

111TH CONGRESS }
1st Session

SENATE

{ REPORT
111-5

REPORT ON THE ACTIVITIES
OF THE
COMMITTEE ON ARMED SERVICES
UNITED STATES SENATE

110TH CONGRESS
FIRST AND SECOND SESSIONS



MARCH 3, 2009.—Ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

79-010

WASHINGTON : 2009

COMMITTEE ON ARMED SERVICES

(from January 12, 2007—July 17, 2007)

CARL LEVIN, Michigan, *Chairman*

EDWARD M. KENNEDY, Massachusetts	JOHN McCain, Arizona
ROBERT C. BYRD, West Virginia	JOHN W. WARNER, Virginia
JOSEPH I. LIEBERMAN, Connecticut	JAMES M. INHOFE, Oklahoma
JACK REED, Rhode Island	JEFF SESSIONS, Alabama
DANIEL K. AKAKA, Hawaii	SUSAN M. COLLINS, Maine
BILL NELSON, Florida	JOHN ENSIGN, Nevada
E. BENJAMIN NELSON, Nebraska	SAXBY CHAMBLISS, Georgia
EVAN BAYH, Indiana	LINDSEY O. GRAHAM, South Carolina
HILLARY RODHAM CLINTON, New York	ELIZABETH DOLE, North Carolina
MARK PRYOR, Arkansas	JOHN CORNYN, Texas
JIM WEBB, Virginia	JOHN THUNE, South Dakota
CLAIRE McCASKILL, Missouri	MEL MARTINEZ, Florida

RICHARD D. DeBOBES, *Staff Director*

MICHAEL V. KOSTIW, *Republican Staff Director*

COMMITTEE ON ARMED SERVICES

(from July 18, 2007—January 23, 2008)

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MARK PRYOR, Arkansas	JOHN THUNE, South Dakota
JIM WEBB, Virginia	MEL MARTINEZ, Florida
CLAIRE McCASKILL, Missouri	BOB CORKER, Tennessee

RICHARD D. DeBOBES, *Staff Director*

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COMMITTEE ON ARMED SERVICES

(from January 24, 2008—January 3, 2009)

CARL LEVIN, Michigan, *Chairman*

EDWARD M. KENNEDY, Massachusetts	JOHN McCAIN, Arizona
ROBERT C. BYRD, West Virginia	JOHN W. WARNER, Virginia
JOSEPH I. LIEBERMAN, Connecticut	JAMES M. INHOFE, Oklahoma
JACK REED, Rhode Island	JEFF SESSIONS, Alabama
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JIM WEBB, Virginia	MEL MARTINEZ, Florida
CLAIRE McCASKILL, Missouri	ROGER F. WICKER, Mississippi

RICHARD D. DEBOBES, *Staff Director*

MICHAEL V. KOSTIW, *Republican Staff Director*

LETTER OF TRANSMITTAL

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC, March 3, 2009.

Hon. JOSEPH R. BIDEN, Jr.,
President of the Senate,
Washington, DC.

DEAR MR. PRESIDENT: Senate Rule XXVI.8(b) requires the submission of a report of the activities of the Senate Committee on Armed Services for the previous Congress.

In accordance with the requirements, I am submitting the report of the activities of the Committee during the 110th Congress. This report outlines the most noteworthy legislative achievements and other achievements and activities of our Committee.

Sincerely,

CARL LEVIN, *Chairman.*

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JURISDICTION

Part 1 of the Legislative Reorganization Act of 1946 (Public Law 601 of the Seventy-ninth Congress, approved August 2, 1946, as amended by Public Law 510 of the Ninety-first Congress, approved October 26, 1970) created the standing committees of the Senate and provided that the Committee on Armed Services should consist of 13 Senators. The history of changes in the Committee on Armed Services membership since 1946 is displayed below:

Congress:	Year:	Under Authority of:	Number of Senators:
82nd	1953	S. Res. 18	15
86th	1959	S. Res. 24	17
90th	1967	S. Res. 11	18
91st	1970	H.R. 17654	15
92nd	1971	S. Res. 15	16
93rd	1973	S. Res. 10	15
94th	1975	S. Res. 17	16
95th	1977	S. Res. 4 & S. Res. 82	18
100th	1987	S. Res. 14	20
103rd	1993	S. Res. 130	22
104th	1995	S. Res. 14	21
105th	1997	S. Res. 9	18
107th	2001	in part by S. Res. 8	25

The Committee on Armed Services' jurisdiction is set forth in Rule XXV(c) (1) and (2) of the Standing Rules of the Senate. It states that the Committee shall be referred all proposed legislation, messages, petition, memorials and other matters related to the following subjects:

- (1) 1. Aeronautical and space activities peculiar to or primarily associated with the development of weapons systems or military operations.
2. Common defense.
3. Department of Defense, the Department of the Army, the Department of the Navy, and the Department of the Air Force, generally.
4. Maintenance and operation of the Panama Canal, including administration, sanitation, and government of the Canal Zone.
5. Military research and development.
6. National security aspects of nuclear energy.
7. Naval petroleum reserves, except those in Alaska.
8. Pay, promotion, retirement, and other benefits and privileges of members of the Armed Forces, including overseas education of civilian and military dependents.
9. Selective service system.
10. Strategic and critical materials necessary for the common defense.

(2) Such committee shall also study and review, on a comprehensive basis, matters relating to the common defense policy of the United States, and report thereon from time to time.

COMMITTEE ON ARMED SERVICES

(from January 12, 2007–July 17, 2007)

CARL LEVIN, Michigan, *Chairman*
*January 23, 1979**

EDWARD M. KENNEDY, Massachusetts <i>January 3, 1983*</i>	JOHN McCain, Arizona <i>January 6, 1987*</i>
ROBERT C. BYRD, West Virginia <i>February 2, 1989*</i>	JOHN W. WARNER, Virginia <i>January 23, 1979*</i>
JOSEPH I. LIEBERMAN, Connecticut <i>January 7, 1993*</i>	JAMES M. INHOFE, Oklahoma <i>January 4, 1995*</i>
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DANIEL K. AKAKA, Hawaii <i>January 25, 2001*</i>	SUSAN M. COLLINS, Maine <i>January 25, 2001*</i>
BILL NELSON, Florida <i>January 25, 2001*</i>	JOHN ENSIGN, Nevada <i>January 15, 2003*</i>
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JIM WEBB, Virginia <i>January 12, 2007*</i>	JOHN THUNE, South Dakota <i>January 6, 2005*</i>
CLAIRE McCASKILL, Missouri <i>January 12, 2007*</i>	MEL MARTINEZ, Florida <i>January 12, 2007*</i>

*Date of appointment to Senate Committee on Armed Services

The Senate Committees on Military Affairs; on the Militia; and Naval Affairs were established on December 10, 1816. The Committee on the Militia was merged with the Committee on Military Affairs in 1858 to form the Military Affairs and Militia Committee. However, in 1872 the Committee dropped “Militia” from its name. The Military Affairs and Naval Affairs Committees existed until 1947 when they were combined by the Legislative Reorganization Act of 1946 into a new standing committee, the current Armed Services Committee.

COMMITTEE ON ARMED SERVICES

(from July 18, 2007—January 23, 2008)

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*January 23, 1979**

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MARK PRYOR, Arkansas <i>January 12, 2007*</i>	JOHN THUNE, South Dakota <i>January 6, 2005*</i>
JIM WEBB, Virginia <i>January 12, 2007*</i>	MEL MARTINEZ, Florida <i>January 12, 2007*</i>
CLAIRE McCASKILL, Missouri <i>January 12, 2007*</i>	BOB CORKER, Tennessee <i>July 18, 2007*</i>

*Date of appointment to Senate Committee on Armed Services

Changes in Committee Membership during this Congress:

On July 18, 2007, the Senate passed S. Res. 275, providing for minority membership on the Committee on Armed Services for the remainder of the 110th Congress, or until their successors are appointed. Senator John Ensign of Nevada, because of his recent appointment as a member of the Committee on Finance, was removed as a member of the Committee on Armed Services. Senator Bob Corker of Tennessee was appointed as a member of the Committee on Armed Services.

COMMITTEE ON ARMED SERVICES

(from January 24, 2008—January 3, 2009)

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*January 23, 1979**

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EVAN BAYH, Indiana <i>January 15, 2003*</i>	ELIZABETH DOLE, North Carolina <i>January 15, 2003*</i>
HILLARY RODHAM CLINTON, New York <i>January 15, 2003*</i>	JOHN CORNYN, Texas <i>January 15, 2003*</i>
MARK PRYOR, Arkansas <i>January 12, 2007*</i>	JOHN THUNE, South Dakota <i>January 6, 2005*</i>
JIM WEBB, Virginia <i>January 12, 2007*</i>	MEL MARTINEZ, Florida <i>January 12, 2007*</i>
CLAIRE McCASKILL, Missouri <i>January 12, 2007*</i>	ROGER F. WICKER, Mississippi <i>January 24, 2008*</i>

*Date of appointment to Senate Committee on Armed Services

Further changes in Committee Membership during this Congress:

On January 24, 2008, the Senate passed S. Res. 425, a resolution making minority party appointments for the 110th Congress. These appointments were necessitated by the resignation of Senator Trent Lott of Mississippi on December 18, 2007. Senator Bob Corker of Tennessee was removed as a member of the Committee on Armed Services. Senator Roger F. Wicker of Mississippi was appointed as a member of the Committee on Armed Services.

ONE HUNDRED TENTH CONGRESS

SUBCOMMITTEES OF COMMITTEE ON ARMED SERVICES

January 19—August 1, 2007

Subcommittee on Airland

SENATOR LIEBERMAN,
Chairman
SENATOR AKAKA
SENATOR BAYH
SENATOR CLINTON
SENATOR PRYOR
SENATOR WEBB
SENATOR McCASKILL

SENATOR CORNYN,
Ranking Member
SENATOR WARNER
SENATOR INHOFE
SENATOR SESSIONS
SENATOR ENSIGN [until July 18, 2007]
SENATOR CHAMBLISS

Subcommittee on Emerging Threats and Capabilities

SENATOR REED,
Chairman
SENATOR KENNEDY
SENATOR BYRD
SENATOR BILL NELSON
SENATOR BEN NELSON
SENATOR BAYH
SENATOR CLINTON

SENATOR DOLE,
Ranking Member
SENATOR WARNER
SENATOR COLLINS
SENATOR GRAHAM
SENATOR CORNYN
SENATOR MARTINEZ

Subcommittee on Personnel

SENATOR BEN NELSON,
Chairman
SENATOR KENNEDY
SENATOR LIEBERMAN
SENATOR WEBB
SENATOR McCASKILL

SENATOR GRAHAM,
Ranking Member
SENATOR COLLINS
SENATOR CHAMBLISS
SENATOR DOLE

Subcommittee on Readiness and Management Support

SENATOR AKAKA,
Chairman
SENATOR BYRD
SENATOR BAYH
SENATOR CLINTON
SENATOR PRYOR
SENATOR McCASKILL

SENATOR ENSIGN,
Ranking Member [until July 18, 2007]
SENATOR INHOFE
SENATOR SESSIONS
SENATOR CHAMBLISS
SENATOR DOLE

Subcommittee on Seapower

SENATOR KENNEDY,
Chairman
SENATOR LIEBERMAN
SENATOR REED
SENATOR AKAKA
SENATOR BILL NELSON
SENATOR WEBB

SENATOR THUNE,
Ranking Member
SENATOR WARNER
SENATOR COLLINS
SENATOR ENSIGN [until July 18, 2007]
SENATOR MARTINEZ

Subcommittee on Strategic Forces

SENATOR BILL NELSON,
Chairman
SENATOR BYRD
SENATOR REED
SENATOR BEN NELSON
SENATOR PRYOR

SENATOR SESSIONS,
Ranking Member
SENATOR INHOFE
SENATOR GRAHAM
SENATOR THUNE

NOTE: Senator Levin and Senator McCain, as Chairman and Ranking Member of the Armed Services Committee, serve as ex-officio (non-voting) members of all Subcommittees.

ONE HUNDRED TENTH CONGRESS

SUBCOMMITTEES OF COMMITTEE ON ARMED SERVICES

August 2, 2007—February 4, 2008

Subcommittee on Airland

SENATOR LIEBERMAN,
Chairman
SENATOR AKAKA
SENATOR BAYH
SENATOR CLINTON
SENATOR PRYOR
SENATOR WEBB
SENATOR McCASKILL

SENATOR CORNYN,
Ranking Member
SENATOR WARNER
SENATOR INHOFE
SENATOR SESSIONS
SENATOR CHAMBLISS
SENATOR CORKER [until January 23, 2008]

Subcommittee on Emerging Threats and Capabilities

SENATOR REED,
Chairman
SENATOR KENNEDY
SENATOR BYRD
SENATOR NELSON (Florida)
SENATOR NELSON (Nebraska)
SENATOR BAYH
SENATOR CLINTON

SENATOR DOLE,
Ranking Member
SENATOR WARNER
SENATOR COLLINS
SENATOR GRAHAM
SENATOR CORNYN
SENATOR MARTINEZ

Subcommittee on Personnel

SENATOR NELSON (Nebraska),
Chairman
SENATOR KENNEDY
SENATOR LIEBERMAN
SENATOR WEBB
SENATOR McCASKILL

SENATOR GRAHAM,
Ranking Member
SENATOR COLLINS
SENATOR CHAMBLISS
SENATOR DOLE

Subcommittee on Readiness and Management Support

SENATOR AKAKA,
Chairman
SENATOR BYRD
SENATOR BAYH
SENATOR CLINTON
SENATOR PRYOR
SENATOR McCASKILL

SENATOR THUNE,
Ranking Member
SENATOR INHOFE
SENATOR CHAMBLISS
SENATOR DOLE
SENATOR CORKER [until January 23, 2008]

Subcommittee on Seapower

SENATOR KENNEDY,
Chairman
SENATOR LIEBERMAN
SENATOR REED
SENATOR AKAKA
SENATOR NELSON (Florida)
SENATOR WEBB

SENATOR MARTINEZ,
Ranking Member
SENATOR WARNER
SENATOR SESSIONS
SENATOR COLLINS
SENATOR CORNYN

Subcommittee on Strategic Forces

SENATOR NELSON (Florida), <i>Chairman</i>	SENATOR SESSIONS, <i>Ranking Member</i>
SENATOR BYRD	SENATOR INHOFE
SENATOR REED	SENATOR GRAHAM
SENATOR NELSON (Nebraska)	SENATOR THUNE
SENATOR PRYOR	

NOTE: Senator Levin and Senator McCain, as Chairman and Ranking Member of the Armed Services Committee, serve as ex-officio (non-voting) members of all Subcommittees.

ONE HUNDRED TENTH CONGRESS

SUBCOMMITTEES OF COMMITTEE ON ARMED SERVICES

February 5, 2008—January 3, 2009

Subcommittee on Airland

SENATOR LIEBERMAN,
Chairman
SENATOR AKAKA
SENATOR BAYH
SENATOR CLINTON
SENATOR PRYOR
SENATOR WEBB
SENATOR MCCASKILL

SENATOR CORNYN,
Ranking Member
SENATOR WARNER
SENATOR INHOFE
SENATOR SESSIONS
SENATOR CHAMBLISS
SENATOR WICKER

Subcommittee on Emerging Threats and Capabilities

SENATOR REED,
Chairman
SENATOR KENNEDY
SENATOR BYRD
SENATOR NELSON (Florida)
SENATOR NELSON (Nebraska)
SENATOR BAYH
SENATOR CLINTON

SENATOR DOLE,
Ranking Member
SENATOR WARNER
SENATOR COLLINS
SENATOR GRAHAM
SENATOR CORNYN
SENATOR MARTINEZ

Subcommittee on Personnel

SENATOR NELSON (Nebraska),
Chairman
SENATOR KENNEDY
SENATOR LIEBERMAN
SENATOR WEBB
SENATOR MCCASKILL

Senator Graham,
Ranking Member
SENATOR COLLINS
SENATOR CHAMBLISS
SENATOR DOLE

Subcommittee on Readiness and Management Support

SENATOR AKAKA, *Chairman*
SENATOR BYRD
SENATOR BAYH
SENATOR CLINTON
SENATOR PRYOR
SENATOR MCCASKILL

SENATOR THUNE,
Ranking Member
SENATOR INHOFE
SENATOR CHAMBLISS
SENATOR DOLE
SENATOR WICKER

Subcommittee on Seapower

SENATOR KENNEDY,
Chairman
SENATOR LIEBERMAN
SENATOR REED
SENATOR AKAKA
SENATOR NELSON (Florida)
SENATOR WEBB

SENATOR MARTINEZ,
Ranking Member
SENATOR WARNER
SENATOR SESSIONS
SENATOR COLLINS
SENATOR CORNYN

Subcommittee on Strategic Forces

SENATOR NELSON (Florida), <i>Chairman</i>	SENATOR SESSIONS, <i>Ranking Member</i>
SENATOR BYRD	SENATOR INHOFE
SENATOR REED	SENATOR GRAHAM
SENATOR NELSON (NEBRASKA)	SENATOR THUNE
SENATOR PRYOR	

NOTE: Senator Levin and Senator McCain, as Chairman and Ranking Member of the Armed Services Committee, serve as *ex-officio* (non-voting) members of all Subcommittees.

RELATIONSHIP OF ANNUAL AUTHORIZATION TO DEPARTMENT OF DEFENSE APPROPRIATIONS

History of Section 114, Title 10, United States Code

The jurisdiction of the committee so far as specific annual authorizations are concerned was increased significantly in 1959 by the enactment of section 412(b) of Public Law 86-149 which required annual congressional authorization of appropriations for the procurement of aircraft, missiles and naval vessels. That law was amended and expanded as follows:

- In 1962 (Public Law 88-436) to require similar authorization of appropriations for research, development, test, or evaluation associated with aircraft, missiles and naval vessels;
- In 1963 (Public Law 88-174) to require similar authorization of appropriations for all research, development, test, or evaluation carried on by the Department of Defense;
- In 1965 (Public Law 89-37) to require authorization of appropriations for the procurement of tracked combat vehicles;
- In 1967 (Public Law 90-168) to require annual authorization of the personnel strengths of each of the Selected Reserves of the Reserve components as a prior condition for the appropriation of funds for the pay and allowances for the Reserve components;
- In 1969 (Public Law 91-121) to require authorization of appropriations for the procurement of other weapons to or for the use of any armed force of the United States. (Essentially, heavy, medium, and light artillery, anti-aircraft artillery, rifles, machine-guns, mortars, small arms weapons, and any crew-fired piece using fixed ammunition);
- In 1970 (Public Law 91-441) to require authorization of appropriations to or for the use of the Navy for the procurement of torpedoes and related support equipment; and to require authorization of the average annual active duty personnel strength for each component of the Armed Forces as a condition precedent to the appropriation of funds for this purpose;
- In 1971 (Public Law 92-436) to require annual authorization for the average military training student loads for each component of the Armed Forces, and modified the provision relating to authorization for active duty personnel strength;
- In 1973 (Public Law 93-155) to require authorization for end strength civilian employment for each component of the Defense Department in each fiscal year;
- In 1975 (Public Law 94-106) to require the annual authorization of military construction of ammunition facilities;
- In 1980 (Public Law 96-342) to require the annual authorization of appropriations of funds for the operation and maintenance

nance of any armed force of the activities and agencies of the Department of Defense (other than the military departments) for fiscal years beginning after September 30, 1981; and

- In 1982 (Public Law 97–86) to require the annual authorization of appropriations of funds for procurement of ammunition or other procurement for any armed force or for agencies of the Department of Defense (other than military departments).

Also, in 1973 these enactments were codified by section 803(a) of Public Law 93–155 into Title 10, United States Code, as section 138. Section 138 was amended on several occasions and, in 1986, was divided into two sections redesignated as sections 114 and 115 of title 10, United States Code, by the Goldwater-Nichols Department of Defense Reorganization Act of 1986 (Public Law 99–433). Both sections have subsequently been amended several times. The law today reads as follows:

§ 114. Annual authorization of appropriations

(a) No funds may be appropriated for any fiscal year to or for the use of any armed force or obligated or expended for—

- (1) procurement of aircraft, missiles, or naval vessels;
- (2) any research, development, test, or evaluation, or procurement or production related thereto;
- (3) procurement of tracked combat vehicles;
- (4) procurement of other weapons;
- (5) procurement of naval torpedoes and related support equipment;
- (6) military construction;
- (7) the operation and maintenance of any armed force or of the activities and agencies of the Department of Defense (other than the military departments);
- (8) procurement of ammunition; or
- (9) other procurement by any armed force or by the activities and agencies of the Department of Defense (other than the military departments); unless funds therefor have been specifically authorized by law.

(b) In subsection (a)(6), the term “military construction” includes any construction, development, conversion, or extension of any kind which is carried out with respect to any military facility or installation (including any Government-owned or Government-leased industrial facility used for the production of defense articles and any facility to which section 2353 of this title [10 USCS § 2353] applies), any activity to which section 2807 of this title [10 USCS § 2807] applies, any activity to which chapter 1803 of this title [10 USCS §§ 18231 et seq.] applies, and advances to the Secretary of Transportation for the construction of defense access roads under section 210 of title 23. Such term does not include any activity to which section 2821 or 2854 of this title [10 USCS § 2821 or 2854] applies.

(c) (1) The size of the Special Defense Acquisition Fund established pursuant to chapter 5 of the Arms Export Control Act (22 U.S.C. 2795 et seq.) may not exceed \$1,070,000,000.

(2) Notwithstanding section 37(a) of the Arms Export Control Act (22 U.S.C. 2777(a)), amounts received by the United States pursu-

ant to subparagraph (A) of section 21(a)(1) of that Act (22 U.S.C. 2761(a)(1))—

(A) shall be credited to the Special Defense Acquisition Fund established pursuant to chapter 5 of that Act (22 U.S.C. 2795 et seq.), as authorized by section 51(b)(1) of that Act (22 U.S.C. 2795(b)(1)), but subject to the limitation in paragraph (1) and other applicable law; and

(B) to the extent not so credited, shall be deposited in the Treasury as miscellaneous receipts as provided in section 3302(b) of title 31.

(d) Funds may be appropriated for the armed forces for use as an emergency fund for research, development, test, and evaluation, or related procurement or production, only if the appropriation of the funds is authorized by law after June 30, 1966.

(e) In each budget submitted by the President to Congress under section 1105 of title 31, amounts requested for procurement of equipment for the reserve components of the armed forces (including the National Guard) shall be set forth separately from other amounts requested for procurement for the armed forces.

(f) In each budget submitted by the President to Congress under section 1105 of title 31, amounts requested for procurement of ammunition for the Navy and Marine Corps, and for procurement of ammunition for the Air Force, shall be set forth separately from other amounts requested for procurement.

§ 115. Personnel strengths: requirement for annual authorization

(a) Active-duty and Selected Reserve end strengths to be authorized by law. Congress shall authorize personnel strength levels for each fiscal year for each of the following:

(1) The end strength for each of the armed forces (other than the Coast Guard) for (A) active-duty personnel who are to be paid from funds appropriated for active-duty personnel unless on active duty pursuant to subsection (b), and (B) active-duty personnel and full-time National Guard duty personnel who are to be paid from funds appropriated for reserve personnel unless on active duty or full-time National Guard duty pursuant to subsection (b).

(2) The end strength for the Selected Reserve of each reserve component of the armed forces.

(b) Certain reserves on active duty to be authorized by law.

(1) Congress shall annually authorize the maximum number of members of a reserve component permitted to be on active duty or full-time National Guard duty at any given time who are called or ordered to—

(A) active duty under section 12301(d) of this title [10 USCS § 12301(d)] for the purpose of providing operational support, as prescribed in regulation issued by the Secretary of Defense;

(B) full-time National Guard duty under section 502(f)(2) of title 32 for the purpose of providing operational support when authorized by the Secretary of Defense;

(C) active duty under section 12301(d) of this title [10 USCS § 12301(d)] or full-time National Guard duty under section 502(f)(2) of title 32 for the purpose of preparing for

and performing funeral honors functions for funerals of veterans under section 1491 of this title [10 USCS § 1491];

(D) active duty or retained on active duty under sections 12301(g) of this title [10 USCS § 12301(g)] while in a captive status; or

(E) active duty or retained on active duty under 12301(h) or 12322 of this title [10 USCS § 12301(h) or 12322] for the purpose of medical evaluation or treatment.

(2) A member of a reserve component who exceeds either of the following limits shall be included in the strength authorized under subparagraph (A) or subparagraph (B), as appropriate, of subsection (a)(1):

(A) A call or order to active duty or full-time National Guard duty that specifies a period greater than three years.

(B) The cumulative periods of active duty and full-time National Guard duty performed by the member exceed 1095 days in the previous 1460 days.

(3) In determining the period of active service under paragraph (2), the following periods of active service performed by a member shall not be included:

(A) All periods of active duty performed by a member who has not previously served in the Selected Reserve of the Ready Reserve.

(B) All periods of active duty or full-time National Guard duty for which the member is exempt from strength accounting under paragraphs (1) through (8) of subsection (i).

(4) As part of the budget justification materials submitted by the Secretary of Defense to Congress in support of the end strength authorizations required under subparagraphs (A) and (B) of subsection (a)(1) for fiscal year 2009 and each fiscal year thereafter, the Secretary shall provide the following:

(A) The number of members, specified by reserve component, authorized under subparagraphs (A) and (B) of paragraph (1) who were serving on active duty or full-time National Guard duty for operational support beyond each of the limits specified under subparagraphs (A) and (B) of paragraph (2) at the end of the fiscal year preceding the fiscal year for which the budget justification materials are submitted.

(B) The number of members, specified by reserve component, on active duty for operational support who, at the end of the fiscal year for which the budget justification materials are submitted, are projected to be serving on active duty or full-time National Guard duty for operational support beyond such limits.

(C) The number of members, specified by reserve component, on active duty or full-time National Guard duty for operational support who are included in, and counted against, the end strength authorizations requested under subparagraphs (A) and (B) of subsection (a)(1).

(D) A summary of the missions being performed by members identified under subparagraphs (A) and (B).

(c) Limitation on appropriations for military personnel. No funds may be appropriated for any fiscal year to or for—

(1) the use of active-duty personnel or full-time National Guard duty personnel of any of the armed forces (other than the Coast Guard) unless the end strength for such personnel of that armed force for that fiscal year has been authorized by law;

(2) the use of the Selected Reserve of any reserve component of the armed forces unless the end strength for the Selected Reserve of that component for that fiscal year has been authorized by law; or

(3) the use of reserve component personnel to perform active duty or full-time National Guard duty under subsection (b) unless the strength for such personnel for that reserve component for that fiscal year has been authorized by law.

(d) Military technician (dual status) end strengths to be authorized by law. Congress shall authorize for each fiscal year the end strength for military technicians (dual status) for each reserve component of the Army and Air Force. Funds available to the Department of Defense for any fiscal year may not be used for the pay of a military technician (dual status) during that fiscal year unless the technician fills a position that is within the number of such positions authorized by law for that fiscal year for the reserve component of that technician. This subsection applies without regard to section 129 of this title [10 USCS § 129]. In each budget submitted by the President to Congress under section 1105 of title 31, the end strength requested for military technicians (dual status) for each reserve component of the Army and Air Force shall be specifically set forth.

(e) End-of-quarter strength levels.

(1) The Secretary of Defense shall prescribe and include in the budget justification documents submitted to Congress in support of the President's budget for the Department of Defense for any fiscal year the Secretary's proposed end-of-quarter strengths for each of the first three quarters of the fiscal year for which the budget is submitted, in addition to the Secretary's proposed fiscal-year end-strengths for that fiscal year. Such end-of-quarter strengths shall be submitted for each category of personnel for which end strengths are required to be authorized by law under subsection (a) or (d). The Secretary shall ensure that resources are provided in the budget at a level sufficient to support the end-of-quarter and fiscal-year end-strengths as submitted.

(2) (A) After annual end-strength levels required by subsections (a) and (d) are authorized by law for a fiscal year, the Secretary of Defense shall promptly prescribe end-of-quarter strength levels for the first three quarters of that fiscal year applicable to each such end-strength level. Such end-of-quarter strength levels shall be established for any fiscal year as levels to be achieved in meeting each of those annual end-strength levels authorized by law in accordance with subsection (a) (as such levels may be adjusted pursuant to subsection (f)) and subsection (d).

(B) At least annually, the Secretary of Defense shall establish for each of the armed forces (other than the Coast Guard) the maximum permissible variance of actual strength for an armed force at the end of any given quarter from the end-of-quarter strength established pursuant to subparagraph (A). Such variance shall be such that it promotes the maintaining of the strength necessary to achieve the end-strength levels authorized in accordance with subsection (a) (as adjusted pursuant to subsection (f)) and subsection (d).

(3) Whenever the Secretary establishes an end-of-quarter strength level under subparagraph (A) of paragraph (2), or modifies a strength level under the authority provided in subparagraph (B) of paragraph (2), the Secretary shall notify the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives of that strength level or of that modification, as the case may be.

(f) Authority for Secretary of Defense variances for active-duty and Selected Reserve strengths. Upon determination by the Secretary of Defense that such action is in the national interest, the Secretary may—

(1) increase the end strength authorized pursuant to subsection (a)(1)(A) for a fiscal year for any of the armed forces by a number equal to not more than 3 percent of that end strength;

(2) increase the end strength authorized pursuant to subsection (a)(1)(B) for a fiscal year for any of the armed forces by a number equal to not more than 2 percent of that end strength;

(3) vary the end strength authorized pursuant to subsection (a)(2) for a fiscal year for the Selected Reserve of any of the reserve components by a number equal to not more than 3 percent of that end strength; and

(4) increase the maximum strength authorized pursuant to subsection (b)(1) for a fiscal year for certain reserves on active duty for any of the reserve components by a number equal to not more than 10 percent of that strength.

(g) Authority for service Secretary variances for active-duty end strengths. Upon determination by the Secretary of a military department that such action would enhance manning and readiness in essential units or in critical specialties or ratings, the Secretary may increase the end strength authorized pursuant to subsection (a)(1)(A) for a fiscal year for the armed force under the jurisdiction of that Secretary or, in the case of the Secretary of the Navy, for any of the armed forces under the jurisdiction of that Secretary. Any such increase for a fiscal year—

(1) shall be by a number equal to not more than 2 percent of such authorized end strength; and

(2) shall be counted as part of the increase for that armed force for that fiscal year authorized under subsection (f)(1).

(h) Adjustment when Coast Guard is operating as a service in the Navy. The authorized strength of the Navy under subsection (a)(1) is increased by the authorized strength of the Coast Guard during any period when the Coast Guard is operating as a service in the Navy.

(i) Certain personnel excluded from counting for active-duty end strengths. In counting personnel for the purpose of the end strengths authorized pursuant to subsection (a)(1), persons in the following categories shall be excluded:

(1) Members of a reserve component ordered to active duty under section 12301(a) of this title [10 USCS 12301(a)].

(2) Members of a reserve component in an active status ordered to active duty under section 12301(b) of this title [10 USCS § 12301(b)].

(3) Members of the Ready Reserve ordered to active duty under section 12302 of this title [10 USCS § 12302].

(4) Members of the Selected Reserve of the Ready Reserve or members of the Individual Ready Reserve mobilization category described in section 10144(b) of this title [10 USCS § 10144(b)] ordered to active duty under section 12304 of this title [10 USCS § 12304].

(5) Members of the National Guard called into Federal service under section 12406 of this title [10 USCS 12406].

(6) Members of the militia called into Federal service under chapter 15 of this title [10 USCS §§ 331 et seq.].

(7) Members of the National Guard on full-time National Guard duty under section 502(f)(1) of title 32.

(8) Members of reserve components on active duty for training or full-time National Guard duty for training.

(9) Members of the Selected Reserve of the Ready Reserve on active duty to support programs described in section 1203(b) of the Cooperative Threat Reduction Act of 1993 (22 U.S.C. 5952(b)).

(10) Members of the National Guard on active duty or full-time National Guard duty for the purpose of carrying out drug interdiction and counter-drug activities under section 112 of title 32.

(11) Members of a reserve component on active duty under section 10(b)(2) of the Military Selective Service Act (50 U.S.C. App. 460(b)(2)) for the administration of the Selective Service System.

(12) Members of the National Guard on full-time National Guard duty for the purpose of providing command, administrative, training, or support services for the National Guard Challenge Program authorized by section 509 of title 32.

(13) Members of the National Guard on full-time National Guard duty involuntarily and performing homeland defense activities under chapter 9 of title 32 [USCS §§ 901 et seq.].

KEY ACTIVITIES OF THE COMMITTEE ON ARMED SERVICES DURING THE 110TH CONGRESS (2007 AND 2008)

The following is a summary of key activities of the Committee on Armed Services during the 110th Congress:

National Defense Authorization Act for Fiscal Year 2008

The committee began the First Session of the 110th Congress with a series of oversight and review hearings and briefings on a variety of issues, including the continuing U.S. military involvement in Iraq and Afghanistan, the current and future worldwide threats to our national security, the current and future readiness of the Army and Marine Corps, and the care, living conditions, and administration of outpatients at the Walter Reed Army Medical Center.

The committee's 26 hearings, with a total of 86 witnesses, on the President's budget request for national defense for fiscal year 2008 were structured to address the following seven committee priorities to:

- provide fair compensation and first rate health care, and improve the quality of life of the men and women in the armed forces (active duty, National Guard and Reserves) and their families;

- provide our servicemen and women with the resources, training, technology, equipment (especially force protection) and authorities they need to participate in combat and stability operations, particularly in Iraq and Afghanistan;

- reduce our Nation's strategic risk by starting and, if possible, accelerating the restoration of the readiness of the military services to conduct the full range of their assigned missions;

- improve the efficiency of Defense Department programs and activities, and apply the savings toward high-priority programs;

- improve the ability of the armed forces to meet nontraditional threats, including terrorism and weapons of mass destruction;

- promote the transformation of the armed forces to meet the threats of the 21st century; and

- conduct aggressive oversight of the Department's programs and activities to ensure proper stewardship of taxpayer dollars and compliance with relevant laws and regulations. Improve the efficiency of Defense Department programs and activities, and apply the savings toward high-priority programs.

Following a 3-day committee markup in late May, the committee reported the National Defense Authorization Act to the Senate on June 7, 2007. The Senate debate on the bill began on June 28 and

concluded on October 1. During the 19 days of debate, the Senate considered 216 amendments.

A 63-day conference with the House of Representatives resulted in a bill authorizing a total of \$507 billion for the President's base budget, plus a war-related funding authorization of \$189.3 billion. In addition, the conference report also incorporated the provisions of the House-passed Wounded Warrior Assistance Act of 2007 and the Senate-passed Dignified Treatment of Wounded Warriors Act in a comprehensive package of reforms, policies and studies to ensure the proper care of our wounded service members.

Following passage of the conference report by both the House of Representatives and the Senate, the bill, H.R. 1585, was vetoed by the President on December 28, 2007. The President objected to Section 1083 of the bill, a provision providing a terrorism exception to the jurisdictional immunity of a foreign state. In mid-January 2008 both the House and Senate passed identical versions of a revised National Defense Authorization Act for Fiscal Year 2008, H.R. 4986, which was signed by the President into law on January 28, 2008.

National Defense Authorization Act for Fiscal Year 2009

The 2nd Session of the 110th Congress also began with a series of oversight and review hearings on various topics, ranging from the report of the Commission on the National Guard and Reserves, to Air Force nuclear security, to progress on the implementation of legislation to improve the treatment of wounded service members, to Afghanistan strategy, and to the situation in Iraq and progress made by the Iraqi Government in meeting benchmarks and achieving reconciliation.

These hearing set the stage for the committee's 30 hearings (with testimony from 64 witnesses) on the National Defense Authorization Act for Fiscal Year 2009. These hearings were aimed at addressing the following seven committee's priorities on this legislation to:

- provide fair compensation and first-rate health care, and improve the quality of life of the men and women in the armed forces (active duty, National Guard and Reserves) and their families;
- provide our servicemen and women with the resources, training, technology, equipment (especially force protection) and authorities they need to succeed in combat and stability operations in Iraq and Afghanistan;
- seek to reduce our Nation's strategic risk by taking action aimed at restoring, as soon as possible, the readiness of the military services to conduct the full range of their assigned missions;
- improve the efficiency of Defense Department programs and activities, and apply the savings toward high-priority programs;
- improve the ability of the armed forces to counter non-traditional threats, including terrorism and the proliferation of weapons of mass destruction;
- promote the transformation of the armed forces to deal with the threats of the 21st Century; and

—ensure aggressive and thorough oversight of the Department's programs and activities to ensure proper stewardship of taxpayer dollars and compliance with relevant laws and regulations.

Following a 2-day subcommittee and full committee markup, the committee reported S. 3001, the National Defense Authorization Act for Fiscal Year 2009, to the Senate on May 12, 2008. The committee recommended funding for national defense programs totaling \$612.5 billion in budget authority, which was consistent with the President's budget request and with the funding levels for national defense in the Concurrent Resolution on the Budget for Fiscal Year 2009 adopted earlier in the year by the Senate.

Senate action on the bill did not begin until September 9, 2008. Cloture was invoked on the bill on September 16 and the bill was passed by a vote of 88–8 on September 17. Nine amendments were considered during debate on the bill.

The Senate bill was sent to the House and on September 24 the House agreed to suspend the rules and passed the bill with amendments. The House Committee on Armed Services issued Committee Print No. 10, a joint explanatory statement of the House and Senate managers on the bill—Senators Levin and Warner and Congressmen Skelton and Hunter. On September 27, 2008, the Senate agreed to the House amendment to the Senate bill by unanimous consent. President Bush signed S. 3001, the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009, on October 14, 2008 and it became Public Law 110–417.

Wounded Warrior Act

In February, 2007, a series of press articles described unacceptable shortfalls in Department of Defense and Department of Veterans Affairs systems for caring for wounded warriors in an outpatient status at the Walter Reed Army Medical Center. Subsequent independent investigations and hearings by congressional committees revealed the need for system-wide improvements in outpatient care, transition of recovering service members between the Department of Defense and Department of Veterans Affairs health care systems, and performance of the physical disability evaluation system.

To address this shortfall, both the House and the Senate passed the Wounded Warrior Act, a comprehensive package of reforms, policies, and studies to ensure the proper care of our wounded service members. The Wounded Warrior Act was ultimately included as Title XVI of H.R. 4986, the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181).

Key provisions of the Wounded Warrior Act:

- Require DOD and VA to jointly develop a comprehensive policy on improvements to care, management, and transition of recovering service members in an outpatient status;
- Require DOD to develop a comprehensive plan on prevention, diagnosis, mitigation, treatment, and rehabilitation of, and research on, traumatic brain injury, Post-Traumatic Stress Disorder (PTSD), and other mental health conditions in members of the armed forces;

- Authorize Centers of Excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of traumatic brain injury, post-traumatic stress disorder, and traumatic eye injuries;
- Authorize extended care comparable to care for active-duty members to recovering service members with severe injuries, if not reasonably available from the VA;
- Authorize reimbursement of travel expenses of retired members with combat-related disabilities for the purpose of follow-on specialty care at a military hospital;
- Authorize respite care and other extended care benefits for seriously injured service members;
- Require the establishment of a Wounded Warrior hotline for reporting of care or facility problems;
- Extend transitional health benefits for service members pending resolution of service-related medical conditions;
- Require fully interoperable electronic personal health information systems or capabilities for DOD and VA, and establish a joint DOD/VA program office to develop and implement interoperable systems;
- Authorize enhanced civilian personnel authorities for DOD for health care professionals for care and treatment of wounded, injured, and other members of the armed forces;
- Require DOD to use VA presumption of sound condition standard in establishing eligibility of service members for disability retirement;
- Require DOD to use the VA Schedule for Rating Disabilities in determining service member disabilities;
- Require the establishment of an independent review board to review the separation of service members with a disability rating of 20 percent or less since September 11, 2001;
- Authorize increase of disability severance pay for certain service members;
- Require establishment of standards for military medical treatment facilities, specialty medical care facilities, and military quarters housing patients;
- Require certifications that medical capabilities at Walter Reed Army Medical Center (WRAMC) will be maintained during transition directed by the 2005 round of base realignment and closure, and guaranteed continued funding of WRAMC;
- Require a National Academy of the Sciences independent study on physical and mental health and other readjustment needs of members and former members of the armed forces who deployed to Iraq and Afghanistan; and
- Authorize the use of leave transfer program by wounded veterans who are federal civilian employees.

Investigation into the Treatment of Detainees in U.S. Custody

During the 110th Congress, the committee conducted an extensive investigation into the treatment of detainees in U.S. custody. Over the course of the investigation, committee staff reviewed more than 200,000 pages of classified and unclassified documents. Staff conducted interviews of more than 70 individuals, including senior

civilian and military officials. The committee also sent written questions to more than 200 individuals. The committee issued two subpoenas to compel witness testimony.

The committee held two open hearings relating to the investigation. The first hearing, held on June 17, 2008, looked into the origins of aggressive interrogation techniques. The second hearing, held on September 25, 2008, discussed the authorization of Survival Evasion Resistance and Escape (SERE) techniques for use in interrogations in Iraq. On November 20, 2008, the committee approved an extensive report of the investigation. The executive summary and conclusions of that report were released on December 11, 2008.

A focus of the investigation was the influence of SERE resistance training techniques on U.S. interrogation policies and practices. SERE training is intended to be used to teach our soldiers how to resist interrogation. In SERE school, troops who are at risk of capture are exposed in a controlled environment to techniques adapted from abusive tactics used against American soldiers by enemies such as the Communist Chinese during the Korean War. SERE training techniques include stress positions, forced nudity, use of fear, sleep deprivation and, until recently, the Navy SERE school used the waterboard. These techniques were designed to expose soldiers to what they might be subjected to if captured by an enemy that refused to follow the Geneva Conventions and international law. The techniques were not intended to be used against detainees in U.S. custody. The committee's investigation revealed, however, that senior military and civilian officials authorized the use of SERE training techniques in interrogations.

Detainee abuses have been described by some as the result of a few individuals acting on their own. The committee's investigation found otherwise, concluding that: "The abuse of detainees at Abu Ghraib in late 2003 was not simply the result of a few soldiers acting on their own. Interrogation techniques such as stripping detainees of their clothes, placing them in stress positions, and using military working dogs to intimidate them appeared in Iraq only after they had been approved for use in Afghanistan and at GTMO. Secretary of Defense Donald Rumsfeld's December 2, 2002 authorization of aggressive interrogation techniques and subsequent interrogation policies and plans approved by senior military and civilian officials conveyed the message that physical pressures and degradation were appropriate treatment for detainees in U.S. military custody. What followed was an erosion in standards dictating that detainees be treated humanely."

A summary of the committee's actions during the 110th Congress on the annual national defense authorization acts and on nominations follows:

	110th Congress		
	1st Session	2nd Session	Total
Summary of Action on National Defense Authorization Act:			
Days in Markup	2	1	3
Days on floor	19	7	26
Amendments	216	9	225
Roll call votes	20	2	22

	110th Congress		
	1st Session	2nd Session	Total
Hours of Debate	98	28	126
Hearings/Meetings:			
Full Committee	75	49	124
Airland Subcommittee	3	4	7
Emerging Threats and Capabilities Subcommittee	3	3	6
Personnel Subcommittee	2	5	7
Readiness and Management Support Subcommittee	8	6	14
Seapower Subcommittee	3	3	6
Strategic Subcommittee	8	4	12
Total	102	74	176
Nominations:			
Civilian	14	7	21
Military:			
Army	6,721	6,425	13,146
Navy	4,691	4,752	9,443
Marine Corps	1,342	1,566	2,908
Air Force	6,096	5,931	12,027
Total Military Nominations	18,850	18,674	37,524

2007 ACTION ON NOMINATIONS REFERRED TO COMMITTEE

Date(s) of Committee Hearing(s)	Date(s) of Committee Action	Date of Senate Confirmation	Nominee/Position
Jan. 23, 2007	Jan. 24, 2007	Jan. 26, 2007	Petraeus, Lieutenant General David H., USA , for appointment to the grade of general and Commander, Multi-National Force—Iraq. [Note: This nomination was confirmed by the Senate on Jan. 26, 2007 by a roll call vote of 81–0.]
Jan. 30, 2007	Feb. 6, 2007	Feb. 7, 2007	Fallon, Admiral William J., USN , for reappointment to the grade of admiral and to be Commander, United States Central Command.
Feb. 1, 2007	Feb. 6, 2007	Feb. 8, 2007	Casey, Jr., General George W., USA , for reappointment to the grade of general and to be Chief of Staff, United States Army. [Note: This nomination was debated by the Senate on Feb. 7 and 8, 2007. The nomination was confirmed by the Senate on Feb. 8, 2007 by a roll call vote of 83–14.]
Mar. 8, 2007	Mar. 15, 2007	Mar. 19, 2007	Keating, Admiral Timothy J., USN , for reappointment to the grade of admiral and to be Commander, United States Pacific Command.
Mar. 8, 2007	Mar. 15, 2007	Mar. 19, 2007	Renuart, Lieutenant General Victor E., Jr., USAF , for appointment to be general and to be Commander, United States Northern Command/Commander, North American Aerospace Defense Command.
Mar. 8, 2007	Mar. 15, 2007	May 17, 2007	Antwerp, Lieutenant General Robert L., USA , for reappointment to the grade of lieutenant general and to be Chief of Engineers/Commanding General, United States Army Corps of Engineers.
Mar. 27, 2007	Mar. 28, 2007	Apr. 12, 2007	Kicklighter, Claude M. , of Georgia, to be Inspector General, Department of Defense, vice Joseph E. Schmitz, resigned. [NOTE: On March 28, 2007, nomination was referred sequentially to the Committee on Homeland Security and Governmental Affairs for not to exceed 20 days pursuant to the order of January 9, 2007. On April 11, 2007, the Senate Committee on Homeland Security and Governmental Affairs was discharged and the nomination was placed on the Senate Executive Calendar.]

2007 ACTION ON NOMINATIONS REFERRED TO COMMITTEE—Continued

Date(s) of Committee Hearing(s)	Date(s) of Committee Action	Date of Senate Confirmation	Nominee/Position
Mar. 27, 2007	Mar. 28, 2007	Apr. 11, 2007	Clapper, Jr., James R. , of Virginia, to be Under Secretary of Defense for Intelligence, vice Stephen A. Cambone.
Mar. 27, 2007	Mar. 28, 2007	Mar. 29, 2007	Casscells, S. Ward , of Texas, to be Assistant Secretary of Defense for Health Affairs, vice William Winkenwerder, Jr.
Mar. 27, 2007	Mar. 28, 2007	Mar. 29, 2007	Ostendorff, William Charles , of Virginia, to be Principal Deputy Administrator, National Nuclear Security Administration, vice Jerald S. Paul, resigned.
June 7, 2007	June 26, 2007	June 28, 2007	Lute, Lieutenant General Douglas E., USA , to be Assistant to the President and Deputy National Security Advisor for Iraq and Afghanistan. [Note: This nomination was confirmed by the Senate on June 28, 2007 by a roll call vote of 94–4, with 1 voting present.]
June 12, 2007	June 26, 2007	July 23, 2007	Vickers, Michael G. , of California, to be Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict.
June 12, 2007	June 26, 2007	June 28, 2007	Olson, Vice Admiral Eric T., USN , for appointment to the grade of admiral and to be Commander, United States Special Operations Command.
June 12, 2007	June 26, 2007	Aug. 1, 2007	D'Agostino, Thomas P. , of Maryland, to be Under Secretary for Nuclear Security, Department of Energy and Administrator of the National Nuclear Security Administration.
June 19, 2007	June 26, 2007	July 13, 2007	Geren, Preston M. , of Texas, to be Secretary of the Army, vice Francis J. Harvey, resigned.
July 31, 2007	Aug. 2, 2007	Aug. 3, 2007	Mullen, Admiral Michael G., USN , to be reappointed in the grade of admiral and to be Chairman of the Joint Chiefs of Staff.
July 31, 2007	Aug. 2, 2007	Aug. 3, 2007	Cartwright, General James E., USMC , to be reappointed in the grade of general and to be Vice Chairman of the Joint Chiefs of Staff.
Sept. 27, 2007	Sept. 27, 2007	Sept. 28, 2007	Roughead, Admiral Gary, USN for reappointment to the grade of admiral and to be Chief of Naval Operations.
Sept. 27, 2007	Sept. 27, 2007	Sept. 28, 2007	Ward, General William E., USA for reappointment to the grade of general and to be Commander, United States Africa Command.
Sept. 27, 2007	Sept. 27, 2007	Sept. 28, 2007	Chilton, General Kevin P., USAF for reappointment to the grade of general and to be Commander, United States Strategic Command.
Sept. 27, 2007	Sept. 27, 2007	Sept. 28, 2007	Mattis, Lieutenant General James N., USMC to be general and to be Commander, United States Joint Forces Command and Supreme Allied Commander for Transformation.
Oct. 4, 2007	Nov. 15, 2007	Nov. 16, 2007	Young, John J., Jr. , of Virginia, to be Under Secretary of Defense for Acquisition, Technology, and Logistics.
Oct. 4, 2007	Nov. 15, 2007	Nov. 16, 2007	Brook, Douglas A. , of California, to be Assistant Secretary of the Navy for Financial Management and Comptroller.
Oct. 4, 2007	Nov. 15, 2007	Nov. 16, 2007	Smolen, Robert L. , of California, to be Deputy Administrator for Defense Programs, National Nuclear Security Administration.
Dec. 18, 2007	Dec. 18, 2007	Dec. 19, 2007	Long, Mary Beth , of Virginia, to be Assistant Secretary of Defense for International Security Affairs.
Dec. 18, 2007	Dec. 18, 2007	Dec. 19, 2007	Shinn, James , of New Jersey, to be Assistant Secretary of Defense for Asian and Pacific Security Affairs.
Dec. 18, 2007	Dec. 18, 2007	Dec. 19, 2007	Duehring, Craig W. , of Minnesota, to be Assistant Secretary of the Air Force for Manpower and Reserve Affairs.
Dec. 18, 2007	Dec. 18, 2007	Dec. 19, 2007	Gibson, John H. , of Texas, to be Assistant Secretary of the Air Force for Financial Management.

2008 ACTION ON NOMINATIONS REFERRED TO COMMITTEE

Date(s) of Committee Hearing(s)	Date(s) of Committee Action	Date of Senate Confirmation	Nominee/Position
Apr. 3, 2008	Apr. 24, 2008	Apr. 29, 2008	McKiernan, General David D., USA , for reappointment to the grade of general and to be Commander, International Security Assistance Force, Afghanistan.
Apr. 3, 2008			Odierno, Lieutenant General Raymond T., USA , for appointment to the grade of general and to be Vice Chief of Staff, United States Army. [NOTE: On April 30, 2008 the President withdrew this nomination from further consideration.]
Apr. 3, 2008	Apr. 24, 2008	Apr. 29, 2008	Sharp, Lieutenant General Walter L., USA , for appointment to the grade of general and to be Commander, United Nations Command/Combined Forces Command/United States Forces Korea.
May 22, 2008	June 26, 2008	July 10, 2008	Petraeus, General David H., USA , for reappointment to the grade of general and to be Commander, United States Central Command. [Note: This nomination was confirmed by the Senate on July 10, 2008 by a roll call vote of 95–2.]
May 22, 2008	June 26, 2008	July 10, 2008	Odierno, Lieutenant General Raymond T., USA , for appointment to the grade of general and to be Commander, Multi-National Force-Iraq. [Note: This nomination was confirmed by the Senate on July 10, 2008 by a roll call vote of 96–1.]
June 26, 2008	June 26, 2008	July 23, 2008	Ford, Honorable Nelson, M. , of Virginia, to be Under Secretary of the Army, vice Preston M. Geren.
June 26, 2008	June 26, 2008	July 23, 2008	Benkert, Joseph A. , of Virginia, to be Assistant Secretary of Defense for Global Security Affairs, vice Peter Cyril Wyche Flory, resigned.
June 26, 2008	June 26, 2008	July 23, 2008	Stackley, Sean Joseph , of Virginia, to be Assistant Secretary of the Navy for Research, Development and Acquisition, vice Delores M. Etter, resigned.
June 26, 2008	June 26, 2008	July 23, 2008	Celec, Frederick S. , of Virginia, to be Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs, vice Dale Klein, resigned.
July 22, 2008	Sept. 26, 2008	Oct. 2, 2008	Donley, Michael Bruce , of Virginia, to be Secretary of the Air Force, vice Michael W. Wynne, resigned. [NOTE: Committee met in both open and executive session.]
July 22, 28, 29, and 30, 2008.	July 31, 2008	Aug. 1, 2008	Schwartz, General Norton A., USAF , for reappointment in the grade of general and to be Chief of Staff, United States Air Force. [NOTE: On July 22, 2008 the Committee met in both open and executive sessions. Sessions on July 28, 29 and 30, 2008 were held in executive session.]
July 22, 2008	July 31, 2008	Aug. 1, 2008	McNabb, General Duncan J., USAF , for reappointment in the grade of general and to be Commander, United States Transportation Command. [NOTE: Committee met in both open and executive session.]
.....	Sept. 26, 2008	Oct. 2, 2008	Gerencser, Mark J. , of New Jersey, to be a Member of the National Security Education Board for a term of four years, vice Robert N. Shamansky, term expired.
.....	Sept. 26, 2008	Oct. 2, 2008	McIntyre, David H. , of Texas, to be a Member of the National Security Education Board for a term of four years, vice Mark Falcoff, term expired.

NOMINATIONS FOR PROMOTIONS IN THE ARMED SERVICES

The Committee considered nominations for promotions in the Armed Services. Nominations submitted to the Senate by the President for confirmation resulted in the following:

First Session

January 4, 2007 through December 31, 2007

Air Force nominations, totaling 6,096, disposed of as follows:	
Confirmed	6,090
Unconfirmed	5
Returned to White House	1
Army nominations, totaling 6,721, disposed of as follows:	
Confirmed	6,698
Unconfirmed	19
Returned to White House	4
Navy nominations, totaling 4,691, disposed of as follows:	
Confirmed	4,688
Unconfirmed	3
Marine Corps nominations, totaling 1,342, disposed of as follows:	
Confirmed	1,341
Unconfirmed	1

Second Session

January 3, 2008 through January 2, 2009

Air Force nominations, totaling 5,931 (including 5 nominations carried over from the First Session), disposed of as follows:	
Confirmed	5,925
Withdrawn	0
Returned to White House	5
Army nominations, totaling 6,425 (including 19 nominations carried over from the First Session), disposed of as follows:	
Confirmed	6,351
Withdrawn	1
Returned to White House	73
Navy nominations, totaling 4,752, (including 3 nominations carried over from the First Session), disposed of as follows:	
Confirmed	4,715
Withdrawn	1
Returned to White House	36
Marine Corps nominations, totaling 1,566 (including 1 nomination carried over from the First Session), disposed of as follows:	
Confirmed	1,565
Withdrawn	1

**INVESTIGATIONS, HEARINGS, AND OTHER MATTERS
NOT DIRECTLY PERTAINING TO LEGISLATION BE-
FORE THE COMMITTEE**

(Date of Hearing, Subject and Witness)

January 10, 2007

Committee met to receive a briefing on U.S. military action in Somalia. (Briefers: Ms. Theresa Whelan; Ms. Janila Howard; and Brigadier General Otis G. Mannon, USAF). Closed; not printed.

January 12, 2007

Committee met to receive testimony on Iraq. (Witnesses: Honorable Robert M. Gates and General Peter Pace, USMC). Open. Printed.

January 18, 2007

Committee met to receive a briefing on intelligence assessments on the situation in Iraq. (Briefers: Dr. David F. Gordon; Lieutenant General Michael D. Maples, USA; Honorable Randall M. Fort; and Mr. Peter A. Clement). Closed; not printed.

January 25, 2007

Committee met to receive testimony on the current situation in Iraq and on the Administration's recently announced strategy for continued United States assistance to the Iraqi Government and for an increased United States military presence in Iraq. (Witnesses: Dr. William J. Perry; Ambassador Dennis B. Ross; and General John M. Keane, USA (Ret.)). Open. Printed.

January 31, 2007

Committee met to receive a briefing on the Iraq "surge" plan. (Briefers: Ambassador Eric S. Edelman; Dr. Barbara J. Stephenson; Lieutenant General Douglas E. Lute, USA; and Rear Admiral David J. Dorsett, USN). Closed; not printed.

February 9, 2007

Committee met to receive a briefing on the Department of Defense Inspector General's report on the activities of the Office of Special Plans prior to the war in Iraq. (Briefer: Thomas F. Gimble). Open and closed. Open, printed; closed, not printed.

February 14, 2007

Committee met to receive a briefing on Iranian activities in Iraq. (Briefers: Ambassador Eric S. Edelman; Lieutenant General Douglas E. Lute, USA; Lieutenant General Michael D. Maples, USA; and Ambassador David M. Satterfield). Closed; not printed.

February 15, 2007

Committee met to receive testimony on the current and future readiness of the Army and Marine Corps. (Witnesses: General Peter J. Schoomaker, USA and General James T. Conway, USA). Open and closed. Open, printed; closed, not printed.

February 27, 2007

Committee met to receive testimony on current and future world-wide threats to the national security of the United States. (Witnesses: Vice Admiral John M. McConnell, USN (Ret.); Lieutenant General Michael D. Maples, USA; and Dr. Thomas Fingar). Open and closed. Open, printed; closed, not printed.

March 1, 2007

Committee met to receive testimony on Afghanistan. (Witnesses: Ambassador Eric S. Edelman; Lieutenant General Douglas E. Lute, USA; General James L. Jones, Jr., USMC (Ret.); and Dr. Barnett R. Rubin). Open. Printed.

March 6, 2007

Committee met to receive testimony on care, living conditions, and administration of outpatients at Walter Reed Army Medical Center. (Witnesses: Honorable David S.C. Chu; Dr. William Winkenwerder, Jr.; General Peter J. Schoomaker, USA; and Lieutenant General Kevin C. Kiley, USA). Open. Printed.

March 22, 2007

Committee met to receive a briefing on detention and judicial capacity in Iraq. (Briefers: Mr. Joseph Benkert and Lieutenant General John F. Sattler, USMC). Closed; not printed.

April 12, 2007

Committee met jointly with the Senate Committee on Veterans' Affairs to receive testimony on the Departments of Defense and Veterans Affairs disability rating systems and the transition of service members from the Department of Defense to the Department of Veterans Affairs. (Witnesses: Honorable Gordon R. England; Honorable David S.C. Chu; Honorable Daniel L. Cooper; Honorable Preston M. "Pete" Geren, III; Dr. Gerald Cross; and Lieutenant General James Terry Scott, USA (Ret)). Open. Printed.

April 19, 2007

Committee met to receive testimony on the Department of Defense's management of costs under the Logistics Civil Augmentation Program (LOGCAP) contract in Iraq. (Witnesses: Honorable Byron Dorgan; Honorable Claude M. Bolton, Jr.; Mr. William H. Reed; Mr. Keith D. Ernst; Mr. Patrick J. Fitzgerald; and Major General Jerome Johnson, USA). Open. Printed.

April 26, 2007

Committee met to receive testimony on legal issues regarding individuals detained by the Department of Defense as unlawful enemy combatants. (Witnesses: Honorable Patrick J. Leahy; Mr. Daniel J. Dell'Orto; Rear Admiral John D. Hutson, USN (Ret.); Mr. Jeffrey H. Smith; Mr. Neal K. Katyal; Mr. Mark P. Denbeaux; and Mr. David B. Rivkin, Jr. Open. Printed.

May 17, 2007

Committee met to consider a pending military nomination. Executive; not printed.

June 5, 2007

Informal meeting with a delegation, chaired by the Right Honourable James Arbuthnott, from the United Kingdom House of Commons Defence Committee to discuss the future of NATO and European Defense. Executive; not recorded.

June 7, 2007

Informal meeting with a delegation, chaired by Senator Colin Kenny, from the Canadian Standing Senate Committee on National Security and Defence to discuss the future Afghanistan and other issues. Executive; not recorded.

June 26, 2007

Committee met to receive an updated briefing from the Joint Improvised Explosive Device Defeat Organization (JIEDDO). (Briefer: General Montgomery C. Meigs, USA (Ret.)). Closed; not printed.

July 19, 2007

Committee met twice to discuss matters relating to a Committee investigation. Executive; not recorded.

July 25, 2007

Committee met informally to receive a briefing by staff on the scope and status of the Committee's on-going investigation into detainee treatment and related procedural matters. Executive; not recorded.

August 2, 2007

Committee met to receive a briefing on drawdown planning for U.S. forces in Iraq. (Briefers: Honorable Gordon R. England; Honorable Eric S. Edelman; and Lieutenant General John F. Sattler, USMC.) Closed; not printed.

August 3, 2007

Committee met to receive information relating to the treatment of detainees. (Witness(es): Classified). Executive; not printed.

August 3, 2007

Committee met to receive a briefing relative to recent press articles on contract fraud in Iraq. (Briefers: Honorable Preston M. "Pete" Geren; Honorable Claude M. Bolton, Jr.; and Honorable Claude M. Kicklighter). Closed; not recorded.

September 4, 2007

Committee met to continue to receive information relating to the treatment of detainees. (Witness(es): Classified). Executive; not printed.

September 6, 2007

Committee met to receive a report on the findings of the Iraqi Security Forces Independent Assessment Commission. (Witnesses: General James L. Jones, USMC (Ret.); General George A. Joulwan, USA (Ret.); Chief Charles H. Ramsey; Honorable John J. Hamre; General John N. Abrams, USA (Ret.); Lieutenant General Martin R. Berndt, USMC (Ret.); Sergeant Major Alford L. McMichael, USMC (Ret.); and Admiral Gregory G. Johnson, USN (Ret.). Open. Printed.

September 6, 2007

Committee met to continue to receive information relating to the treatment of detainees. (Witness(es): Classified). Executive; not printed.

September 7, 2007

Committee met to receive a report on the Government Accountability Office's assessment of 18 Iraq benchmarks. (Witness: Honorable David M. Walker). Open. Printed.

September 11, 2007

Committee met to receive testimony on the situation in Iraq and progress made by the Government of Iraq in meeting benchmarks. (Witnesses: Ambassador Ryan C. Crocker and General David H. Petraeus, USA). Open. Printed.

November 15, 2007

Committee met to receive testimony on the state of the United States Army. (Witnesses: Honorable Preston M. "Pete" Geren and General George W. Casey, Jr., USA). Open. Printed.

February 7, 2008

Committee met to receive testimony on the final report of the Commission on the National Guard and Reserves. (Witnesses: Major General Arnold L. Punaro; Honorable William L. Ball, III; Patricia L. Lewis; and Major General E. Gordon Stump, ANG (Ret.)). Open. Printed.

February 12, 2008

Committee met to receive testimony on Air Force nuclear security. (Witnesses: Lieutenant General Daniel J. Darnell, USAF; Major General Douglas L. Raaberg, USAF; Major General Polly A. Peyer, USAF; and General Larry D. Welch, USAF (Ret.)). Open; printed. Closed; not printed.

February 13, 2008

Committee met to receive testimony on improvements implemented and planned by the Department of Defense and the Department of Veterans Affairs for the care, management, and transition of wounded and ill servicemembers. (Witnesses: Honorable Gordon H. Mansfield; Honorable Preston M. (Pete) Geren, III; Honorable David S. Chu; Honorable Patrick W. Dunne; and Lieutenant General Eric B. Schoomaker, USA.)). Open. Printed.

February 14, 2008

Committee met in morning and afternoon sessions to receive testimony on the strategy in Afghanistan and recent reports by the Afghanistan Study Group and The Atlantic Council of the United States. (Witnesses at the morning session: Honorable James J. Shinn; Honorable Richard A. Boucher; and Lieutenant General John F. Sattler, USMC.). (Witnesses at the afternoon sessions: General James L. Jones, USMC (Ret.); and Ambassador Karl F. Inderfurth.). Open. Printed.

February 15, 2008

Informal meeting with a United Kingdom delegation, headed by Air Chief Marshal Sir Jock Stirrup. Executive; not recorded.

February 27, 2008

Committee met to receive testimony on current and future worldwide threats to the national security of the United States. (Witnesses: Honorable John M. McConnell; Lieutenant General Michael D. Maples, USA; Timothy Langford; Honorable Benjamin A. Powell; and Alan Pino). Open. Printed.

March 11, 2008

Committee met at the invitation of the Subcommittee on Defense of the Senate Committee on Appropriations to receive a briefing on the Air Force tanker contract selection process and decision. (Witnesses: Honorable Sue C. Payton; Lieutenant General John L. Hudson, USAF; and Mr. Terry D. Kasten). Executive; not recorded.

April 8, 2008

Committee met to receive testimony on the situation in Iraq and progress made by the Government of Iraq in meeting benchmarks and achieving reconciliation. (Witnesses: Ambassador Ryan C. Crocker and General David H. Petraeus, USA). Open. Printed.

April 9, 2008

Committee met to receive testimony on the situation in Iraq and progress made by the Government of Iraq in meeting benchmarks and achieving reconciliation. (Witnesses: Dr. Andrew J. Bacevich; General John M. Keane, USA (Ret.); and Dr. Robert Malley). Open. Printed.

April 10, 2008

Committee met to receive testimony on the situation in Iraq, progress made by the Government of Iraq in meeting benchmarks and achieving reconciliation, the future U.S. military presence in Iraq, and the situation in Afghanistan. (Witnesses: Honorable Robert M. Gates and Admiral Michael G. Mullen, USN). Open. Printed.

April 17, 2008

Committee met to discuss matters relating to a Committee investigation. Executive; not recorded.

April 24, 2008

Committee met to receive a briefing on a sensitive intelligence matter. Closed; not printed.

April 25, 2008

Committee met to receive information relating to the treatment of detainees. (Witness(es): Classified). Executive; not printed.

May 15, 2008

Committee met to consider pending military nominations. Executive; not printed.

June 3, 2008

Committee met to receive testimony on the acquisition of major weapons systems by the Department of Defense. (Witnesses: Honorable John J. Young, Jr. and Ms. Katherine V. Schinasi). Open. Printed.

June 10, 2008

Committee met to receive a briefing on the status of the U.S.-Iraq negotiations on a Strategic Framework Agreement and Status of Forces Agreement. (Briefers: Brett McCurk; Mark Kimmitt; and Chat Blakeman). Closed; not recorded.

June 17, 2008

Committee met to receive testimony on the origins of aggressive interrogation techniques: Part I of the Committee's inquiry into the treatment of detainees in U.S. custody. (Witnesses: Richard L. Shiffrin; Lieutenant Colonel Daniel J. Baumgartner, USAF (Ret.); Dr. Jerald F. Ogrisseg; Mr. Alberto J. Mora; Rear Admiral Jane G. Dalton, USN (Ret.); Lieutenant Colonel Diane E. Beaver, USA (Ret.); and Mr. William J. Haynes II). Open. Printed.

June 18, 2008

Committee met to receive a briefing on the report titled, "Investigation Into the Shipment of Sensitive Missile Components to Taiwan," also known as the "Donald Report." (Briefer: Admiral Kirkland H. Donald, USN). Closed; not printed.

June 25, 2008

Committee met to receive testimony on Afghanistan. (Witness: General Dan K. McNeill, USA (Ret.)). Closed; not printed.

July 16, 2008

Committee met to receive a briefing on the status of negotiations with Iraq on a Strategic Framework Agreement and a Status of Forces Agreement. (Briefers: Lieutenant General Douglas E. Lute, USA; Mr. Richard J. Schmierer; and Mr. Christopher C. Straub). Closed; not printed.

July 24, 2008

Committee met to receive a briefing on Iran. (Briefers: Panel I: Ms. Dolores A. Powers; Mr. Alan R. Pino; Mr. William J. Keller; and Mr. Jeffrey D. Feltman. Briefers: Panel II: Honorable James R.

Clapper, Jr.; Honorable Michael G. Vickers; and Lieutenant General Carter F. Ham, USA). Closed; not printed.

July 28, 2008

Committee met to receive a briefing related to Air Force nominations. (Briefers: Classified). Executive; not printed.

July 29, 2008

Committee met to discuss classified matters pending before the Committee. (Witnesses: Honorable Robert M. Gates and Admiral Michael G. Mullen, USN). Executive; not recorded.

July 30, 2008

Committee met to discuss classified matters pending before the Committee. (Witness: General Norton A. Schwartz, USAF). Executive; not printed.

July 31, 2008

Committee met to receive testimony on the North Korean Six-Party Talks and implementation activities. (Witnesses: Ambassador Christopher R. Hill; Honorable William H. Tobey; Ambassador Joseph R. DeTrani; and Mr. Vann H. Van Diepen). Open, printed; closed, not printed.

September 9, 2008

Committee met to receive testimony on the current situation in Georgia and implications for U.S. policy. (Witnesses: Honorable Eric S. Edelman; Honorable Daniel Fried; Lieutenant General John M. Paxton, Jr., USMC; and Brigadier General Michael T. Flynn, USA). Open and closed. Open, printed; closed, not printed.

September 23, 2008

Committee met to receive testimony on the situation in Iraq and Afghanistan. (Witnesses: Honorable Robert M. Gates and General James E. Cartwright, USMC). Open. Printed.

September 25, 2008

Hearing on the authorization of Survival Evasion Resistance and Escape (SERE) techniques for interrogations in Iraq: Part II of the Committee's inquiry into the treatment of detainees in custody. (Witnesses: Colonel Steven M. Kleinman, USAFR and Colonel John R. Moulton II, USAF (Ret.)). Open. Printed.

November 18, 2008

Meeting to consider pending nominations and to consider and approve the report of the Committee's inquiry into the treatment of detainees in U.S. custody. Executive; not printed.

December 11, 2008

Committee accepted the invitation of the Senate Committee on Homeland Security and Governmental Affairs to attend their hearing on "World at Risk: The Report of the Commission on the Prevention of Weapons of Mass Destruction, Proliferation and Terrorism." (Witnesses: Honorable Bob Graham; Honorable Jim

Talent and Ms. Robin Cleveland.) Open. Printed to be arranged by the Senate Committee on Homeland Security and Governmental Affairs.

STAFF OF THE COMMITTEE ON ARMED SERVICES

Richard D. DeBobes, Staff Director
Michael V. Kostiw, Republican Staff Director
Adam J. Barker, Research Assistant
June M. Borawski, Printing and Documents Clerk
Leah C. Brewer, Nominations and Hearings Clerk
Joseph M. Bryan, Professional Staff Member
William M. Caniano, Professional Staff Member
Pablo E. Carrillo, Minority Investigative Counsel
Jonathan D. Clark, Counsel
Ilona R. Cohen, Counsel
Christine E. Cowart, Chief Clerk
Madelyn R. Creedon, Counsel
Kevin A. Cronin, Staff Assistant
Gabriella Eisen, Counsel
Richard W. Fieldhouse, Professional Staff Member
Creighton Greene, Professional Staff Member
Gary J. Howard, Systems Administrator
Paul J. Hubbard, Receptionist
Paul C. Hutton IV, Professional Staff Member
Mark R. Jacobson, Professional Staff Member
Gregory T. Kiley, Professional Staff Member
Jessica L. Kingston, Staff Assistant
Michael J. Kuiken, Professional Staff Member
Mary J. Kyle, Legislative Clerk
Christine G. Lang, Staff Assistant
Gerald J. Leeling, Counsel
Peter K. Levine, General Counsel
Thomas K. McConnell, Professional Staff Member
Michael J. McCord, Professional Staff Member
William G. P. Monahan, Counsel
David M. Morriss, Minority Counsel
Lucian L. Niemeyer, Professional Staff Member
Michael J. Noblet, Professional Staff Member
Bryan D. Parker, Minority Investigative Counsel
Ali Z. Pasha, Staff Assistant
Christopher J. Paul, Professional Staff Member
Cindy Pearson, Assistant Chief Clerk and Security Manager
John H. Quirk V, Professional Staff Member
Lynn F. Rusten, Professional Staff Member
Brian F. Sebold, Staff Assistant
Arun A. Seraphin, Professional Staff Member
Russell L. Shaffer, Counsel
Travis E. Smith, Special Assistant
Robert M. Soofer, Professional Staff Member
Jennifer L. Stoker, Security Clerk
William K. Sutey, Professional Staff Member

Diana G. Tabler, Professional Staff Member
 Mary Louise Wagner, Professional Staff Member
 Richard F. Walsh, Minority Counsel
 Breon N. Wells, Staff Assistant
 Dana W. White, Professional Staff Member

Appointments: William K. Sutey appointed Professional Staff Member on January 9, 2007. Pablo E. Carrillo appointed Minority Investigative Counsel on January 12, 2007. [See second appointment on November 17, 2008 below.] Bryan D. Parker appointed Minority Investigative Counsel on January 12, 2007. [See second appointment on November 17, 2008 below.] Christopher J. Paul appointed Professional Staff Member on January 12, 2007. Paul C. Hutton IV appointed Research Assistant on January 12, 2007. Mark R. Jacobson appointed Professional Staff Member on January 16, 2007. Joseph M. Bryan appointed Professional Staff Member on January 17, 2007. Thomas K. McConnell appointed Professional Staff Member on January 17, 2007. Brian F. Sebold appointed Receptionist on January 17, 2007. Kevin A. Cronin appointed Staff Assistant on February 28, 2007. Dana W. White appointed Professional Staff Member on April 17, 2007. [See second appointment on November 17, 2008 below.] Ilona R. Cohen appointed Counsel on May 14, 2007. Breon N. Wells appointed Receptionist on September 18, 2007. Travis E. Smith appointed Special Assistant on September 26, 2007. Ali Z. Pasha appointed Staff Assistant on October 3, 2007. Mary J. Kyle appointed Legislative Clerk on December 19, 2007. Christine G. Lang appointed Receptionist on June 4, 2008. Pablo E. Carrillo appointed Minority Investigative Counsel on November 17, 2008. [See also earlier appointment on January 12, 2007.] Bryan D. Parker appointed Minority Investigative Counsel on November 17, 2008. [See also earlier appointment on January 12, 2007.] Dana W. White appointed Professional Staff Member on November 17, 2008. [See also earlier appointment on April 17, 2007.] Russell L. Shaffer appointed Counsel on December 1, 2008. Paul J. Hubbard appointed Receptionist on December 1, 2008. Adam J. Barker appointed Research Assistant on December 1, 2008. Jennifer L. Stoker appointed Security Clerk on December 22, 2008.

Resignations: Charles S. Abell, Staff Director, resigned on January 12, 2007. Regina A. Dubey, Professional Staff Member, resigned on January 12, 2007. Elaine A. McCusker, Professional Staff Member, resigned on January 25, 2007. Ambrose R. Hock, Professional Staff Member, resigned February 2, 2007. Micah H. Harris, Staff Assistant, resigned July 10, 2007. Jill L. Simodejka, Research Assistant, resigned September 1, 2007. Catherine E. Sendak, Special Assistant, resigned September 12, 2007. Derek J. Maurer, Minority Counsel, resigned January 19, 2008. Kristine L. Svinicki, Professional Staff Member, resigned March 27, 2008. Fletcher L. Cork, Staff Assistant, resigned April 11, 2008. Daniel J. Cox, Jr., Professional Staff Member, resigned April 17, 2008. Evelyn N. Farkas, Professional Staff Member, resigned May 3, 2008. Pablo E. Carrillo, Minority Investigative Counsel, resigned June 11, 2008. [See also later appointment on November 17, 2008.] Bryan D. Parker, Minority Investigative Counsel, resigned June 15, 2008. [See also later appointment on November 17, 2008.] Sean G. Stackley, Professional Staff Member, resigned July 27, 2008. Benjamin L. Rubin, Staff Assistant, resigned August 22, 2008. Dana W. White, Professional Staff Member, resigned September 12, 2008. [See also later appointment on November 17, 2008.] David G. Collins, Research Assistant, resigned December 2, 2008. Marie F. Dickinson, Administrative Assistant for the Minority, resigned December 31, 2008.

Title Changes: Richard D. DeBobes from Democratic Staff Director to Staff Director on January 12, 2007. Michael V. Kostiw from Professional Staff Member to Republican Staff Director on January 12, 2007. Jonathan D. Clark from Minority Counsel to Counsel on January 12, 2007. Fletcher L. Cork from Receptionist to Staff Assistant on January 12, 2007. Christine E. Cowart from Administrative Assistant to the Minority to Chief Clerk on January 12, 2007. Madelyn R. Creedon from Minority Counsel to Counsel on January 12, 2007. Marie Fabrizio Dickinson from Chief Clerk to Administrative Assistant for the Minority on January 12, 2007. Gerald J. Leeling from Minority Counsel to Counsel on January 12, 2007. Peter K. Levine from Minority Counsel to General Counsel on January 12, 2007. William G. P. Monahan from Minority Counsel to Counsel on January 12, 2007. David M. Morriss from Counsel to Minority Counsel on January 12, 2007. Jill L. Simodejka from Staff Assistant to Research Assistant on January 12, 2007. Richard F. Walsh from Counsel to Minority Counsel on January 12, 2007. Derek J. Maurer from Professional Staff Member to Minority Counsel on January 16, 2007. Gabriella Eisen from Professional Staff Member to Counsel on August 1, 2007. David G. Collins from Staff Assistant to Research Assistant on September 1, 2007. Brian F. Sebold

from Receptionist to Staff Assistant on September 16, 2007. Michael J. Noblet from Research Assistant to Professional Staff Member on January 1, 2008. Paul C. Hutton IV from Research Assistant to Professional Staff Member on April 1, 2008. Breon N. Wells from Receptionist to Staff Assistant on June 1, 2008. John H. Quirk V from Security Clerk to Professional Staff Member on October 16, 2008. Christine G. Lang from Receptionist to Staff Assistant on December 1, 2008.

RULES OF PROCEDURE OF THE COMMITTEE ON ARMED SERVICES

(Adopted January 30, 2007)

1. *Regular Meeting Day.* The Committee shall meet at least once a month when Congress is in session. The regular meeting days of the Committee shall be Tuesday and Thursday, unless the Chairman, after consultation with the Ranking Minority Member, directs otherwise.

2. *Additional Meetings.* The Chairman, after consultation with the Ranking Minority Member, may call such additional meetings as he deems necessary.

3. *Special Meetings.* Special meetings of the Committee may be called by a majority of the members of the Committee in accordance with paragraph 3 of Rule XXVI of the Standing Rules of the Senate.

4. *Open Meetings.* Each meeting of the Committee, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the Committee or a subcommittee thereof on the same subject for a period of no more than fourteen (14) calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated below in clauses (a) through (f) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the Committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(a) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(b) will relate solely to matters of Committee staff personnel or internal staff management or procedure;

(c) will tend to charge an individual with a crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy or will represent a clearly unwarranted invasion of the privacy of an individual;

(d) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(e) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(f) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

5. *Presiding Officer.* The Chairman shall preside at all meetings and hearings of the Committee except that in his absence the Ranking Majority Member present at the meeting or hearing shall preside unless by majority vote the Committee provides otherwise.

6. *Quorum.* (a) A majority of the members of the Committee are required to be actually present to report a matter or measure from the Committee. (See Standing Rules of the Senate 26.7(a)(1)).

(b) Except as provided in subsections (a) and (c), and other than for the conduct of hearings, nine members of the Committee, including one member of the minority party; or a majority of the members of the Committee, shall constitute a quorum for the transaction of such business as may be considered by the Committee.

(c) Three members of the Committee, one of whom shall be a member of the minority party, shall constitute a quorum for the purpose of taking sworn testimony, unless otherwise ordered by a majority of the full Committee.

(d) Proxy votes may not be considered for the purpose of establishing a quorum.

7. *Proxy Voting.* Proxy voting shall be allowed on all measures and matters before the Committee. The vote by proxy of any member of the Committee may be counted for the purpose of reporting any measure or matter to the Senate if the absent member casting such vote has been informed of the matter on which the member is being recorded and has affirmatively requested that he or she be so recorded. Proxy must be given in writing.

8. *Announcement of Votes.* The results of all roll call votes taken in any meeting of the Committee on any measure, or amendment thereto, shall be announced in the Committee report, unless previously announced by the Committee. The announcement shall include a tabulation of the votes cast in favor and votes cast in opposition to each such measure and amendment by each member of the Committee who was present at such meeting. The Chairman, after consultation with the Ranking Minority Member, may hold open a roll call vote on any measure or matter which is before the Committee until no later than midnight of the day on which the Committee votes on such measure or matter.

9. *Subpoenas.* Subpoenas for attendance of witnesses and for the production of memoranda, documents, records, and the like may be issued, after consultation with the Ranking Minority Member, by the Chairman or any other member designated by the Chairman, but only when authorized by a majority of the members of the Committee. The subpoena shall briefly state the matter to which the witness is expected to testify or the documents to be produced.

10. *Hearings.* (a) Public notice shall be given of the date, place and subject matter of any hearing to be held by the Committee, or

any subcommittee thereof, at least 1 week in advance of such hearing, unless the Committee or subcommittee determines that good cause exists for beginning such hearings at an earlier time.

(b) Hearings may be initiated only by the specified authorization of the Committee or subcommittee.

(c) Hearings shall be held only in the District of Columbia unless specifically authorized to be held elsewhere by a majority vote of the Committee or subcommittee conducting such hearings.

(d) The Chairman of the Committee or subcommittee shall consult with the Ranking Minority Member thereof before naming witnesses for a hearing.

(e) Witnesses appearing before the Committee shall file with the clerk of the Committee a written statement of their proposed testimony prior to the hearing at which they are to appear unless the Chairman and the Ranking Minority Member determine that there is good cause not to file such a statement. Witnesses testifying on behalf of the Administration shall furnish an additional 50 copies of their statement to the Committee. All statements must be received by the Committee at least 48 hours (not including weekends or holidays) before the hearing.

(f) Confidential testimony taken or confidential material presented in a closed hearing of the Committee or subcommittee or any report of the proceedings of such hearing shall not be made public in whole or in part or by way of summary unless authorized by a majority vote of the Committee or subcommittee.

(g) Any witness summoned to give testimony or evidence at a public or closed hearing of the Committee or subcommittee may be accompanied by counsel of his own choosing who shall be permitted at all times during such hearing to advise such witness of his legal rights.

(h) Witnesses providing unsworn testimony to the Committee may be given a transcript of such testimony for the purpose of making minor grammatical corrections. Such witnesses will not, however, be permitted to alter the substance of their testimony. Any question involving such corrections shall be decided by the Chairman.

11. *Nominations.* Unless otherwise ordered by the Committee, nominations referred to the Committee shall be held for at least seven (7) days before being voted on by the Committee. Each member of the Committee shall be furnished a copy of all nominations referred to the Committee.

12. *Real Property Transactions.* Each member of the Committee shall be furnished with a copy of the proposals of the Secretaries of the Army, Navy, and Air Force, submitted pursuant to 10 U.S.C. 2662 and with a copy of the proposals of the Director of the Federal Emergency Management Agency, submitted pursuant to 50 U.S.C. App. 2285, regarding the proposed acquisition or disposition of property of an estimated price or rental of more than \$50,000. Any member of the Committee objecting to or requesting information on a proposed acquisition or disposal shall communicate his objection or request to the Chairman of the Committee within thirty (30) days from the date of submission.

13. *Legislative Calendar.* (a) The clerk of the Committee shall keep a printed calendar for the information of each Committee

member showing the bills introduced and referred to the Committee and the status of such bills. Such calendar shall be revised from time to time to show pertinent changes in such bills, the current status thereof, and new bills introduced and referred to the Committee. A copy of each new revision shall be furnished to each member of the Committee.

(b) Unless otherwise ordered, measures referred to the Committee shall be referred by the clerk of the Committee to the appropriate department or agency of the Government for reports thereon.

14. Except as otherwise specified herein, the Standing Rules of the Senate shall govern the actions of the Committee. Each subcommittee of the Committee is part of the Committee, and is therefore subject to the Committee's rules so far as applicable.

15. *Powers and Duties of Subcommittees.* Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it. Subcommittee chairmen, after consultation with Ranking Minority Members of the subcommittees, shall set dates for hearings and meetings of their respective subcommittees after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of full Committee and subcommittee meetings or hearings whenever possible.

PUBLICATIONS

110th Congress—1st Session

Hearings

1. Abusive Practices in Department of Defense Contracting for Services and Interagency Contracting. (**S. Hrg. 110-165**) (Hearing before the Subcommittee on Readiness and Management Support) January 17 and 31, 2007; pages 1-106.

2. Current and Future Readiness of the Army and Marine Corps. (**S. Hrg. 110-166**) February 15, 2007; pages 1-74.

3. Care, Living Conditions, and Administration of Outpatients at Walter Reed Army Medical Center. (**S. Hrg. 110-198**) March 6, 2007; pages 1-99.

4. Nuclear and Strategic Policy Options. (**S. Hrg. 110-205**) (Hearing before the Subcommittee on Strategic Forces) March 21, 2007; pages 1-113.

5. The Department of Defense's Management of Costs Under the Logistics Civil Augmentation Program (LOGCAP) Contract in Iraq. (**S. Hrg. 110-206**) April 19, 2007; pages 1-141.

6. Hearing to Receive Testimony on the Departments of Defense and Veterans Affairs Disability Rating Systems and the Transition of Servicemembers from the Department of Defense to the Department of Veterans Affairs. (**S. Hrg. 110-212**) (Joint Hearing before the Committee on Armed Services and the Committee on Veterans' Affairs) April 12, 2007; pages 1-197.

7. Department of Defense Authorization for Appropriations for Fiscal Year 2008. (**S. Hrg. 110-201**) Hearings on S. 1547:

Part 1: Military Posture; Army Posture; Air Force Posture; Combatant Commanders; Navy Posture; Whether the Army and Marine Corps are Properly Sized, Organized, and Equipped; Combatant Commanders; Central Command; European Command. February 6; March 15, 20, 22, 29; April 17, 24; May 3, 17, 2007; pages 1-1144.

Part 2: Seapower (Hearings before the Subcommittee on Seapower) May 3, 2007; pages 1-51.

Part 3: Readiness and Management Support (Hearings before the Subcommittee on Readiness and Management Support) April 10 and 24, 2007; pages 1-120.

Part 4: Airland (Hearings before the Subcommittee on Airland) April 25 and 26, 2007; pages 1-123.

Part 5: Emerging Threats and Capabilities (Hearings before the Subcommittee on Emerging Threats and Capabilities) April 11 and 25, 2007; pages 1-113.

Part 6: Personnel (Hearings before the Subcommittee on Personnel) March 28 and April 18, 2007; pages 1-259.

Part 7: Strategic Forces (Hearings before the Subcommittee on Strategic Forces) March 28; April 11, 19; May 2, 2007; pages 1-322.

8. The Findings of the Iraqi Security Forces Independent Assessment Commission. (**S. Hrg. 110-231**) September 6, 2007; pages 1–219.

9. Briefing on the Department of Defense Inspector General’s Report on the Activities of the Office of the Special Plans Prior to the War in Iraq. (**S. Hrg. 110-232**) February 9, 2007; pages 1–210.

10. Legal Issues Regarding Individuals Detained by the Department of Defense as Unlawful Enemy Combatants. (**S. Hrg. 110-230**) April 26, 2007; pages 1–197.

11. Current Situation in Iraq. (**S. Hrg. 110-267**) January 12 and 25, 2007; pages 1–167.

12. Current and Future Worldwide Threats to the National Security of the United States. (**S. Hrg. 110-284**) February 27, 2007; pages 1–90.

13. Afghanistan. (**S. Hrg. 110-269**) March 1, 2007; pages 1–91.

14. The State of the United States Army. (**S. Hrg. 110-369**) November 15, 2007; pages 1–94.

15. “Urgent Reform Required: Army Expeditionary Contracting,” The Report of the Commission on Army Acquisition and Program Management in Expeditionary Operations. (**S. Hrg. 110-366**) (Hearing before the Subcommittee on Readiness and Management Support) December 6, 2007; pages 1–151.

16. Iraq Benchmarks. (**S. Hrg. 110-367**) September 7 and 11, 2007; pages 1–313.

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17. Oversight Hearing on Military Recruiting. (**S. Hrg. 110-503**) January 31, 2008; pages 1–55.

18. Business Transformation and Financial Management at the Department of Defense. (**S. Hrg. 110-533**) (Hearing before the Subcommittee on Readiness and Management Support) February 7, 2008; pages 1–64.

19. Department of Defense Contracting in Iraq. (**S. Hrg. 110-534**) (Hearing before the Subcommittee on Readiness and Management Support) April 2, 2008; pages 1–49.

20. The Final Report of the Commission on the National Guard and Reserves. (**S. Hrg. 110-535**) February 7, 2008; pages 1–175.

21. Department of Defense Authorization for Appropriations for Fiscal Year 2009. (**S. Hrg. 110-394**) Hearings on S. 3001:

Part 1: Military Posture; Posture of the United States Army; Posture of the United States Navy; United States Central Command and The United States; Special Operations Command; Posture of the United States Air Force; United States Southern Command and United States Northern Command; United States Pacific Command and United States Forces Korea. February 6, 26, 28; March 4, 5, 6, 11, 2008; pages 1–634.

Part 2: Seapower. (Hearings before the Subcommittee on Seapower) March 12 and April 8, 2008; pages 1–112.

Part 3: Readiness and Management Support. (Hearings before the Subcommittee on Readiness and Management Support) March 12 and April 1, 2008; pages 1–281.

Part 4: Airland (Hearings before the Subcommittee on Airland) April 1, 3, 9, 2008; pages 1–133.

Part 5: Emerging Threats and Capabilities (Hearings before the Subcommittee on Emerging Threats and Capabilities) April 2, 2008; pages 1–47.

Part 6: Personnel (Hearings before the Subcommittee on Personnel) February 27 and April 16, 2008; pages 1–265.

Part 7: Strategic Forces (Hearings before the Subcommittee on Strategic Forces) March 4, 12; April 1, 2008; pages 1–230.

22. Technologies to Combat Weapons of Mass Destruction. (**S. Hrg. 110–560**) (Hearing before the Subcommittee on Emerging Threats and Capabilities) March 12, 2008; pages 1–59.

23. Improvements Implemented and Planned by the Department of Defense and the Department of Veterans Affairs for the Care, Management, and Transition of Wounded and Ill Servicemembers. (**S. Hrg. 110–583**) February 13, 2008; pages 1–94.

24. The Strategy in Afghanistan and Recent Reports by the Afghanistan Study Group and the Atlantic Council of the United States. (**S. Hrg. 110–612**) February 14, 2008; pages 1–179.

25. Air Force Nuclear Security. (**S. Hrg. 110–625**) February 12, 2008; pages 1–84.

26. Current and Future Worldwide Threats to the National Security of the United States. (**S. Hrg. 110–634**) February 27, 2008; pages 1–106.

27. Situation in Iraq and Progress Made by the Government of Iraq in Meeting Benchmarks and Achieving Reconciliation. (**S. Hrg. 110–635**) April 8, 9, 10, 2008; pages 1–219.

28. Findings and Recommendations of the Department of Defense Task Force on Mental Health, the Army's Mental Health Advisory Team Reports, and Department of Defense Servicewide Improvements in Mental Health Resources, including Suicide Prevention for Servicemembers and their Families. (**S. Hrg. 110–631**) (Hearing before the Subcommittee on Personnel) March 5, 2007; pages 1–182.

29. Acquisition of Major Weapons System by the Department of Defense. (**S. Hrg. 110–639**) June 3, 2008; pages 1–177.

30. The North Korean Six-Party Talks and Implementation Activities. (**S. Hrg. 110–665**) July 31, 2008; pages 1–42.

31. The Situation in Iraq and Afghanistan. (**S. Hrg. 110–716**) September 23, 2008; pages 1–60.

32. The Treatment of Detainees in U.S. Custody. (**S. Hrg. 110–720**) June 17 and September 25, 2008; pages 1–308.

33. The Current Situation in Georgia and Implications for U.S. Policy. (**S. Hrg. 110–736**) September 9, 2008; pages 1–63.

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Hearings on Nominations

34. Nominations Before the Senate Armed Services Committee, First Session, 110 Congress. (**S. Hrg. 110–370**) January 23, 30; February 1, 6, 27; March 8, 27; June 7, 12, 19; July 31; September 27; October 4; November 15; December 18, 2007; pages 1–1295.

LTG David H. Petraeus, USA (January 23); ADM William J. Fallon, USN (January 30); GEN George W. Casey, Jr., USA (Feb-

ruary 1); ADM Timothy J. Keating, USN (March 8); Lt. Gen. Victor E. Renuart, Jr., USAF (March 8); LTG Robert L. Van Antwerp, USA (March 8); Claude M. Kicklighter (March 27); James R. Clapper, Jr. (March 27); S. Ward Casscells, M.D. (March 27); William C. Ostendorff (March 27); LTG Douglas E. Lute, USA (June 7); Michael G. Vickers (June 12); VADM Eric T. Olson, USN (June 12); Hon. Thomas P. D'Agostino (June 12); Hon. Preston M. Geren (June 19); ADM Michael G. Mullen, USN (July 31); Gen. James E. Cartwright, USMC (July 31); ADM Gary Roughead, USN (September 27); GEN William E. Ward, USA (September 27); Gen. Kevin P. Chilton, USAF (September 27); Lt. Gen. James N. Mattis, USMC (September 27); Hon. John J. Young, Jr. (October 4); Hon. Douglas A. Brook (October 4); Maj. Gen. Robert L. Smolen, USAF (October 4); Mary Beth Long (December 18); James Shinn (December 18); Craig W. Duehring (December 18); John H. Gibson (December 18).

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Hearings on Nominations

35. Nominations Before the Senate Armed Services Committee, Second Session, 110th Congress. (**S. Hrg. 110-666**) February 6; April 3; May 22; June 26, July 22, 2008; pages 1-491.

GEN David D. McKiernan, USA (April 3); LTG Raymond T. Odierno, USA (April 3); LTG Walter L. Sharp, USA (April 3); GEN David H. Petraeus, USA (May 22); LTG Raymond T. Odierno, USA (May 22); Hon. Nelson M. Ford (June 26); Joseph A. Benkert (June 26); Sean J. Stackley (June 26); Frederick S. Celec (June 26); Michael B. Donley (July 22); Gen. Norton A. Schwartz, USAF (July 22); Gen. Duncan J. McNabb, USAF (July 22).

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Reports

110-5	Intelligence Authorization Act for Fiscal Year 2007; February 8, 2007; 3 pages.
110-77	National Defense Authorization Act for Fiscal Year 2008; June 5, 2007; 673 pages.
110-92	Intelligence Authorization Act for Fiscal Year 2008; June 26, 2007; 4 pages.

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Reports

110-335	National Defense Authorization Act for Fiscal Year 2009; May 12, 2008; 584 pages.
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INFORMATION ON APPOINTMENT OF BOARDS OF VISITORS TO THE UNITED STATES MILITARY, NAVAL AND AIR FORCE ACADEMIES

Public Law 816 of the 80th Congress, now codified in Title 10, U.S.C., provides a uniform procedure for the appointment of members of the Boards of Visitors of the Military and Naval Academies, and provides that there shall be appointed on or before the last day of every year Boards of Visitors to each of the Academies to be constituted as follows:

Senate:

Chairman of the Armed Services Committee or his designee.

*1 Senator.

**2 members of the Senate Appropriations Committee.

**(To be appointed by the Vice President)*

House:

Chairman of the Armed Services Committee or his designee.

**2 Congressmen.

**2 members of the House Appropriations Committee.

***(To be appointed by the Speaker of the House)*

Presidential:

6 persons, to serve for a 3-year term, 2 new members appointed each year. Each Board to visit respective Academy once annually.

Boards of Visitors to the:

Military Academy: (Title 10, U.S.C., sec 4355(a).)

2007.—Reed (Armed Services)

Hutchison and Landrieu (Appropriations)

Collins (At Large)

2008.—(Armed Services)

(Appropriations)

(At Large)

Naval Academy: (Title 10, U.S.C., sec. 6968(a).)

2007.—McCain (Armed Services)

Cochran and Mikulski (Appropriations)

Cardin (At Large)

2008.—(Armed Services)

(Appropriations)

(At Large)

Air Force Academy: (Title 10, U.S.C., sec. 9355(a).)

2007.—Vacant (Armed Services)

Bennett and Nelson of Nebraska (Appropriations)

tions)

Allard (At Large)

2008.—(Armed Services)

(Appropriations)

(At Large)