION, AIR FORCE

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$1,450,426,000 |
| 2010 supplemental estimate | 279,090,000 |
| House allowance ..... | ..... |
| Committee recommendation | 406,590,000 |

The Committee recommends \$406,590,000 for Military Construction, Air Force, to support overseas contingency operations in Afghanistan. This amount is \$127,500,000 above the estimate. The additional funding is provided to accelerate two military construction projects identified in the President's fiscal year 2011 overseas contingency request in lieu of providing Operation and Maintenance funding, as requested by the Air Force, for unspecified military construction related to overseas contingency operations. The funds are provided as follows:

[In thousands of dollars]

| Location | Project title | Budget request | Committee recommendation |
|--------------------------------------|--------------------------------------|----------------|--------------------------|
| Afghanistan: Delaram | Apron | 7,800 | (¹) |
| Afghanistan: Delaram | Runway | 5,700 | (¹) |
| Afghanistan: Dwyer | SOF Helicopter Apron | 20,000 | 20,000 |
| Afghanistan: Mazar E Sharif | Helicopter Apron | 53,000 | 53,000 |
| Afghanistan: Mazar E Sharif | Strategic Airlift Apron | 27,000 | 27,000 |
| Afghanistan: Shindand | Fuels Operations and Storage | 2,550 | 2,550 |
| Afghanistan: Shindand | ISR Apron | 53,000 | 53,000 |
| Afghanistan: Shindand | Munitions Storage Area | 22,000 | 22,000 |
| Afghanistan: Shindand | SOF Helicopter Apron | 20,000 | 20,000 |
| Afghanistan: Shindand | SOF ISR Apron and Support Complex .. | 11,000 | 11,000 |
| Afghanistan: Shindand | Strategic Airlift Apron | 23,000 | 23,000 |
| Afghanistan: Tombstone/Bastion | Refueler Apron ..... | ..... | 55,000 |
| Afghanistan: Tombstone/Bastion | Parallel Taxiway ..... | ..... | 86,000 |
| Various Locations | Unspecified Minor Construction | 15,000 | 15,000 |
| Various Locations | Planning and Design | 19,040 | 19,040 |

[In thousands of dollars]

| Location | Project title | Budget request | Committee recommendation |
|-------------|---------------|----------------|--------------------------|
| Total | | 279,090 | 406,590 |

¹ Project was accelerated. Supplemental funding is no longer required.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

| | |
|----------------------------------|---------------|
| 2010 appropriation to date | \$502,936,000 |
| 2010 supplemental estimate | 7,953,000 |
| House allowance ..... | ..... |
| Committee recommendation | 7,953,000 |

The Committee recommends \$7,953,000 for Family Housing Operation and Maintenance, Air Force, as requested. The funding is required to finance the increased cost to purchase fuel for family housing operations.

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

| | |
|----------------------------------|------------------|
| 2010 appropriation to date | \$47,396,106,000 |
| 2010 supplemental estimate | 13,377,189,000 |
| House allowance ..... | ..... |
| Committee recommendation | 13,377,189,000 |

The Committee recommends \$13,377,189,000 for Compensation and Pensions as requested by the President. On October 13, 2009, the Secretary of Veterans Affairs [VA] announced the Department's intent to exercise authority to establish presumptions of service connection for Parkinson's disease, ischemic heart disease, and B cell leukemias for veterans who served in Vietnam and were exposed to Agent Orange. As a result of this decision, VA estimates that approximately 86,000 Vietnam veterans, or their survivors, who were previously denied disability compensation, are now eligible for retroactive compensation payment. The VA estimates that retroactive payments alone will total \$12,286,048,000. Additionally, the VA anticipates that approximately 67,400 new claims will be filed resulting in \$1,091,141,000 in new obligations.

GENERAL PROVISION—THIS CHAPTER

(INCLUDING TRANSFER OF FUNDS)

SEC. 901. Provides transfer authority of unobligated funds derived as a result of bid savings from Construction, Major Projects to the Filipino Veterans Equity Compensation Fund.

CHAPTER 10

SUBCOMMITTEE ON STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS

INTRODUCTION

The Committee recommendation for the Department of State, foreign operations, and related programs totals \$6,176,760,000,

which is equal to the budget request. Funds are made available to meet emergency humanitarian, reconstruction, and security needs in Afghanistan, Pakistan, Iraq, Haiti, Mexico, El Salvador, Jordan, Vietnam, and the Democratic Republic of the Congo, and for pandemic preparedness and response. These funds are in addition to amounts provided in the Consolidated Appropriations Act, 2010 (Public Law 111–117) and shall be subject to the terms and conditions set forth in such act, except where noted otherwise.

The Committee notes that programmatic success should not be defined by the rate at which funds are expended, but by the extent to which programs achieve specific benchmarks in a timely and sustainable manner, and involve the participation of respective governments and populations in the design, implementation, and oversight of programs.

DEPARTMENT OF STATE
ADMINISTRATION OF FOREIGN AFFAIRS
DIPLOMATIC AND CONSULAR PROGRAMS
(INCLUDING TRANSFER OF FUNDS)

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$8,227,000,000 |
| 2010 supplemental estimate | 1,872,000,000 |
| House allowance | |
| Committee recommendation | 1,326,000,000 |

The Committee recommends \$1,326,000,000 for Diplomatic and Consular Programs [D&CP], for diplomatic and security operations in Afghanistan, Pakistan, Iraq, Haiti, and Mexico, which is \$546,000,000 below the request. Funds made available under this heading are to be allocated according to the following table and are subject to the terms and conditions of section 1002 in this chapter:

DIPLOMATIC AND CONSULAR PROGRAMS
[In thousands of dollars]

| Activity | Fiscal year 2010 supplemental request | Committee recommendation | Change from request |
|---|---|-----------------------------|------------------------|
| Afghanistan: Operations | 211,000 | 200,000 | – 11,000 |
| Pakistan: Operations | 26,000 | 26,000 | ..... |
| Iraq: | | | |
| Operations | 307,829 | 305,000 | – 2,829 |
| Worldwide Security Protection | 735,330 | 725,000 | – 10,330 |
| Consulate Site Development and Construction | 526,841 | ..... | – 526,841 |
| Subtotal—Iraq | 1,570,000 | 1,030,000 | – 540,000 |
| Haiti: Operations | 65,000 | 65,000 | ..... |
| Mexico: Security ..... | ..... | 5,000 | 5,000 |
| Total, D&CP | 1,872,000 | 1,326,000 | – 546,000 |

Afghanistan.—The Committee recommends \$200,000,000 for diplomatic and security operations in Afghanistan, which is \$11,000,000 below the request, to support up to 457 new U.S. di-

rect hires, including 212 new hires to work at the district level throughout Afghanistan and 245 new hires to work with government ministries in Kabul and the provinces.

Pakistan.—The Committee recommends \$26,000,000 for diplomatic and security operations in Pakistan, which is equal to the request, to support up to 56 new hires to improve management and oversight of assistance programs and increase the number of employees working at the provincial and local levels.

Iraq.—The Committee recommends \$1,030,000,000 for diplomatic and security operations in Iraq, which is \$540,000,000 below the request, to support additional personnel, temporary facility construction, and security for the transition to a civilian led effort in Iraq. The funds will support interim facilities for two consular operations and three provincial diplomatic team posts. The Committee supports the placement of posts along volatile Arab-Kurdish fault lines.

The recommendation includes \$725,000,000 for overseas protective operations in Iraq, which is \$10,330,000 below the request.

The recommendation does not include \$526,841,000 requested under this heading for site development and construction of permanent consulates in Basrah and northern Iraq. Funding requirements for these facilities should be prioritized within the amounts made available for Embassy Security, Construction, and Maintenance in regular appropriations acts.

Haiti.—The Committee recommends \$65,000,000 for emergency relief, rehabilitation, and reconstruction support related to Haiti following the January 12, 2010, earthquake, which is equal to the request. The support includes evacuation, medical, and repatriation costs. Of this amount, up to \$3,700,000 may be transferred to the Emergencies in the Diplomatic and Consular Service account for evacuation costs and up to \$290,000 may be transferred to the Repatriation Loans Program account for assisting Americans to return to the United States.

Mexico.—The Committee recommends \$5,000,000 for emergency diplomatic security support, including armored vehicles, to enhance protection of United States Government personnel in Mexico.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

| | |
|----------------------------------|---------------|
| 2010 appropriation to date | \$100,000,000 |
| 2010 supplemental estimate | 17,000,000 |
| House allowance | |
| Committee recommendation | 3,600,000 |

The Committee recommends \$3,600,000 for Office of Inspector General [OIG], which is \$13,400,000 below the request. The Committee does not support the \$14,000,000 requested for the Special Inspector General for Afghanistan Reconstruction [SIGAR]. The bill provides \$3,600,000, which is \$600,000 above the request, to expand the oversight capacity of the Department of State OIG in Afghanistan, Pakistan, and Iraq.

The Committee understands that SIGAR has adequate funds within its fiscal year 2010 estimate and 2011 request to conduct oversight of the funds provided in this act for programs and oper-

ations in Afghanistan. The request for \$14,000,000 would pay for 30 auditors to conduct pre-emptive reviews of the capacity of Afghan ministries and provincial governments. While the Committee supports ensuring that Afghan ministries have the capacity to utilize U.S. funds appropriately and effectively, the Committee is concerned that SIGAR's proposal falls outside of its authorized mandate, is programmatic in nature, and has not been adequately coordinated with the Department of State OIG or the United States Agency for International Development [USAID] OIG, resulting in unnecessary overlap of efforts. The Committee directs SIGAR to revise its operating plan to include activities only relating to monitoring and review of U.S. funded programs, projects and activities, and to consult with the Committee on the scope of proposed future audits.

The Committee includes \$300,000 for an additional permanent Department of State OIG investigator in Iraq. The Committee understands there is currently one permanent investigator, limiting the OIG's investigative capacity and requiring the OIG to request investigative assistance from other agencies.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

| | |
|----------------------------------|---------------|
| 2010 appropriation to date | \$876,850,000 |
| 2010 supplemental estimate | 84,500,000 |
| House allowance | |
| Committee recommendation | 79,000,000 |

The Committee recommends \$79,000,000 for urgent Embassy security, construction, and maintenance costs in Haiti, which is \$5,500,000 below the request, to support housing for permanent U.S. direct hires and maintenance contracts for these facilities.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$2,125,000,000 |
| 2010 supplemental estimate | 96,500,000 |
| House allowance | |
| Committee recommendation | 96,500,000 |

The Committee recommends \$96,500,000 for Contributions for International Peacekeeping Activities, which is equal to the request, to support increases in fiscal year 2010 and 2011 assessments for the United Nations Peacekeeping Mission in Haiti due to the earthquake of January 12, 2010.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

| | |
|----------------------------------|---------------|
| 2010 appropriation to date | \$733,788,000 |
| 2010 supplemental estimate | 5,220,000 |
| House allowance | |
| Committee recommendation | 3,000,000 |

The Committee recommends \$3,000,000 for International Broadcasting Operations, which is \$2,220,000 below the request, to support the increase of Voice of America [VOA] Creole radio broadcasts

in Haiti from 2 hours daily to 10.5 hours Monday through Friday, and 9.5 hours on Saturday and Sunday through fiscal year 2011.

The Committee recommends funding for the surge broadcasts and emergency equipment support of the VOA affiliates in Haiti, but does not support the establishment of a new permanent reporting facility in Haiti. Funding for long-term expansions of VOA Creole programming or a permanent reporting facility in Haiti should be addressed in regular appropriations acts.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OFFICE OF INSPECTOR GENERAL

| | |
|----------------------------------|--------------|
| 2010 appropriation to date | \$46,500,000 |
| 2010 supplemental estimate | 1,500,000 |
| House allowance | 7,900,000 |
| Committee recommendation | 7,900,000 |

The Committee recommends \$7,900,000 for Office of Inspector General [OIG] for increased oversight of programs in Afghanistan, Pakistan, and Haiti, which is \$6,400,000 above the request. Of this amount, \$3,400,000 is for OIG oversight in Afghanistan and Pakistan, \$3,000,000 is for oversight in Haiti, and \$1,500,000 is to reimburse funds intended for OIG oversight of assistance programs in other Central American and Caribbean countries.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

GLOBAL HEALTH AND CHILD SURVIVAL

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$7,779,000,000 |
| 2010 supplemental request | 45,000,000 |
| Committee recommendation | 45,000,000 |

The Committee recommends \$45,000,000 for Global Health and Child Survival, which is \$45,000,000 above the request, for USAID's Avian Influenza and Other Emerging Threats program to minimize the global impact of pandemic influenza, particularly from the H5N1 and H1N1 viruses, and to pre-empt the emergence and spread of future pandemic threats. The Committee notes that the fiscal year 2011 request significantly reduces funding for pandemic preparedness and response and believes such a decrease ignores the continuing threats from such deadly diseases in many geographic regions.

INTERNATIONAL DISASTER ASSISTANCE

| | |
|----------------------------------|---------------|
| 2010 appropriation to date | \$845,000,000 |
| 2010 supplemental estimate | 350,700,000 |
| House allowance | 460,000,000 |
| Committee recommendation | 460,000,000 |

The Committee recommends \$460,000,000 for International Disaster Assistance [IDA], which is \$109,300,000 above the request, and may be used to reimburse obligations made prior to enactment of this act related to emergency relief and recovery efforts in Haiti

following the earthquake of January 12, 2010, including to reimburse the IDA account to respond to humanitarian disasters worldwide, and an estimated \$126,000,000 for reimbursable interagency agreements between USAID's Office of United States Foreign Disaster Assistance and other Federal agencies.

ECONOMIC SUPPORT FUND

(INCLUDING TRANSFER OF FUNDS)

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$6,337,000,000 |
| 2010 supplemental estimate | 2,569,311,000 |
| House allowance | |
| Committee recommendation | 2,490,000,000 |

The Committee recommends \$2,490,000,000 for Economic Support Fund [ESF], which is \$79,311,000 below the request. Funds made available under this heading are to be allocated according to the following table and are subject to the terms and conditions of section 1002 in this chapter:

ECONOMIC SUPPORT FUND

[In thousands of dollars]

| Activity | Fiscal year 2010 supplemental request | Committee recommendation | Change from request |
|---|---------------------------------------|--------------------------|---------------------|
| COUNTRIES | | | |
| Afghanistan: | | | |
| Alternative Development | 135,000 | 100,000 | - 35,000 |
| Conflict Mitigation and Reconciliation | 216,000 | 205,000 | - 11,000 |
| Afghan Stabilization Initiative (non-add) | (50,000) | (40,000) | (- 10,000) |
| Stability in Key Areas (non-add) | (166,000) | (150,000) | (- 16,000) |
| Afghan Civilian Assistance Program (non-add) | | (15,000) | (+ 15,000) |
| Rule of Law | 50,000 | 50,000 | |
| Good Governance | 760,000 | 600,000 | - 160,000 |
| Direct Budget Support (non-add) | (115,000) | (100,000) | (- 15,000) |
| Afghan Reconstruction Trust Fund (non-add) | (450,000) | (400,000) | (- 50,000) |
| National Solidarity Program (non-add) | | (250,000) | (250,000) |
| Health | 50,000 | 40,000 | - 10,000 |
| Education | 50,000 | 40,000 | - 10,000 |
| Macroeconomic Foundation for Growth | 7,000 | 5,000 | - 2,000 |
| Trade and Investment | 19,500 | 15,000 | - 4,500 |
| Financial Sector | 4,500 | 3,000 | - 1,500 |
| Agriculture | 215,000 | 200,000 | - 15,000 |
| Watershed Reforestation (non-add) | | (25,000) | (+ 25,000) |
| Private Sector Competitiveness | 60,400 | 45,000 | - 15,400 |
| Economic Opportunity | 8,600 | 6,000 | - 2,600 |
| Subtotal—Afghanistan | 1,576,000 | 1,309,000 | - 267,000 |
| Pakistan: | | | |
| Social and Economic Services and Protection for Women | 50,000 | 60,000 | + 10,000 |
| Pakistan Civilian Assistance Program (non-add) | | (10,000) | (+ 10,000) |
| Human Rights | | 5,000 | + 5,000 |
| Health—Water and Sanitation | 65,000 | 65,000 | |
| Economic Growth—Agriculture | 65,000 | 65,000 | |
| Infrastructure—Energy | 64,000 | 64,000 | |
| Subtotal—Pakistan | 244,000 | 259,000 | + 15,000 |
| Haiti: | | | |
| Office of Transition Initiatives Recovery Activities | 68,311 | 75,000 | + 6,689 |
| Community Stabilization (non-add) | (48,300) | (57,000) | + 8,700 |

ECONOMIC SUPPORT FUND—Continued

[In thousands of dollars]

| Activity | Fiscal year 2010 supplemental request | Committee recommendation | Change from request |
|---|---------------------------------------|--------------------------|---------------------|
| Rebuilding Government of Haiti Capacity (non-add) | (10,000) | (11,000) | (+ 1,000) |
| Citizen Participation in Recovery (non-add) | (10,000) | (7,000) | (– 3,000) |
| Infrastructure | 433,000 | 438,000 | + 5,000 |
| Shelter | (133,000) | (144,000) | (+ 11,000) |
| Energy | (150,000) | (147,000) | (– 3,000) |
| Agriculture and Industry | (150,000) | (147,000) | (– 3,000) |
| Health | 110,000 | 112,000 | + 2,000 |
| Health System Reconstruction | (72,000) | (72,000) | ..... |
| Health Services for IDPs | (30,000) | (30,000) | ..... |
| Assistance for People with Disabilities | (8,000) | (10,000) | (+ 2,000) |
| Education ..... | ..... | 10,000 | + 10,000 |
| Agriculture and Food Security | 51,000 | 55,000 | + 4,000 |
| Rural Economic Growth and Development | (16,000) | (15,000) | (– 1,000) |
| Market Access and Value Chains | (5,000) | (5,000) | ..... |
| Agricultural Services and Institutional Strengthening | (10,000) | (10,000) | ..... |
| Natural Resource Management | (20,000) | (25,000) | (5,000) |
| Governance, Rule of Law and Security | 87,000 | 80,000 | – 7,000 |
| Public Institution and Civil Society Strengthening | (62,000) | (65,000) | (+ 3,000) |
| Justice Reform and Human Rights | (25,000) | (15,000) | (– 10,000) |
| Subtotal—Haiti | 749,311 | 770,000 | + 20,689 |
| Global: | | | |
| Democratic Republic of the Congo ..... | ..... | 15,000 | + 15,000 |
| El Salvador ..... | ..... | 25,000 | + 25,000 |
| Jordan ..... | ..... | 100,000 | + 100,000 |
| Vietnam ..... | ..... | 12,000 | + 12,000 |
| Subtotal—Global ..... | ..... | 152,000 | + 152,000 |
| Total, ESF | 2,569,311 | 2,490,000 | – 79,311 |

Afghanistan.—The Committee recommends \$1,309,000,000 for assistance for Afghanistan, which is \$267,000,000 below the request. Of this amount, \$400,000,000 is for the Afghan Reconstruction Trust Fund, including \$250,000,000 for the National Solidarity Program.

The Committee supports the civilian surge in Afghanistan with a focus on addressing the social and economic development needs of Afghans living in areas that have been secured by the U.S. military and the International Security Assistance Force. However, the Committee has limited confidence in the political will and capacity of the central Government of Afghanistan to address these needs, and intends the bulk of assistance to be targeted at the local level.

The Committee recommends up to \$100,000,000 for direct budget support for the Ministry of Finance, which is \$15,000,000 below the request. The Committee supports incentives for fiscal reform, but is concerned that the Government of Afghanistan continues to lack sufficient commitment to transparency and accountability of funds. Prior to providing funds to any Afghan government ministry or other entity, the Committee directs USAID to conduct an assessment and certify that the ministry or entity has the capacity and internal controls to effectively utilize and account for the funds.

The Committee provides \$15,000,000 for continued support for the Afghan Civilian Assistance Program to assist families and com-

munities that have suffered losses as a result of military operations since September 2001. The Committee notes that many civilians continue to be killed and injured and to suffer property losses.

The Committee supports the use of funds for reconciliation and reintegration of former combatants in Afghanistan, provided that the Secretary of State determines and reports that Afghan women are participating in the design, policy formulation and implementation of the reconciliation and reintegration process, and women's internationally recognized human rights to access to education, healthcare, justice, freedom to work, and freedom to participate in political life are protected. Funds may not be used to support any pardon, immunity from prosecution or amnesty, or any position in the Afghan Government or security forces, for leaders of armed groups responsible for violations of internationally recognized human rights.

The Committee provides \$25,000,000 to support reforestation programs in key watersheds in Afghanistan, where the destruction of forests has contributed to successive droughts, flash flooding and erosion.

Pakistan.—The Committee recommends \$259,000,000 for assistance for Pakistan, which is \$15,000,000 above the request. The Committee supports ongoing programs to strengthen democratic governance, the rule of law, and social and economic services to improve the lives of the Pakistani people. The Committee provides \$10,000,000 for continued support for the Pakistan Civilian Assistance Program to assist families and communities that suffer losses as a result of military operations.

The strengthening of local government institutions is a necessity, particularly in the Federally Administered Tribal Areas [FATA] and other insecure areas, and social and economic development projects should be identified and designed through a consultative process involving local government and community organizations.

The Committee provides \$5,000,000 for human rights programs in Pakistan due to reports of widespread human rights violations by Pakistani security forces, and requires the Secretary of State to submit a human rights strategy in Pakistan including the proposed uses of funds.

The Committee is concerned with the ability to monitor the use of funds in Pakistan, and provides up to \$1,500,000 for the lease of aircraft to facilitate implementation and oversight of programs in northwestern Pakistan by the Department of State and USAID.

Iraq.—The Committee encourages the United States Institute of Peace to consult with the Department of State on a possible reprogramming of up to \$8,000,000 from Public Law 111-117 to continue programs to promote reconciliation and moderation, peace and stability, and to strengthen governance and civil society in Iraq.

Haiti.—The Committee recommends \$770,000,000 for relief, rehabilitation, and reconstruction assistance for Haiti, which is \$20,689,000 above the request.

The Committee remains concerned with previous development and governance programs in Haiti that failed to achieve intended results, and notes that the Government of Haiti [GoH] has often been an obstacle to achieving programmatic successes. Necessary

changes in the post-earthquake period include effective leadership and transparency by the GoH, and improved dialogue between the GoH and the people of Haiti, and with international donors. Credible legislative and presidential elections are important to selecting competent leaders. A key element of reconstruction success will be the full participation of Haitian local communities and civil society, particularly women, in the design, implementation and oversight of activities.

The Committee is concerned that an estimated 40 percent of Haitian children are not enrolled in school and that more than half of those who are enrolled are receiving low quality education. As Haiti's future depends largely on an educated workforce, the Committee provides up to \$10,000,000 for school construction, teacher training, and other children's education programs. The Committee further recommends that USAID, in coordination with the GoH, the Inter-American Development Bank, and other donors, develop a plan for the use of these and other funds dedicated to development of a program of quality, publicly funded, children's education in Haiti. The USAID Administrator is directed to consult with the Committee on the use of these funds.

The Committee is aware that Haiti's most common form of child labor is domestic servitude, known as "restaveks", of which there are estimated to be some 300,000. The Committee recommends that USAID and the U.S. Department of Labor, working with the GoH, develop a strategy for the elimination of the worst forms of child labor with a focus on "restaveks".

The Committee is also aware that before the earthquake more than 50,000 children were estimated to be living in orphanages throughout Port-Au-Prince, a number that could more than double as a result of the tragedy. The Committee directs USAID to work with the GoH to develop a plan to transition such children from institutional to family based care. Such a plan should include efforts to reduce abandonment, reunify families, and promote guardianship, kinship, domestic and international adoption, as appropriate.

The Committee underscores the importance of USAID's cash for work programs, and provides \$57,000,000 for community stabilization activities, which is \$8,700,000 above the request. Funds should be used to accelerate and expand rubble removal.

Not later than 30 days after enactment of this act, the USAID Administrator shall report to the Committee on procedures to ensure small nongovernmental organizations have access to small reconstruction grants of less than \$2,000,000, through a competitive, open, and user-friendly process.

The Committee provides \$144,000,000 for shelter programs, which is \$11,000,000 above the request. A critical component of such programs includes development and implementation of a coordinated shelter reconstruction strategy and investment plan that addresses land ownership, coordination with other infrastructure development, particularly water and sanitation, and gender concerns in shelter planning.

The Committee includes \$25,000,000 for the reforestation and other restoration of Haiti's key watersheds, in accordance with USAID's April 2007 Report "Environmental Vulnerability in Haiti". Programs supported by funds appropriated in this chapter should

not contribute to deforestation, and USAID and the Department of State should collaborate with the GoH on renewable energy and energy efficient programs, to include institutional capacity building with the support of the U.S. Department of Energy and the use of fuel-efficient biomass cook stoves that are manufactured in Haiti.

The Secretary of State is authorized to facilitate exchanges between institutions of higher education in the United States and institutions of higher education in Haiti, for the purposes of promoting and enhancing academic study and expertise in the fields of emergency management, disaster recovery, meteorological and seismic research, and building science and engineering.

The Committee authorizes the transfer of up to \$120,000,000 to the Department of the Treasury for U.S. contributions to a multi-donor trust fund to support reconstruction and recovery efforts in Haiti. The Secretary of the Treasury is directed to consult with the Committee, prior to contributing to the Fund, on the mechanisms for governance and accountability at the Fund.

The Committee provides \$10,000,000 for medical, rehabilitation, psycho-social, vocational and other programs to assist Haitians with disabilities, including for government programs for persons with disabilities, which is \$2,000,000 above the request. These funds should be used for programs to provide care for individuals who acquired a disability as a result of the earthquake, including follow-up surgery and rehabilitation; establish accessibility standards including a new building code; support a disability advisor to review accessibility in reconstruction plans and programs; and establish or support programs that increase integration, independence, and opportunities for Haitians with disabilities. The Department of State and USAID shall consult with the Committee on the proposed uses of funds.

The Committee is aware of reports of extrajudicial killings of prisoners by Haitian police at the Les Cayes prison on January 19, 2010, and no funds appropriated in this chapter or in prior acts making appropriations for the Department of State, foreign operations, or related programs should be obligated for justice programs in Haiti until a thorough, credible and transparent investigation occurs, the results of which are made publicly available, and the GoH takes appropriate action. Given the failure of previous programs to reform Haiti's justice system, the Department of State and USAID shall consult with the Committee on the development and funding of a strategy to strengthen the rule of law in Haiti. Such a strategy should include training of court administrators to reduce pre-trial detention and adjudicate cases in a timely and predictable manner; preventing gender-based violence against women and girls and trafficking of children; and supporting victim and witness protection programs.

The Secretary of State is directed to submit a report to the Committee not later than 90 days after enactment of this act, and every 180 days thereafter until September 30, 2012, which shall also be posted in a timely manner on a single, consolidated publicly accessible Web site in a detailed, program-by-program format, that includes:

- a copy of the Haiti Rebuilding and Development Strategy, including any significant modifications of the Strategy during the preceding 180 days, and an explanation of such changes;
- a description, by goal and objective, of the implementation of the Strategy;
- an assessment of progress, or lack thereof, during the preceding 180 days toward meeting the goals and objectives, benchmarks, and timeframes specified in the Strategy, including an assessment of the performance of the GoH;
- a description of U.S. Government programs contributing to the achievement of the goals and objectives including the amounts obligated and expended on such programs during the preceding 6 months; and
- an assessment of efforts to coordinate U.S. Government programs with assistance provided by other donors and implementing partners, including any significant gaps in donor assistance.

Jordan.—The Committee recommends \$100,000,000 for assistance for Jordan to help meet the needs of Iraqi refugees and address other pressing economic issues.

Vietnam.—The Committee recommends \$12,000,000 for assistance for Vietnam to support the remediation of dioxin contamination at the Da Nang Airport, which poses extreme risks to human health and welfare, and related health activities.

Other Assistance.—The Committee recommends additional assistance for El Salvador and the Democratic Republic of the Congo, which is discussed in this report under sections 1011 and 1012, general provisions.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$1,685,000,000 |
| 2010 supplemental estimate ..... | ..... |
| House allowance ..... | ..... |
| Committee recommendation | 165,000,000 |

The Committee recommends \$165,000,000 for Migration and Refugee Assistance. The Committee intends these funds to be used for assistance for Iraqi, Afghan, Pakistani, Congolese, Burmese, and Somali refugees and IDPs.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

| | |
|----------------------------------|--------------|
| 2010 appropriation to date | \$25,000,000 |
| 2010 supplemental estimate | 7,100,000 |
| House allowance ..... | ..... |
| Committee recommendation | 7,100,000 |

The Committee recommends \$7,100,000 for International Affairs Technical Assistance for Haiti, which is equal to the request, to support up to eight resident advisors, plus additional targeted expertise, to assist in restoring core functions at the Ministry of Finance and the Central Bank, in coordination with USAID and the Department of State.

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$1,597,000,000 |
| 2010 supplemental estimate | 900,929,000 |
| House allowance | |
| Committee recommendation | 1,181,660,000 |

The Committee recommends \$1,181,660,000 for International Narcotics Control and Law Enforcement [INCLE], which is \$280,731,000 above the request. Funds made available under this heading are to be allocated according to the following table and are subject to the terms and conditions of section 1002 in this chapter:

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

[In thousands of dollars]

| Activity | Fiscal year 2010 supplemental request | Committee recommendation | Change from request |
|---|---------------------------------------|--------------------------|---------------------|
| Afghanistan: | | | |
| Counternarcotics Police and Interdiction Operations Support | 22,000 | 20,000 | - 2,000 |
| Drug Treatment for Children | 2,000 | 3,000 | + 1,000 |
| Corrections Sector Support Program in Provinces | 60,000 | 45,000 | - 15,000 |
| Justice Sector Support Program in Provinces | 50,000 | 40,000 | - 10,000 |
| Anti-corruption, Counternarcotics, and Major Crimes Assistance .. | 25,000 | 25,000 | ..... |
| Defense Bar Legal Aid | 5,000 | 3,000 | - 2,000 |
| Model Prisons in Provinces | 25,000 | 15,000 | - 10,000 |
| Strengthen Women's Justice Programs | 8,000 | 15,000 | + 7,000 |
| Program Development and Support | 3,000 | 3,000 | ..... |
| Subtotal—Afghanistan | 200,000 | 169,000 | - 31,000 |
| Pakistan: | | | |
| Police Training, Commodities, and Infrastructure | 32,000 | 32,000 | ..... |
| Corrections Administration and Training | 4,000 | 4,000 | ..... |
| Program Development and Support | 4,000 | 4,000 | ..... |
| Subtotal—Pakistan | 40,000 | 40,000 | ..... |
| Iraq: | | | |
| Police (Implementation, Management, and Security) ..... | ..... | 200,000 | + 200,000 |
| Police (One-time Start up and Limited Operations) | 517,440 | 450,000 | - 67,440 |
| Subtotal—Iraq | 517,440 | 650,000 | + 132,560 |
| Haiti: | | | |
| Justice Reform and Human Rights | 2,500 | 2,500 | ..... |
| Corrections | 31,200 | 33,360 | + 2,160 |
| Policing (Support for Haitian National Police) | 31,100 | 31,100 | ..... |
| Counternarcotics | 23,700 | 23,700 | ..... |
| Trafficking in Persons | 3,500 | 5,500 | + 2,000 |
| Peacekeeping (Contribution to MINUSTAH) | 45,000 | 45,000 | ..... |
| Program Development and Support | 6,489 | 6,500 | + 11 |
| Subtotal—Haiti | 143,489 | 147,660 | + 4,171 |
| Mexico ..... | ..... | 175,000 | + 175,000 |
| Total, INCLE | 900,929 | 1,181,660 | + 280,731 |

Afghanistan.—The Committee recommends \$169,000,000 for assistance for Afghanistan for rule of law programs, drug interdiction, justice reform, and corrections programs, which is \$31,000,000 below the request. The Committee is concerned that while the request envisions significant investments to reform Afghanistan's weak and corrupt justice sector, the political will may not exist within the central Government of Afghanistan to justify such expenditures. The Committee cautions that the bulk of these funds should be allocated at the local level, and at the national level only if Afghan Ministry of Justice officials demonstrate a strong commitment to reform, including removing and prosecuting corrupt officials.

The Committee provides \$15,000,000 to strengthen Afghan women's justice programs, which is \$7,000,000 above the request, to address the severe impediments facing Afghan women in obtaining access to justice. The Committee provides \$3,000,000 to assist Afghanistan's orphans and street children who are vulnerable to drug addiction.

Pakistan.—The Committee recommends \$40,000,000 for police training, equipment and infrastructure support, including for women police officers, and corrections assistance for Pakistan, which is equal to the request.

Iraq.—The Committee recommends \$650,000,000 for assistance for Iraq, which is \$132,560,000 above the request. Of this amount, \$450,000,000 is for one-time start up costs and limited operational costs of the Iraqi police program, and \$200,000,000 is for implementation, management, security, and other expenses, subject to a determination and report by the Secretary of State. The Committee recognizes that the Iraqi police program is a priority for maintaining security as U.S. military forces withdraw.

Haiti.—The Committee recommends \$147,660,000 for assistance for Haiti, which is \$4,171,000 above the request, of which \$5,500,000 is for the Office to Monitor and Combat Trafficking in Persons to combat human trafficking and slavery in Haiti. Funds should be used for prevention and protection programs, and to support investigations and prosecutions of cases in Haiti and the Dominican Republic. A portion of these funds should be used to provide protection from gender-based violence, including in IDP camps. Funds should also be considered for advocates for child and adult victims of sexual abuse during investigations and prosecutions of such crimes. The Committee notes that the Department of State's Office to Monitor Trafficking in Persons redirected some \$1,500,000 from programs in other countries to respond to the heightened risk of trafficking of Haitian children following the earthquake, and directs that such funds be replenished.

The Committee supports the use of funds to improve the deplorable conditions at the National Penitentiary in Port-au-Prince, and for other corrections facility construction and improvements, and provides \$33,360,000 which is \$2,160,000 above the request.

Mexico.—The Committee recommends \$175,000,000 for assistance for Mexico for judicial reform, institution building, anti-corruption, and rule of law activities, in furtherance of the goals of the 3-year, \$1,400,000,000 Merida Initiative to combat drug-related vi-

olence and other organized criminal activity. These issues are discussed in this report under section 1010, general provisions.

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$4,195,000,000 |
| 2010 supplemental estimate | 60,000,000 |
| House allowance | |
| Committee recommendation | 100,000,000 |

The Committee recommends \$100,000,000 for Foreign Military Financing Program, which is \$40,000,000 above the request, of which \$50,000,000 is for the purchase of helicopters for Pakistan and \$50,000,000 is to address urgent security needs in Jordan.

Pakistan.—The Committee notes that the Pakistani military has carried out significant offensive combat operations against insurgents in recent months in an effort to establish government control of territory bordering Afghanistan. The Committee is concerned, however, with reports that the Pakistani military has impeded access by humanitarian organizations to IDPs who have fled their homes due to the military operations. There are also reports that the Pakistani military has committed many extrajudicial executions and other violations of human rights, including detaining suspected militants indefinitely without access to lawyers, family, or humanitarian organizations. The bill includes language to ensure the effective application of section 620J of the Foreign Assistance Act of 1961 to United States assistance for Pakistani security forces.

GENERAL PROVISIONS—THIS CHAPTER

The Committee recommends the following general provisions for this chapter:

EXTENSION OF AUTHORITIES

SEC. 1001. This provision waives certain authorization requirements as no fiscal year 2010 foreign assistance and foreign relations authorizations acts have been enacted.

ALLOCATIONS

SEC. 1002. This provision requires that funds in the specified accounts shall be allocated as indicated in the respective tables in this report. Any change to these allocations shall be subject to the regular notification procedures of the Committees on Appropriations.

SPENDING PLANS AND NOTIFICATION PROCEDURES

SEC. 1003. This provision requires the Secretary of State, in consultation with the USAID Administrator, and the Broadcasting Board of Governors, to provide detailed spending plans on the uses of funds appropriated in this chapter and obligation reports to the Committees on Appropriations. These funds are subject to the regular notification procedures of the Committees on Appropriations.

AFGHANISTAN

SEC. 1004. This provision requires the Secretary of State to make determinations and submit reports prior to making available certain assistance for Afghanistan.

The Committee emphasizes the central role of women in Afghan society, and directs the Secretary of State to submit a report to the Committee not later than 45 days after enactment of this act detailing the process by which Afghan women will be consulted and participate in the design, implementation, and oversight of U.S. assistance programs, projects and activities.

The Committee supports the Secretary of State's efforts to make women and girls a key focus of U.S. assistance for Afghanistan, but is concerned with the lack of a comprehensive, multi-agency strategy to measure the impact of such assistance. The Committee requires the Secretary of State, in consultation with the USAID Administrator, to submit a strategy to the Committee not later than 45 days after enactment of this act, on plans to implement and measure the impact of such assistance, which shall be coordinated with the Afghan Ministry of Women's Affairs and support the goals and objectives of the National Action Plan for Women of Afghanistan and the Afghan National Development Strategy.

PAKISTAN

SEC. 1005. This provision requires funds appropriated in this chapter and in prior acts making appropriations for the Department of State, foreign operations, and related programs under the headings Foreign Military Financing Program and Pakistan Counterinsurgency Capability Fund to be made available in a manner that promotes access to detainees and IDPs and in accordance with section 620J of the Foreign Assistance Act of 1961. The Secretary of State is directed to submit a report to the Committee not later than 90 days after enactment of this act, detailing the procedures for applying section 620J to Pakistani security forces, and on progress in obtaining access for humanitarian organizations to detainees and IDPs and in resolving cases of disappearances in the FATA, Balochistan, and other conflict zones.

IRAQ

SEC. 1006. This provision provides that aircraft in Iraq purchased or leased with funds in this chapter and prior acts making appropriations for the Department of State, foreign operations, and related programs shall be coordinated under the authority of the United States Chief of Mission in Iraq, and that the terms and conditions of section 1106(b) of Public Law 111-32, including cost-sharing requirements, shall apply to funds made available in this chapter for assistance for Iraq under the heading International Narcotics Control and Law Enforcement.

HAITI

SEC. 1007. This provision requires the Secretary of State to make determinations and to report to the Committees on Appropriations prior to making available certain assistance for Haiti.

HAITI DEBT RELIEF

SEC. 1008. This provision recommends an additional \$212,000,000 to be used to cancel existing debts owed by Haiti prior to January 12, 2010, to the Inter-American Development Bank, the International Development Association, and the International Fund for Agricultural Development, and for the U.S. share of an increase for the Fund for Special Operations of the Inter-American Development Bank (the Fund), and authorizes up to \$40,000,000 of the amounts appropriated for the Heavily Indebted Poor Countries Trust Fund to be used for such purposes.

HAITI DEBT RELIEF AUTHORITY

SEC. 1009. This provision authorizes the United States to vote in favor of increasing the resources of the Fund up to \$479,000,000 to support debt relief for Haiti and authorizes the United States to contribute up to \$252,000,000 to the Fund to provide debt relief for Haiti through the Fund, the International Fund for Agricultural Development, and the International Development Association.

MEXICO

SEC. 1010. This provision provides that funds appropriated for assistance for Mexico in this chapter and in prior acts making appropriations for the Department of State, foreign operations, and related programs are subject to the provisions of paragraphs (1) through (3) of section 7045(e) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2009 (division H of Public Law 111–8), and the report required in paragraph (1) shall be based on a determination by the Secretary of State of compliance with each of the requirements in paragraph (1)(A) through (D).

Funds may be made available for assistance for Mexico only after the Secretary of State submits a report detailing a coordinated, multi-year, interagency strategy to address the causes of drug-related violence and other organized criminal activity in Central and South America, Mexico, and the Caribbean.

EL SALVADOR

SEC. 1011. This provision provides \$25,000,000 in Economic Support Fund assistance for emergency relief and reconstruction assistance for El Salvador related to Hurricane/Tropical Storm Ida on November 7–8, 2009, which resulted in some 150 deaths, left thousands homeless, and caused in excess of \$300,000,000 in property damage. The Committee notes the positive role of the United States Southern Command in assessing damage and providing immediate assistance. The Committee intends these funds to be used to repair bridges, homes, schools and health clinics.

DEMOCRATIC REPUBLIC OF THE CONGO

SEC. 1012. This provision provides \$15,000,000 in Economic Support Fund assistance to support efforts to provide emergency security and humanitarian assistance for civilians, particularly women and girls who have been victims of rape and other violence, in the eastern region of the Democratic Republic of the Congo.

INTERNATIONAL SCIENTIFIC COOPERATION

SEC. 1013. This provision provides authority to use prior year funds appropriated for science and technology centers in the former Soviet Union for productive, non-military activities that engage scientists and engineers who have no weapons background, following consultation with the Committees on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

INTERNATIONAL RENEWABLE ENERGY AGENCY

SEC. 1014. This provision authorizes the President to accept the Statute of, and maintain membership of the United States in, the International Renewable Energy Agency, and assessed contributions to be paid from funds appropriated for Contributions to International Organizations.

OFFICE OF INSPECTOR GENERAL PERSONNEL

SEC. 1015. This provision authorizes funds appropriated in this chapter for personal services contractors at USAID's Office of Inspector General, and waivers for certain reemployed annuitants to serve at critical posts or to fill vacant positions.

TECHNICAL CLARIFICATION

SEC. 1016. This provision ensures that contributions, grants or other assistance to multilateral organizations are not covered by section 7081(d) of division F, Public Law 111-117.

AUTHORITY TO REPROGRAM FUNDS

SEC. 1017. This provision provides the President with additional authority to reprogram up to \$100,000,000 for assistance in the Middle East and South Asia regions to address unanticipated contingencies that threaten the national security interests of the United States. The authority is made available pursuant to section 451 of the Foreign Assistance Act of 1961, notwithstanding the funding limitation imposed in subsection (a)(1), and is subject to prior consultation by the Secretary of State and the regular notification procedures of the Committees on Appropriations. Funding is to be derived from amounts appropriated by this chapter for Afghanistan, Pakistan, and Iraq. The authority of this section may only be utilized to respond to unanticipated contingencies resulting from the imposition of additional sanctions against Iran, and expires upon enactment of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2011.

SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION

(INCLUDING RESCISSION)

SEC. 1018. This provision rescinds \$7,200,000 appropriated in Public Law 111-32 under the heading "Department of State, Administration of Foreign Affairs, Office of Inspector General" that is available for transfer to the Special Inspector General for Afghanistan Reconstruction [SIGAR] and appropriates \$7,200,000 to the

same heading for SIGAR to support oversight of reconstruction programs and activities in Afghanistan funded in this act.

CHAPTER 11

SUBCOMMITTEE ON TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

HIGHWAY TRAFFIC SAFETY GRANTS

(HIGHWAY TRUST FUND)

(INCLUDING RESCISSION)

| | |
|----------------------------------|---------------|
| 2010 appropriation to date | |
| 2010 supplemental estimate | |
| House allowance | |
| Committee recommendation | -\$15,000,000 |

The Committee provides for \$15,000,000 of unobligated balances for section 406 seat belt performance grants from fiscal year 2010 be used to study sudden unintended acceleration, the implementation of Corporate Average Fuel Economy requirements under the Energy Independence and Security Act of 2007 (Public Law 110-140), and related activities. Further, \$15,000,000 in unobligated balances are permanently rescinded.

CONSUMER ASSISTANCE TO RECYCLE AND SAVE PROGRAM

(RESCISSION)

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | |
| 2010 supplemental estimate | |
| House allowance | (-\$44,000,000) |
| Committee recommendation | -44,000,000 |

The Committee recommendation rescinds unobligated balances from the Consumer Assistance to Recycle and Save Program. The House carried similar language.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

| | |
|----------------------------------|-----------------|
| 2010 appropriation to date | \$4,450,000,000 |
| 2010 supplemental estimate | |
| House allowance | |
| Committee recommendation | 100,000,000 |

The Committee recommendation provides an additional \$100,000,000 in community development funds for disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in Presidentially declared disaster areas.

TITLE II

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

The Committee recommendation provides \$5,000,000 for the Economic Development Administration's Economic Adjustment Assistance programs to award grants to State, local, and nonprofit entities in the affected region for strategic planning and technical assistance. Potential activities to be funded include short- and long-term economic recovery plans and State and local economic recovery coordinators. This funding should include assistance to tourism-related businesses in oil impacted areas to mitigate negative economic impacts on tourist-related industries.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

The Committee recommendation provides \$13,000,000 to the Secretary of Commerce to be available if other sources do not sufficiently mitigate economic impact on fishermen and fishery-dependent businesses impacted by the Deepwater Horizon oil spill. The Committee also recommends \$7,000,000 for the National Oceanic and Atmospheric Administration for activities that support the response to the Deepwater Horizon oil spill but may not qualify as recoverable from the responsible parties of the Oil Spill Liability Trust Fund. This includes the ability for NOAA to conduct a vigorous scientific pre-sampling and post-sampling analysis program for the Gulf of Mexico. The Committee remains concerned that 428,000 gallons of dispersants have been used in the Gulf of Mexico with little or no knowledge of the serious impacts or potential devastation these chemicals will have on the ecosystem. The Committee directs NOAA, working with external partners, to study the short and long term effects that dispersants will have on the Gulf ecosystem.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

The Committee provides \$2,000,000, as requested, for the Food and Drug Administration to purchase new technology, which will result in increased capability for seafood inspection.

DEPARTMENT OF THE INTERIOR

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The oil spill following the explosion, fire, and collapse of the Deepwater Horizon mobile drilling rig in the Gulf of Mexico has exposed weaknesses in oil and gas exploration and environmental safeguards related to exploration. The Secretary of the Interior has commenced inspections and investigations to determine the causes of the event and its impacts on the environment. The fiscal year 2010 budget does not include funds for these and other oil spill related activities. Therefore, the Committee is recommending an additional \$29,000,000 for inspections, enforcement, studies and other activities requested by the Secretary. These funds shall be used for increased inspections of offshore rigs and platforms in the Outer Continental Shelf; comprehensive evaluation of policies, procedures and other actions that may be needed in response to the oil spill; and environmental studies in the Gulf of Mexico and on lands and waters impacted by the spill and responses to it.

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

The Committee recommends \$10,000,000 for the Civil Division and the Environment and Natural Resources Division for civil defensive litigation, and civil and criminal enforcement under the Oil Pollution Act, the Federal Tort Claims Act, and the Clean Water Act.

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

The Committee recommends \$2,000,000 for a study of long-term risks and impacts from crude oil releases and the uses of chemical dispersants. The recommendation is the same as the request. Language has been included directing the Administrator of the Environmental Protection Agency to coordinate the study with the Secretary of Commerce and the Secretary of the Interior.

GENERAL PROVISION—THIS TITLE

SEC. 2001. The bill includes a provision permitting the Coast Guard to obtain one or more advances (up to \$100,000,000 each) from the Principal Fund within the Oil Spill Liability Trust Fund to underwrite Federal response activities with regard to the discharge of oil that began in 2010 in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon.

TITLE III
GENERAL PROVISIONS—THIS ACT

AVAILABILITY OF FUNDS

SEC. 3001. The Committee recommends a provision that limits the availability of the funds provided in this act to the current fiscal year unless expressly provided otherwise.

EMERGENCY DESIGNATION

SEC. 3002. The Committee recommends a provision providing an emergency designation, as authorized by section 304 of the congressional budget resolution, for the preponderance of the funds in this act.

NOTIFICATION OF EMERGENCY DESIGNATION

The congressional budget resolution (S. Con. Res. 13) agreed to by Congress for fiscal year 2010 includes provisions relating to the notification of emergency spending. These provisions require a statement of how the emergency provisions contained in the bill meet the criteria for emergency spending as identified in the budget resolution.

The Committee recommends emergency funding for fiscal year 2010 primarily for the costs of overseas deployments in Iraq and Afghanistan in excess of the President's 2010 initial estimates. The President and the congressional budget resolution had initially set aside \$133,000,000,000 for these costs. The increased troop levels and heightened tempo of operations in Afghanistan cannot be accommodated within that amount. Funds are also recommended in response to: disasters including the devastating earthquake in Haiti, extraordinary snow emergencies in the mid-Atlantic and Northeast, flooding in the Upper Midwest and the Northeast, flooding and tornadoes in the Southeast, ice storms, Hurricane Katrina and subsequent storms, the Gulf of Mexico oil spill, and other needs. The funding is related to unanticipated needs and is for situations that are sudden, urgent, and unforeseen, specifically the higher than anticipated requirements for overseas activities, the devastating earthquake in Haiti, and exceptional weather events.

These needs meet the criteria for emergencies.

SEC. 3003. Amends the geothermal energy receipts formula contained in section 423 of the Interior, Environment, and Related Agencies Appropriations Act, 2010 (Public Law 111–88) to comport with the formula provided for in the Energy Policy Act of 2005.

SEC. 3004. Reduces by \$9,000,000 the amount of funding made available to the Department of the Interior's Office of the Special Trustee for American Indians. These funds are not needed for the historical accounting activities associated with individual Indian

money accounts as a result of the settlement in the *Cobell v. Salazar* case.

SEC. 3005. Extends the authorization for the National Park Service Chesapeake Bay Initiative.

SEC. 3006. Allows the Department of the Interior to complete projects funded through the American Recovery and Reinvestment Act.

SEC. 3007. Extends the authorization of the Federal Land Transaction Facilitation Act.

COMPLIANCE WITH PARAGRAPH 7, RULE XVI OF THE
STANDING RULES OF THE SENATE

Paragraph 7 of rule XVI requires that Committee reports accompanying general appropriations bills identify each recommended amendment which proposes an item of appropriation which is not made to carry out the provisions of an existing law, a treaty stipulation, or an act or resolution previously passed by the Senate during that session.

The Committee recommends funding for the following programs which currently lack authorization for fiscal year 2010:

Department of Commerce:

Economic Development Assistance Programs
National Oceanic and Atmospheric Administration Marine Fisheries Program

Department of Defense:

Iraq Security Forces Fund
Military Construction, Army
Military Construction, Air Force
Family Housing Operation and Maintenance, Air Force

Department of Health and Human Services: Public Health and Social Services Emergency Fund

Department of the Treasury: International Affairs Technical Assistance

Department of Homeland Security:

United States Coast Guard:
Operating Expenses
Acquisition, Construction, and Improvements
Federal Emergency Management Agency: Disaster Relief
United States Citizenship and Immigration Services

Department of Justice: General Legal Activities, Salaries and Expenses

Funds Appropriated to the President: Foreign Military Financing Program

U.S. Army Corps of Engineers:

General Investigations
Mississippi River and Tributaries
Operations and Maintenance
Flood Control and Coastal Emergencies

Department of State and Related Programs:

Administration of Foreign Affairs
International Organizations
Broadcasting Board of Governors
International Narcotics Control and Law Enforcement
Migration and Refugee Assistance

United States Agency for International Development

Office of Inspector General
Global Health and Child Survival

International Disaster Assistance
 Economic Support Fund
 Operating Expenses
 Development Credit Authority

COMPLIANCE WITH PARAGRAPH 7(c), RULE XXVI OF THE
 STANDING RULES OF THE SENATE

Pursuant to paragraph 7(c) of rule XXVI, on May 13, 2010, the Committee ordered reported H.R. 4899, emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, and for other purposes, with an amendment in the nature of a substitute and an amendment to the title; with the bill subject to further amendment, by a recorded vote of 30–0, a quorum being present. The vote was as follows:

| Yeas | Nays |
|-----------------|------|
| Chairman Inouye | |
| Mr. Byrd | |
| Mr. Leahy | |
| Mr. Harkin | |
| Ms. Mikulski | |
| Mr. Kohl | |
| Mrs. Murray | |
| Mr. Dorgan | |
| Mrs. Feinstein | |
| Mr. Durbin | |
| Mr. Johnson | |
| Ms. Landrieu | |
| Mr. Reed | |
| Mr. Lautenberg | |
| Mr. Nelson | |
| Mr. Pryor | |
| Mr. Tester | |
| Mr. Specter | |
| Mr. Cochran | |
| Mr. Bond | |
| Mr. McConnell | |
| Mr. Shelby | |
| Mr. Gregg | |
| Mr. Bennett | |
| Mrs. Hutchison | |
| Mr. Brownback | |
| Mr. Alexander | |
| Ms. Collins | |
| Mr. Voinovich | |
| Ms. Murkowski | |

COMPLIANCE WITH PARAGRAPH 12, RULE XXVI OF THE
 STANDING RULES OF THE SENATE

Paragraph 12 of rule XXVI requires that Committee reports on a bill or joint resolution repealing or amending any statute or part of any statute include “(a) the text of the statute or part thereof which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and

of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the bill or joint resolution if enacted in the form recommended by the committee.”

In compliance with this rule, the following changes in existing law proposed to be made by the bill are shown as follows: existing law to be omitted is enclosed in black brackets; new matter is printed in italics; and existing law in which no change is proposed is shown in roman.

TITLE 22—FOREIGN RELATIONS AND INTERCOURSE

CHAPTER 7—INTERNATIONAL BUREAUS, CONGRESSES, ETC.

SUBCHAPTER XII—INTER-AMERICAN DEVELOPMENT BANK

§ 283. Acceptance of membership by United States in Inter-American Development Bank

The President is hereby authorized to accept membership for the United States in the Inter-American Development Bank (hereinafter referred to as the “Bank”), provided for by the agreement establishing the bank (hereinafter referred to as the “agreement”) deposited in the archives of the Organization of American States.

* * * * *

§ 283z-11. First replenishment of the resources of the Enterprise for the Americas Multilateral Investment Fund

(a) Contribution authority

(1) In general

The Secretary of the Treasury may contribute on behalf of the United States \$150,000,000 to the first replenishment of the resources of the Enterprise for the Americas Multilateral Investment Fund.

(2) Subject to appropriations

The authority provided by paragraph (1) may be exercised only to the extent and in the amounts provided for in advance in appropriations Acts.

(b) Limitations on authorization of appropriations

For the United States contribution authorized by subsection (a), there are authorized to be appropriated not more than \$150,000,000, without fiscal year limitation, for payment by the Secretary of the Treasury.

SEC. 40. AUTHORITY TO VOTE FOR AND CONTRIBUTE TO AN INCREASE IN RESOURCES OF THE FUND FOR SPECIAL OPERATIONS; PROVIDING DEBT RELIEF TO HAITI.

(a) VOTE AUTHORIZED.—In accordance with section 5 of this Act, the United States Governor of the Bank is authorized to vote in favor of a resolution to increase the resources of the Fund for Special Operations up to \$479,000,000, in furtherance of providing

debt relief for Haiti in view of the Cancun Declaration of March 21, 2010, which provides that:

(1) Haiti's debts to the Fund for Special Operations are to be cancelled;

(2) Haiti's remaining local currency conversion obligations to the Fund for Special Operations are to be cancelled;

(3) undisbursed balances of existing loans of the Fund for Special Operations to Haiti are to be converted to grants; and

(4) the Fund for Special Operations is to make available significant and immediate grant financing to Haiti as well as appropriate resources to other countries remaining as borrowers within the Fund for Special Operations, consistent with paragraph 6 of the Cancun Declaration of March 21, 2010.

(b) CONTRIBUTION AUTHORITY.—To the extent and in the amount provided in advance in appropriations Acts the United States Governor of the Bank may, on behalf of the United States and in accordance with section 5 of this Act, contribute up to \$252,000,000 to the Fund for Special Operations, which will provide for debt relief of:

(1) up to \$240,000,000 to the Fund for Special Operations;

(2) up to \$8,000,000 to the International Fund For Agricultural Development (IFAD); and

(3) up to \$4,000,000 for the International Development Association (IDA).

(c) AUTHORIZATION OF APPROPRIATIONS.—To pay for the contribution authorized under subsection (b), there are authorized to be appropriated, without fiscal year limitation, for payment by the Secretary of the Treasury \$212,000,000, for the United States contribution to the Fund for Special Operations.

* * * * *

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

CHAPTER 40—OIL POLLUTION

SUBCHAPTER III—MISCELLANEOUS

§ 2752. Annual appropriations

(a) Required

Except as provided in subsection (b) of this section, amounts in the Fund shall be available only as provided in annual appropriation Acts.

(b) Exceptions

Subsection (a) of this section shall not apply to sections 2706(f), 2712(a)(4), or 2736 of this title, and shall not apply to an amount not to exceed \$50,000,000 in any fiscal year which the President may make available from the Fund to carry out section 1321(c) of this title and to initiate the assessment of natural resources damages required under section 2706 of this title. To the extent that such amount is not adequate, the Coast Guard: (1) may obtain an advance from the Fund of such sums as may be necessary, up to a maximum of \$100,000,000, and within 30 days shall notify Con-

gress of the amount advanced and the facts and circumstances necessitating the [advance. Amounts] advance; (2) in the case of discharge of oil that began in 2010 in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, may, without further appropriation, obtain one or more advances from the Oil Spill Liability Trust Fund as needed, up to a maximum of \$100,000,000 for each advance, the total amount of all advances not to exceed the amounts available under section 9509(c)(2) of the Internal Revenue Code of 1986 (26 U.S.C. 9509(c)(2)), and within 7 days of each advance, shall notify Congress of the amount advanced and the facts and circumstances necessitating the advance; and (3) amounts advanced shall be repaid to the Fund when, and to the extent that, removal costs are recovered by the Coast Guard from responsible parties for the discharge or substantial threat of discharge. Sums to which this subsection applies shall remain available until expended.

* * * * *

TITLE 42—THE PUBLIC HEALTH AND WELFARE

CHAPTER 8A—SLUM CLEARANCE, URBAN RENEWAL, AND FARM HOUSING

SUBCHAPTER III—FARM HOUSING

§ 1472. Loans for housing and buildings on adequate farms

(a) * * *

* * * * *

(h) Doug Bereuter section 502 single family housing loan guarantee program

(1) * * *

[(8) Guarantee fee

[With respect to a guaranteed loan under this subsection, the Secretary may collect from the lender at the time of issuance of the guarantee a fee equal to not more than 1 percent of the principal obligation of the loan.]

(8) FEES.—Notwithstanding paragraph (14)(D), with respect to a guaranteed loan issued or modified under this subsection, the Secretary may collect from the lender—

(A) at the time of issuance of the guarantee or modification, a fee not to exceed 3.5 percent of the principal obligation of the loan; and

(B) an annual fee not to exceed 0.5 percent of the outstanding principal balance of the loan for the life of the loan.

* * * * *

TITLE 43—PUBLIC LANDS

CHAPTER 40—RECLAMATION STATES EMERGENCY DROUGHT RELIEF

SUBCHAPTER I—DROUGHT PROGRAM

§ 2214. Applicable period of drought program

(a) * * *

* * * * *

(c) Termination of authority

The authorities established under this subchapter shall terminate on **[September 30, 2010]** *September 30, 2012*.

* * * * *

SUBCHAPTER III—GENERAL AND MISCELLANEOUS PROVISIONS

§ 2241. Authorization of appropriations

Except as otherwise provided in section 2243 of this title (relating to temperature control devices at Shasta Dam, California), there is authorized to be appropriated not more than \$90,000,000 in total for the period of fiscal years 2006 **[through 2010]** *through 2012*.

* * * * *

CHAPTER 41—FEDERAL LAND TRANSACTION FACILITATION

§ 2304. Disposal of public land

(a) * * *

* * * * *

(d) Termination of authority

The authority provided under this section shall terminate **[10 years]** *11 years* after July 25, 2000.

* * * * *

MIGRATORY BIRD TREATY REFORM, PUBLIC LAW 105-312

TITLE V—CHESAPEAKE BAY INITIATIVE

SEC. 502. * * *

(a) * * *

* * * * *

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$3,000,000 for each of fiscal years 1999 through **[2008]** *2011*.

* * * * *

PUBLIC LAW 106-387

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes.

* * * * *

APPENDIX—H.R. 5426

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

TITLE I

* * * * *

TITLE VII—GENERAL PROVISIONS

* * * * *

【SEC. 739. Hereafter, notwithstanding section 502(h)(7) of the Housing Act of 1949 (42 U.S.C. 1472(h)(7)), the fee collected by the Secretary of Agriculture with respect to a guaranteed loan under such section 502(h) at the time of the issuance of such guarantee may be in an amount equal to not more than 2 percent of the principal obligation of the loan.**】**

* * * * *

OMNIBUS APPROPRIATIONS ACT, 2009, PUBLIC LAW 111-8**DIVISION C—ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2009****TITLE III****DEPARTMENT OF ENERGY**

* * * * *

ATOMIC ENERGY DEFENSE ACTIVITIES**NATIONAL NUCLEAR SECURITY ADMINISTRATION****WEAPONS ACTIVITIES**

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, the purchase of not to exceed two passenger motor vehicles, and one ambulance; \$6,380,000,000, to remain available until expended: *Provided*, That \$19,300,000 is authorized to be appropriated for **【the 09-D-007 LANSCE Refurbishment, PED,】** *capital equipment ac-*

quisition, installation, and associated design funds for LANSCE, Los Alamos National Laboratory, Los Alamos, New Mexico: Provided further, That, of the amount appropriated in this paragraph, \$22,836,000 shall be used for projects specified in the table that appears under the heading "Congressionally Directed Weapons Activities Projects" in the text and table under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

* * * * *

INTERIOR DEPARTMENT AND FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2010, PUBLIC LAW 111-88

DIVISION A—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

TITLE I—DEPARTMENT OF THE INTERIOR

* * * * *

OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For the operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, ~~【\$185,984,000】~~ *\$176,984,000*, to remain available until expended, of which not to exceed ~~【\$56,536,000】~~ *\$47,536,000* from this or any other Act, shall be available for historical accounting: *Provided*, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs, "Operation of Indian Programs" account; the Office of the Solicitor, "Salaries and Expenses" account; and the Office of the Secretary, "Salaries and Expenses" account: *Provided further*, That funds made available through contracts or grants obligated during fiscal year 2010, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: *Provided further*, That, notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of the enactment of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with an accounting of such funds from which the beneficiary can determine whether there has been a loss: *Provided further*, That, notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 18 months and has a balance of \$15.00 or less: *Provided further*, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of

the account holder: *Provided further*, That not to exceed \$50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: *Provided further*, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose.

* * * * *

**CONSOLIDATED APPROPRIATIONS ACT, 2010, PUBLIC
LAW 111-117**

**DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND
RELATED AGENCIES APPROPRIATIONS ACT, 2010**

TITLE III

SCIENCE

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

EXPLORATION

For necessary expenses, not otherwise provided for, in the conduct and support of exploration research and development activities, including research, development, operations, support, and services; maintenance; space flight, spacecraft control, and communications activities; program management, personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$3,746,300,000, to remain available until September 30, 2011: *Provided*, That notwithstanding section 505 of this Act, none of the funds provided herein and from prior years that remain available for obligation during fiscal year 2010 shall be available for the termination or elimination of any program, project or activity of the architecture for the Constellation program nor shall such funds be available to create or initiate a new program, project or activity, unless such program termination, elimination, creation, or initiation is provided in subsequent appropriations Acts: *Provided further*, That notwithstanding any other provision of law or regulation, funds made available for Constellation in fiscal year 2010 for National Aeronautics and Space Administration Exploration and from previous appropriations for National Aeronautics and Space Administration Exploration shall be available to fund continued performance of Constellation contracts, and performance of such Constellation contracts may not be terminated for convenience by the National Aeronautics and Space Administration in fiscal year 2010.

* * * * *

DIVISION F—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2010

TITLE VII

GENERAL PROVISIONS

CLIMATE CHANGE AND ENVIRONMENT PROGRAMS

SEC. 7081. (a) * * *

* * * * *

(d) BIODIVERSITY.—Of the funds appropriated by title III of this Act, not less than \$205,000,000 shall be made available for programs and activities which directly protect biodiversity, including tropical forests and wildlife, in developing countries, of which not less than \$25,000,000 shall be made available for USAID’s conservation programs in the Amazon Basin: *Provided*, That of the funds made available under this paragraph, not less than \$20,500,000 shall be made available for the Congo Basin Forest Partnership only for programs which directly promote the conservation and sustainable management of natural resources in landscapes in the Congo Basin area, with a priority on protected area and landscape resource management to enable local communities to conserve the natural resource base, including programs to substantially reduce the impacts of industrial-scale resource extraction on local communities and the natural resource base: *Provided further*, That none of the funds appropriated by *title III* of this Act may be made available[, directly or indirectly,] to support industrial-scale logging or other industrial-scale resource extraction or sector reform that would promote these activities: *Provided further*, That funds appropriated by this Act to carry out the provisions of sections 103 through 106, and chapter 4 of part II, of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law and subject to the regular notification procedures of the Committees on Appropriations, for the purpose of supporting tropical forestry and biodiversity conservation activities, clean energy and climate change programs aimed at reducing greenhouse gas emissions, and programs to mitigate mercury pollution: *Provided further*, That funds appropriated under the heading “Development Assistance” may be made available as a contribution to the Galapagos Invasive Species Fund.

* * * * *

**DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2010,
PUBLIC LAW 111-118**

**DIVISION A—DEPARTMENT OF DEFENSE
APPROPRIATIONS**

* * * * *

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, \$29,243,428,000; of which \$27,596,689,000 shall be for operation and maintenance, of which not to exceed one percent shall remain available until September 30, 2011, and of which up to **[\$15,093,539,000]** *\$15,121,714,000* may be available for contracts entered into under the TRICARE program; of which \$366,692,000, to remain available for obligation until September 30, 2012, shall be for procurement; and of which \$1,280,047,000, to remain available for obligation until September 30, 2011, shall be for research, development, test and evaluation: *Provided*, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than \$10,000,000 shall be available for HIV prevention educational activities undertaken in connection with United States military training, exercises, and humanitarian assistance activities conducted primarily in African nations.

* * * * *

TITLE VIII

GENERAL PROVISIONS

* * * * *

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed **[\$4,000,000,000]** *\$4,500,000,000* of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2010: *Provided further*, That trans-

fers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section: *Provided further*, That no obligation of funds may be made pursuant to section 1206 of Public Law 109-163 (or any successor provision) unless the Secretary of Defense has notified the congressional defense committees prior to any such obligation.

* * * * *

SEC. 8079. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during **【fiscal year 2010 until the enactment of the Intelligence Authorization Act for Fiscal Year 2010.】** *fiscal year 2010*.

* * * * *

SEC. 8011. * * *

(1) the Secretary of Defense has submitted to Congress a report **【within 30 days of enactment of this Act】** *30 days prior to contract award* that certifies full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are identified in that report for production beyond advance procurement activities in the fiscal year 2010 budget, full funding of procurement of such unit in that fiscal year;

* * * * *

BUDGETARY IMPACT

Section 308(a)(1)(A) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93-344), as amended, requires that the report accompanying a bill providing new budget authority contain a statement detailing how that authority compares with the reports submitted under section 302 of the act for the most recently agreed to concurrent resolution on the budget for the fiscal year. All funds provided in this bill are either offset or are emergency requirements.

FIVE-YEAR PROJECTION OF OUTLAYS

In compliance with section 308(a)(1)(C) of the Congressional Budget Act of 1974 (Public Law 93-344), as amended, the following table contains 5-year projections associated with the budget authority provided in the accompanying bill:

| [In millions] | |
|---|--------|
| Fiscal year 2010 budget authority: | |
| Mandatory | 13,377 |
| Discretionary | 45,585 |
| Outlays: | |
| Fiscal year 2010 | 11,922 |
| Fiscal year 2011 | 19,984 |
| Fiscal year 2012 | 10,170 |
| Fiscal year 2013 | 3,751 |
| Fiscal year 2014 and future years | 2,803 |

NOTE.—The above table includes emergency and discretionary appropriations.

ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

In accordance with section 308(a)(1)(D) of the Congressional Budget Act of 1974 (Public Law 93-344), as amended, the financial assistance to State and local governments is as follows:

| [In millions] | |
|--------------------------------|---------|
| New budget authority | \$2,862 |
| Fiscal year 2010 outlays | 245 |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued
 [In thousands of dollars]

| Doc. No. | | Supplemental estimate | House allowance | Committee recommendation | Committee recommendation compared with (+ or -) | |
|----------|---|-----------------------|-----------------|--------------------------|---|-----------------|
| | | | | | Supplemental estimate | House allowance |
| 111-82 | Emergency | | | 5,722 | +5,722 | +5,722 |
| | Reserve Personnel, Navy | 2,637 | | | -2,637 | |
| 111-82 | Emergency | | | 2,637 | +2,637 | +2,637 |
| | Reserve Personnel, Marine Corps | 1,258 | | | -1,258 | |
| 111-82 | Emergency | | | 34,758 | +34,758 | +34,758 |
| | Reserve Personnel, Air Force | 1,292 | | | -1,292 | |
| 111-82 | Emergency | | | 1,292 | +1,292 | +1,292 |
| | National Guard Personnel, Army | 33,184 | | | -33,184 | |
| 111-82 | Emergency | | | 33,184 | +33,184 | +33,184 |
| | National Guard Personnel, Air Force | 1,518 | | | -1,518 | |
| | Emergency | | | | | |
| | Total, Military Personnel | 1,895,761 | | 1,787,447 | -108,314 | +1,787,447 |
| | Operation and Maintenance | | | | | |
| 111-82 | Operation and Maintenance, Army | 11,567,665 | | | -11,567,665 | |
| 111-101 | Emergency | 133,300 | | 11,719,927 | +11,586,627 | +11,719,927 |
| 111-82 | Operation and Maintenance, Navy | 2,314,102 | | | -2,314,102 | |
| 111-101 | Emergency | 114,600 | | 2,735,194 | +2,620,594 | +2,735,194 |
| 111-82 | Operation and Maintenance, Marine Corps | 1,072,173 | | | -1,072,173 | |
| 111-101 | Emergency | 18,700 | | 829,326 | +810,626 | +829,326 |
| 111-82 | Operation and Maintenance, Air Force | 3,711,647 | | | -3,711,647 | |
| 111-101 | Emergency | 133,400 | | 3,835,095 | +3,701,695 | +3,835,095 |
| 111-82 | Operation and Maintenance, Defense-wide | 1,188,421 | | | -1,188,421 | |
| 111-101 | Emergency | | | 1,236,727 | +1,236,727 | +1,236,727 |
| 111-82 | Operation and Maintenance, Army Reserve | 67,399 | | | -67,399 | |
| 111-101 | Emergency | | | 41,006 | +41,006 | +41,006 |
| 111-82 | Operation and Maintenance, Navy Reserve | 61,842 | | | -61,842 | |
| 111-101 | Emergency | | | 75,878 | +75,878 | +75,878 |
| 111-82 | Operation and Maintenance, Marine Corps Reserve | 674 | | | -674 | |
| 111-101 | Emergency | | | 857 | +857 | +857 |

| | | | | | | |
|---------|---|------------|--|------------|------------|-------------|
| 111-82 | Operation and Maintenance, Air Force Reserve Emergency | 95,819 | | 124,039 | -95,819 | +124,039 |
| 111-82 | Operation and Maintenance, Army National Guard Emergency | 171,834 | | 180,960 | -17,134 | +180,960 |
| 111-82 | Operation and Maintenance, Air National Guard Emergency | 161,281 | | 203,287 | -161,281 | +203,287 |
| 111-101 | Overseas Humanitarian, Disaster, and Civic Aid (emergency) | 255,000 | | | -255,000 | |
| 111-82 | Afghanistan Security Forces Fund Emergency | 2,604,000 | | 2,604,000 | -2,604,000 | +2,604,000 |
| 111-82 | Iraq Security Forces Fund Emergency | 1,000,000 | | 1,000,000 | -1,000,000 | +1,000,000 |
| 111-82 | Overseas Contingency Operations transfer fund Emergency | 350,000 | | | -350,000 | |
| | Total, Operation and maintenance | 25,021,857 | | 24,586,296 | -435,561 | +24,586,296 |
| | Procurement | | | | | |
| 111-82 | Aircraft Procurement, Army Emergency | 182,170 | | 219,470 | -182,170 | +219,470 |
| 111-82 | Procurement of weapons and tracked combat vehicles, Army Emergency | 3,000 | | 3,000 | -3,000 | +3,000 |
| 111-82 | Procurement of ammunition, Army Emergency | 17,055 | | 17,055 | -17,055 | +17,055 |
| 111-82 | Other Procurement, Army Emergency | 1,997,918 | | 2,065,006 | -1,997,918 | +2,065,006 |
| 111-82 | Aircraft Procurement, Navy Emergency | 104,693 | | 296,000 | -104,693 | +296,000 |
| 111-82 | Other Procurement, Navy Emergency | 15,000 | | 31,576 | -15,000 | +31,576 |
| 111-82 | Procurement, Marine Corps Emergency | 18,927 | | 162,927 | -18,927 | +162,927 |
| 111-82 | Aircraft Procurement, Air Force Emergency | 209,766 | | 174,766 | -209,766 | +174,766 |
| 111-82 | Procurement of ammunition, Air Force Emergency | 5,000 | | | -5,000 | |
| 111-82 | Other Procurement, Air Force Emergency | 576,895 | | 672,741 | -576,895 | +672,741 |
| 111-82 | Procurement, Defense-wide Emergency | 189,276 | | 189,276 | -189,276 | +189,276 |
| 111-82 | Mine Resistant Ambush Protected Vehicle Fund Emergency | 1,123,000 | | | -1,123,000 | |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued
 [In thousands of dollars]

| Doc. No. | Supplemental estimate | House allowance | Committee recommendation | Committee recommendation compared with | |
|----------|---|-----------------|--------------------------|--|-----------------|
| | | | | Supplemental estimate | House allowance |
| | Emergency | | 1,123,000 | +1,123,000 | +1,123,000 |
| | Subtotal, Procurement | 4,442,700 | 4,954,817 | +512,117 | +4,954,817 |
| | Research, Development, Test, and Evaluation | 61,962 | | -61,962 | |
| 111-82 | Emergency | 5,360 | | -5,360 | |
| 111-82 | Research, Development, Test, and Evaluation, Navy | 187,651 | 44,835 | +44,835 | +44,835 |
| 111-82 | Research, Development, Test, and Evaluation, Air Force | 22,138 | 163,775 | -187,651 | |
| 111-82 | Emergency | | 65,138 | +163,775 | +163,775 |
| | Research, Development, Test, and Evaluation, Defense-Wide | | | -22,138 | |
| | Emergency | | | +65,138 | +65,138 |
| | Subtotal Research, Development, Test, and Evaluation | 277,111 | 273,748 | -3,363 | +273,748 |
| | Revolving and Management Funds | | | | |
| 111-82 | Defense Working Capital Fund | 974,967 | | -974,967 | |
| | Emergency | | 1,134,887 | +1,134,887 | +1,134,887 |
| | Subtotal, Revolving and Management Funds | 974,967 | 1,134,887 | +159,920 | +1,134,887 |
| | Other Department of Defense Programs | 33,367 | | -33,367 | |
| 111-82 | Defense Health Program | 94,000 | 33,367 | +33,367 | +33,367 |
| 111-82 | Emergency | 400,000 | 94,000 | -94,000 | |
| 111-82 | Drug interdiction and counter-drug activities | | | +94,000 | +94,000 |
| 111-82 | Emergency | | | -400,000 | |
| 111-82 | Joint Improvised Explosive Device Defeat Fund | | | | |
| 111-82 | Emergency | | | | |
| | Total, Other Department of Defense Programs | 527,367 | 127,367 | -400,000 | +127,367 |

| | GENERAL PROVISIONS | | | | | | | |
|---------|---|--------------|--------------|--|---------------|--|--|---------------|
| 111-82 | Sec. 302 Increase to General Transfer Authority (Emergency) | (2,000,000) | | | (-2,000,000) | | | |
| 111-82 | Transfer authority (supplemental, Chapter 3) (Emergency) | (4,000,000) | (500,000) | | (-4,500,000) | | | (+500,000) |
| 111-104 | Transfer authority (Port of Guam) (Emergency) | (50,000) | | | (-50,000) | | | |
| | Sec. 306 Rescissions (Emergency) | | -77,161 | | -77,161 | | | -77,161 |
| | Total, General Provisions | | -77,161 | | -77,161 | | | -77,161 |
| | Total, Chapter 3 | 33,139,763 | 32,787,401 | | -352,362 | | | +32,787,401 |
| | Appropriations | (32,484,763) | | | (-32,484,763) | | | |
| | Rescissions | | (-77,161) | | (-77,161) | | | (-77,161) |
| | Emergency appropriations (Transfer authority) | (655,000) | (32,864,562) | | (+32,209,562) | | | (+32,864,562) |
| | (Transfer authority, emergency) | (6,050,000) | (500,000) | | (-6,050,000) | | | (+500,000) |
| | CHAPTER 4 | | | | | | | |
| | DEPARTMENT OF DEFENSE—CIVIL | | | | | | | |
| | Corps of Engineers—Civil | | | | | | | |
| | Investigations (emergency) | | 5,400 | | +5,400 | | | +5,400 |
| | Mississippi River and tributaries (emergency) | | 18,600 | | +18,600 | | | +18,600 |
| | Operations and maintenance (emergency) | | 173,000 | | +173,000 | | | +173,000 |
| | Flood Control and Costal Emergencies (emergency) | | 20,000 | | +20,000 | | | +20,000 |
| | Total, Corps of Engineers—Civil | | 217,000 | | +217,000 | | | +217,000 |
| | Total, Chapter 4 (Emergency appropriations) | | 217,000 | | +217,000 | | | +217,000 |
| | CHAPTER 5 | | | | | | | |
| | DEPARTMENT OF THE TREASURY | | | | | | | |
| | Departmental Offices | | | | | | | |
| 111-101 | Salaries and expenses (emergency) | 690 | 690 | | | | | +690 |
| | Office of Inspector General (rescission) | | -1,800 | | -1,800 | | | -1,800 |

| | | | | | | | |
|---------|--|--|-------------|-------------|-------------|---------------|------------|
| 111-92 | Federal Emergency Management Agency | Disaster relief (Emergency) | 5,100,000 | 5,100,000 | 5,100,000 | - 5,100,000 | ..... |
| | | Office of Inspector General (by transfer, emergency) | (5,000) | (5,000) | (5,000) | + 5,100,000 | ..... |
| | | Subtotal, Federal Emergency Management Agency | 5,100,000 | 5,100,000 | 5,100,000 | (+ 5,000) | ..... |
| 111-101 | United States Citizenship and Immigration Services | United States Citizenship and Immigration Services | 15,000 | ..... | 10,600 | - 4,400 | + 10,600 |
| | | United States Citizenship and Immigration Services (emergency) ..... | ..... | ..... | ..... | ..... | ..... |
| | | GENERAL PROVISIONS | ..... | ..... | ..... | ..... | ..... |
| | | Sec. 602 (Rescissions) ..... | ..... | ..... | - 11,100 | - 11,100 | - 11,100 |
| | | Total, Chapter 6 | 5,160,000 | 5,100,000 | 5,165,000 | + 5,000 | + 65,000 |
| | | Appropriations | (5,100,000) | ..... | ..... | (- 5,100,000) | ..... |
| | | Rescissions ..... | ..... | ..... | (- 11,100) | (- 11,100) | (- 11,100) |
| | | Emergency appropriations | (60,000) | (5,100,000) | (5,176,100) | (+ 5,116,100) | (+ 76,100) |
| | | (By transfer, emergency) ..... | ..... | (5,000) | (5,000) | (+ 5,000) | ..... |
| | | CHAPTER 7 | ..... | ..... | ..... | ..... | ..... |
| | | DEPARTMENT OF LABOR | ..... | ..... | ..... | ..... | ..... |
| | | Employment and Training Assistance | ..... | ..... | ..... | ..... | ..... |
| | | Training and employment services (emergency) ..... | ..... | 600,000 | ..... | ..... | - 600,000 |
| | | Departmental Management | ..... | ..... | ..... | ..... | ..... |
| | | Salaries and expenses (emergency) ..... | ..... | ..... | 18,200 | + 18,200 | + 18,200 |
| | | Total, Department of Labor ..... | ..... | 600,000 | 18,200 | + 18,200 | - 581,800 |
| | | DEPARTMENT OF HEALTH AND HUMAN SERVICES | ..... | ..... | ..... | ..... | ..... |
| | | Office of the Secretary | ..... | ..... | ..... | ..... | ..... |
| | | Public health and social services emergency fund (emergency) | 220,000 | ..... | 220,000 | ..... | + 220,000 |
| 111-101 | Total, Department of Health and Human Services ..... | ..... | 220,000 | ..... | 220,000 | ..... | + 220,000 |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued
 [In thousands of dollars]

| Doc. No. | | Supplemental estimate | House allowance | Committee recommendation | Committee recommendation compared with | |
|----------|--|-----------------------|-----------------|--------------------------|--|-----------------|
| | | | | | Supplemental estimate | House allowance |
| | Emergency appropriations | (2,801,010) | (5,720,000) | (45,707,687) | (+ 42,906,677) | (+ 39,987,687) |
| | (By transfer) ..... | ..... | ..... | (67,000) | (+ 67,000) | (+ 67,000) |
| | (By transfer, emergency) ..... | ..... | (5,000) | (5,000) | (+ 5,000) | ..... |
| | TITLE II | | | | | |
| | DEPARTMENT OF COMMERCE | | | | | |
| | Economic Development Administration | | | | | |
| 111- | Economic Development Assistance programs (emergency) | 5,000 | ..... | 5,000 | ..... | + 5,000 |
| | National Oceanic and Atmospheric Administration | | | | | |
| 111- | Operations, research, and facilities (emergency) | 20,000 | ..... | 20,000 | ..... | + 20,000 |
| | Total, Department of Commerce | 25,000 | ..... | 25,000 | ..... | + 25,000 |
| | DEPARTMENT OF HEALTH AND HUMAN SERVICES | | | | | |
| | Food and Drug Administration | | | | | |
| 111- | Salaries and expenses (emergency) | 2,000 | ..... | 2,000 | ..... | + 2,000 |
| | DEPARTMENT OF THE INTERIOR | | | | | |
| | Departmental Offices | | | | | |
| | Office of the Secretary | | | | | |
| 111- | Salaries and expenses (emergency) | 29,000 | ..... | 29,000 | ..... | + 29,000 |
| | DEPARTMENT OF JUSTICE | | | | | |
| | General Legal Activities | | | | | |
| 111- | Salaries and expenses (emergency) | 10,000 | ..... | 10,000 | ..... | + 10,000 |

| | | | | | | | | |
|------|--|--------------|-------|-------------|--------------|--|---------------|---------------|
| 111- | DEPARTMENT OF LABOR | | | | | | | |
| | Employment and Training Assistance | | | | | | | |
| | Training and employment services (emergency) | 50,000 | | | | | -50,000 | |
| 111- | ENVIRONMENTAL PROTECTION AGENCY | | | | | | | |
| | Science and Technology (emergency) | 2,000 | | | 2,000 | | | +2,000 |
| | GENERAL PROVISIONS | | | | | | | |
| | Sec. 2001 Deepwater Horizon (emergency) | 125,000 | | | 125,000 | | | +125,000 |
| | Total Title II | 243,000 | | | 193,000 | | -50,000 | +193,000 |
| | Emergency appropriations | (243,000) | | | (193,000) | | (-50,000) | (+193,000) |
| | TITLE III | | | | | | | |
| | GENERAL PROVISIONS | | | | | | | |
| | Sec. 3003 Geothermal receipts | | | | 8,000 | | +8,000 | +8,000 |
| | Sec. 3004 Historical accounting offset | | | | -9,000 | | -9,000 | -9,000 |
| | Sec. 3007 Federal Land Transaction Facilitation Act, extension | | | | 1,000 | | +1,000 | +1,000 |
| | House (rescissions, emergency) | | | -620,000 | | | | +620,000 |
| | Total Title III | | | -620,000 | | | | +620,000 |
| | Appropriations | | | | | | | |
| | Rescissions, emergency | | | (-620,000) | | | | (+620,000) |
| | Grand Total | 59,012,697 | | 5,100,174 | 58,962,089 | | -50,608 | +53,861,915 |
| | Appropriations | (55,968,687) | (174) | (174) | (13,229,863) | | (-42,638,824) | (+13,329,689) |
| | Rescissions | | | | (-105,761) | | (-105,761) | (-105,761) |
| | Rescissions, emergency | | | (-620,000) | (-162,700) | | (-162,700) | (+457,300) |
| | Emergency appropriations | (3,044,010) | | (5,720,000) | (45,900,687) | | (+42,856,677) | (+40,180,687) |
| | (By transfer) | | | | (67,000) | | (+67,000) | (+67,000) |
| | (By transfer, emergency) | | | (5,000) | (5,000) | | (+5,000) | |

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