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110TH CONGRESS
1ST SESSION**H. R. 4156**

IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 2007

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AN ACT

Making emergency supplemental appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 2008, and for other pur-
6 poses, namely:

7 TITLE I—POLICY ON REDEPLOYMENT AND
8 CONDUCT OF OPERATIONS IN IRAQ

9 SEC. 101. It is the sense of the Congress that—

1 (1) the war in Iraq should end as safely and
2 quickly as possible and our troops should be brought
3 home;

4 (2) the performance of United States military
5 personnel in Iraq and Afghanistan should be com-
6 mended, their courage and sacrifice have been excep-
7 tional, and when they come home, their service
8 should be recognized appropriately; and

9 (3) the primary purpose of funds made avail-
10 able by this Act should be to transition the mission
11 of United States Armed Forces in Iraq and under-
12 take their redeployment, and not to extend or pro-
13 long the war.

14 SEC. 102. (a) No person in the custody or under the
15 effective control of the United States Government shall be
16 subject to any treatment or technique of interrogation not
17 authorized by and listed in the United States Army Field
18 Manual FM2–22.3 Human Intelligence Collector Oper-
19 ations.

20 (b) Subsection (a) shall not apply with respect to any
21 person in the custody or under the effective control of the
22 United States Government pursuant to a criminal law or
23 immigration law of the United States. Nothing in this sec-
24 tion shall be construed to affect the rights under the

1 United States Constitution of any person in the custody
2 or under the physical jurisdiction of the United States.

3 SEC. 103. None of the funds made available in this
4 Act may be used in contravention of the following laws
5 enacted or regulations promulgated to implement the
6 United Nations Convention Against Torture and Other
7 Cruel, Inhuman or Degrading Treatment or Punishment
8 (done at New York on December 10, 1984)—

9 (1) section 2340A of title 18, United States
10 Code;

11 (2) section 2242 of the Foreign Affairs Reform
12 and Restructuring Act of 1998 (division G of Public
13 Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231
14 note) and regulations prescribed thereto, including
15 regulations under part 208 of title 8, Code of Fed-
16 eral Regulations, and part 95 of title 22, Code of
17 Federal Regulations; and

18 (3) sections 1002 and 1003 of the Department
19 of Defense, Emergency Supplemental Appropriations
20 to Address Hurricanes in the Gulf of Mexico, and
21 Pandemic Influenza Act, 2006 (Public Law 109–
22 148).

23 SEC. 104. (a) The Congress finds that United States
24 military units should not enter into combat unless they
25 are fully capable of performing their assigned mission. The

1 Congress further finds that this is the policy of the De-
2 partment of Defense.

3 (b) None of the funds appropriated or otherwise
4 made available by this Act may be used to deploy any unit
5 of the Armed Forces to Iraq unless the President has cer-
6 tified in writing to the Committees on Appropriations and
7 the Committees on Armed Services of the Senate and the
8 House of Representatives at least 15 days in advance of
9 the deployment that the unit is “fully mission capable”.

10 (c) For the purposes of subsection (b) the term “fully
11 mission capable” means capable of performing a unit’s as-
12 signed mission to the prescribed standards under the con-
13 ditions expected in the theater of operation, consistent
14 with the guidelines set forth in the Department of De-
15 fense’s Defense Readiness Reporting System.

16 (d) The President, by certifying in writing to the
17 Committees on Appropriations and the Committees on
18 Armed Services of the Senate and the House of Represent-
19 atives that the deployment to Iraq of a unit that is not
20 assessed fully mission capable is required for reasons of
21 national security and by submitting along with a certifi-
22 cation a report in classified and unclassified form detailing
23 the particular reason or reasons why the unit’s deployment
24 is necessary, may waive the limitations prescribed in sub-
25 section (b) on a unit-by-unit basis.

1 SEC. 105. (a) Notwithstanding any other provision
2 of law, funds appropriated or otherwise made available by
3 this Act are available immediately for obligation to plan
4 and execute a safe and orderly redeployment of United
5 States Armed Forces from Iraq.

6 (b) Within 30 days after enactment of this Act, the
7 President shall commence an immediate and orderly rede-
8 ployment of United States Armed Forces from Iraq, which
9 shall be implemented as part of the comprehensive re-
10 gional stability plan described in subsection (g). The
11 President shall endeavor to begin such redeployment with
12 units of the Armed Forces that have been deployed in ex-
13 cess of 365 days, except to the extent those units are need-
14 ed to provide for the safe withdrawal of other units of the
15 Armed Forces or to protect United States and Coalition
16 personnel and infrastructure.

17 (c) The reduction in United States Armed Forces re-
18 quired by this section shall be implemented in conjunction
19 with a comprehensive diplomatic, political and economic
20 strategy that includes sustained engagement with Iraq's
21 neighbors and the international community for the pur-
22 pose of working collectively to bring stability to Iraq.

23 (d) The goal for the completion of the transition of
24 United States Armed Forces to a limited presence and

1 missions as described in subsection (e) shall be a date that
2 is not later than December 15, 2008.

3 (e) After the conclusion of the reduction and transi-
4 tion of United States Armed Forces to a limited presence
5 as required by this section, the Secretary of Defense may
6 deploy or maintain members of the Armed Forces in Iraq
7 only for the following missions:

8 (1) Protecting United States diplomatic facili-
9 ties, United States Armed Forces, and American
10 citizens.

11 (2) Conducting limited training, equipping, and
12 providing logistical and intelligence support to the
13 Iraqi Security forces.

14 (3) Engaging in targeted counterterrorism op-
15 erations against al-Qaeda, al-Qaeda affiliated
16 groups, and other terrorist organizations in Iraq.

17 (f) Not later than February 1, 2008, and every 90
18 days thereafter, the Secretary of Defense shall submit to
19 the congressional defense committees a report setting
20 forth the following:

21 (1) The current plan for and the status of the
22 reduction of United States Armed Forces in Iraq
23 and the transition of the Armed Forces in Iraq to
24 a limited presence whose missions do not exceed the
25 missions specified in subsection (e), including the as-

1 sociated force reductions and adjustments and ex-
2 pectations with respect to timelines and the force
3 levels anticipated to perform those missions.

4 (2) A comprehensive current description of ef-
5 forts to prepare for the reduction and transition of
6 United States Armed Forces in Iraq in accordance
7 with this section and to limit any destabilizing con-
8 sequences of such reduction and transition, including
9 a description of efforts to work with the United Na-
10 tions and countries in the region toward that objec-
11 tive.

12 (g) Not later than February 15, 2008, the President
13 shall submit to the Congress in classified and unclassified
14 form a comprehensive regional stability plan for the Mid-
15 dle East, which shall include a military, diplomatic, polit-
16 ical and economic strategy that provides for the national
17 security interests of the United States in the region and
18 for the engagement of targeted counterterrorism oper-
19 ations. The plan shall include a detailed description of the
20 projected United States military force presence in and
21 around the Middle East region for the 5-year period begin-
22 ning on October 1, 2008.

23 SEC. 106. The amounts appropriated by this Act are
24 sufficient to fully meet the immediate needs of the United
25 States Armed Forces deployed to Iraq. Congressional con-

1 sideration of additional funding shall be deferred until the
2 first report required by section 105(f) is submitted to the
3 Congress.

4 TITLE II—SUPPLEMENTAL APPROPRIATIONS

5 DEPARTMENT OF DEFENSE—MILITARY

6 MILITARY PERSONNEL

7 MILITARY PERSONNEL, ARMY

8 For an additional amount for “Military Personnel,
9 Army”, \$713,700,000.

10 MILITARY PERSONNEL, NAVY

11 For an additional amount for “Military Personnel,
12 Navy”, \$95,624,000.

13 MILITARY PERSONNEL, MARINE CORPS

14 For an additional amount for “Military Personnel,
15 Marine Corps”, \$56,050,000.

16 MILITARY PERSONNEL, AIR FORCE

17 For an additional amount for “Military Personnel,
18 Air Force”, \$138,037,000.

19 OPERATION AND MAINTENANCE

20 OPERATION AND MAINTENANCE, ARMY

21 For an additional amount for “Operation and Main-
22 tenance, Army”, \$27,429,490,000.

23 OPERATION AND MAINTENANCE, NAVY

24 For an additional amount for “Operation and Main-
25 tenance, Navy”, \$2,071,560,000.

1 OPERATION AND MAINTENANCE, MARINE CORPS

2 For an additional amount for “Operation and Main-
3 tenance, Marine Corps”, \$2,429,323,000.

4 OPERATION AND MAINTENANCE, AIR FORCE

5 For an additional amount for “Operation and Main-
6 tenance, Air Force”, \$3,582,560,000.

7 OPERATION AND MAINTENANCE, DEFENSE-WIDE

8 For an additional amount for “Operation and Main-
9 tenance, Defense-Wide”, \$1,330,540,000, of which not to
10 exceed \$333,000,000, to remain available until expended,
11 may be used for payments to reimburse key cooperating
12 nations, for logistical, military, and other support provided
13 to United States military operations, notwithstanding any
14 other provision of law: *Provided*, That such payments may
15 be made in such amounts as the Secretary of Defense,
16 with the concurrence of the Secretary of State and in con-
17 sultation with the Director of the Office of Management
18 and Budget, may determine, in his discretion, based on
19 documentation determined by the Secretary of Defense to
20 adequately account for the support provided, and such de-
21 termination is final and conclusive upon the accounting
22 officers of the United States, and 15 days following notifi-
23 cation to the appropriate congressional committees: *Pro-*
24 *vided further*, That the Secretary of Defense shall provide

1 quarterly reports to the congressional defense committees
2 on the use of funds provided in this paragraph.

3 OPERATION AND MAINTENANCE, ARMY RESERVE

4 For an additional amount for “Operation and Main-
5 tenance, Army Reserve”, \$61,223,000.

6 OPERATION AND MAINTENANCE, NAVY RESERVE

7 For an additional amount for “Operation and Main-
8 tenance, Navy Reserve”, \$47,500,000.

9 OPERATION AND MAINTENANCE, MARINE CORPS

10 RESERVE

11 For an additional amount for “Operation and Main-
12 tenance, Marine Corps Reserve”, \$26,157,000.

13 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

14 For an additional amount for “Operation and Main-
15 tenance, Air Force Reserve”, \$8,089,000.

16 OPERATION AND MAINTENANCE, ARMY NATIONAL

17 GUARD

18 For an additional amount for “Operation and Main-
19 tenance, Army National Guard”, \$378,381,000.

20 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

21 For an additional amount for “Operation and Main-
22 tenance, Air National Guard”, \$34,422,000.

1 AFGHANISTAN SECURITY FORCES FUND
2 (INCLUDING TRANSFER OF FUNDS)

3 For the “Afghanistan Security Forces Fund”,
4 \$500,000,000: *Provided*, That such funds shall be avail-
5 able to the Secretary of Defense, notwithstanding any
6 other provision of law, for the purpose of allowing the
7 Commander, Office of Security Cooperation Afghanistan,
8 or the Secretary’s designee, to provide assistance, with the
9 concurrence of the Secretary of State, to the security
10 forces of Afghanistan, including the provision of equip-
11 ment, supplies, services, training, facility and infrastruc-
12 ture repair, renovation, and construction, and funding:
13 *Provided further*, That the authority to provide assistance
14 under this heading is in addition to any other authority
15 to provide assistance to foreign nations: *Provided further*,
16 That the Secretary of Defense may transfer such funds
17 to appropriations for military personnel; operation and
18 maintenance; Overseas Humanitarian, Disaster, and Civic
19 Aid; procurement; research, development, test and evalua-
20 tion; and defense working capital funds to accomplish the
21 purposes provided herein: *Provided further*, That this
22 transfer authority is in addition to any other transfer au-
23 thority available to the Department of Defense: *Provided*
24 *further*, That upon a determination that all or part of the
25 funds so transferred from this appropriation are not nec-

1 essary for the purposes herein, such amounts may be
2 transferred back to this appropriation: *Provided further*,
3 That contributions of funds for the purposes provided
4 herein from any person, foreign government, or inter-
5 national organization may be credited to this Fund, and
6 used for such purposes: *Provided further*, That the Sec-
7 retary of Defense shall notify the congressional defense
8 committees in writing upon the receipt and upon the
9 transfer of any contribution, delineating the sources and
10 amounts of the funds received and the specific use of such
11 contributions: *Provided further*, That the Secretary of De-
12 fense shall, not fewer than 5 days prior to making trans-
13 fers from this appropriation account, notify the congres-
14 sional defense committees in writing of the details of any
15 such transfer: *Provided further*, That the Secretary of De-
16 fense shall submit a report no later than 30 days after
17 the end of each fiscal quarter to the congressional defense
18 committees summarizing the details of the transfer of
19 funds from this appropriation.

20 IRAQ SECURITY FORCES FUND

21 (INCLUDING TRANSFER OF FUNDS)

22 For the “Iraq Security Forces Fund”, \$500,000,000:
23 *Provided*, That such funds shall be available to the Sec-
24 retary of Defense, notwithstanding any other provision of
25 law, for the purpose of allowing the Commander, Multi-

1 National Security Transition Command—Iraq, or the Sec-
2 retary’s designee, to provide assistance, with the concur-
3 rence of the Secretary of State, to the security forces of
4 Iraq, including the provision of equipment, supplies, serv-
5 ices, training, facility and infrastructure repair, renova-
6 tion, and construction, and funding, and to provide train-
7 ing, reintegration, education and employment programs
8 for concerned local citizens, former militia members and
9 detainees and former detainees: *Provided further*, That the
10 authority to provide assistance under this heading is in
11 addition to any other authority to provide assistance to
12 foreign nations: *Provided further*, That the Secretary of
13 Defense may transfer such funds to appropriations for
14 military personnel; operation and maintenance; Overseas
15 Humanitarian, Disaster, and Civic Aid; procurement; re-
16 search, development, test and evaluation; and defense
17 working capital funds to accomplish the purposes provided
18 herein: *Provided further*, That this transfer authority is
19 in addition to any other transfer authority available to the
20 Department of Defense: *Provided further*, That upon a de-
21 termination that all or part of the funds so transferred
22 from this appropriation are not necessary for the purposes
23 provided herein, such amounts may be transferred back
24 to this appropriation: *Provided further*, That contributions
25 of funds for the purposes provided herein from any person,

1 foreign government, or international organization may be
2 credited to this Fund, and used for such purposes: *Pro-*
3 *vided further*, That the Secretary of Defense shall notify
4 the congressional defense committees in writing upon the
5 receipt and upon the transfer of any contribution, delin-
6 eating the sources and amounts of the funds received and
7 the specific use of such contributions: *Provided further*,
8 That the Secretary of Defense shall, not fewer than 5 days
9 prior to making transfers from this appropriation account,
10 notify the congressional defense committees in writing of
11 the details of any such transfer: *Provided further*, That
12 the Secretary of Defense shall submit a report no later
13 than 30 days after the end of each fiscal quarter to the
14 congressional defense committees summarizing the details
15 of the transfer of funds from this appropriation.

16 IRAQ FREEDOM FUND

17 (INCLUDING TRANSFER OF FUNDS)

18 For “Iraq Freedom Fund”, \$3,168,000,000, to re-
19 main available for transfer only to support operations in
20 Iraq and to fight terrorism: *Provided*, the Secretary of De-
21 fense and the Director of National Intelligence shall, no
22 fewer than 30 days prior to making transfers under this
23 authority, notify the Committees on Appropriations in
24 writing of the details of any such transfer made for intel-
25 ligence activities: *Provided further*, That funds transferred

1 shall be merged with and be available for the same pur-
2 poses and for the same time period as the appropriation
3 or fund to which transferred.

4 JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND
5 (INCLUDING TRANSFER OF FUNDS)

6 For an additional amount for “Joint Improvised Ex-
7 plosive Device Defeat Fund”, \$1,638,500,000, to remain
8 available until September 30, 2010: *Provided*, That such
9 funds shall be available to the Secretary of Defense, not-
10 withstanding any other provision of law, for the purpose
11 of allowing the Director of the Joint Improvised Explosive
12 Device Defeat Organization to investigate, develop and
13 provide equipment, supplies, services, training, facilities,
14 personnel and funds to assist United States forces in the
15 defeat of improvised explosive devices: *Provided further*,
16 That within 60 days of enactment of this Act, a plan for
17 the intended management and use of the Fund is provided
18 to the congressional defense committees: *Provided further*,
19 That the Secretary of Defense shall submit a report not
20 later than 60 days after the end of each fiscal quarter
21 to the congressional defense committees providing assess-
22 ments of the evolving threats, individual service require-
23 ments to counter the threats, individual service require-
24 ments to counter the threats, the current strategy for
25 predeployment training of members of the Armed Forces

1 on explosive devices, and details on the execution of this
2 Fund: *Provided further*, That the Secretary of Defense
3 may transfer funds provided herein to appropriations for
4 operation and maintenance; procurement; research, devel-
5 opment, test and evaluation; and defense working capital
6 funds to accomplish the purpose provided herein: *Provided*
7 *further*, That this transfer authority is in addition to any
8 other transfer authority available to the Department of
9 Defense: *Provided further*, That upon determination that
10 all or part of the funds so transferred from this appropria-
11 tion are not necessary for the purpose provided herein,
12 such amounts may be transferred back to this appropria-
13 tion: *Provided further*, That the Secretary of Defense shall,
14 not fewer than 5 days prior to making transfers from this
15 appropriation, notify the congressional defense committees
16 in writing of the details of any such transfer.

17 PROCUREMENT

18 AIRCRAFT PROCUREMENT, ARMY

19 For an additional amount for “Aircraft Procurement,
20 Army”, \$302,200,000, to remain available until Sep-
21 tember 30, 2010.

22 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

23 VEHICLES, ARMY

24 For an additional amount for “Procurement of Weap-
25 ons and Tracked Combat Vehicles, Army”,

1 \$1,574,217,000, to remain available until September 30,
2 2010.

3 PROCUREMENT OF AMMUNITION, ARMY

4 For an additional amount for “Procurement of Am-
5 munition, Army”, \$154,000,000, to remain available until
6 September 30, 2010.

7 OTHER PROCUREMENT, ARMY

8 For an additional amount for “Other Procurement,
9 Army”, \$1,976,100,000, to remain available until Sep-
10 tember 30, 2010.

11 AIRCRAFT PROCUREMENT, NAVY

12 For an additional amount for “Aircraft Procurement,
13 Navy”, \$25,300,000, to remain available until September
14 30, 2010.

15 OTHER PROCUREMENT, NAVY

16 For an additional amount for “Other Procurement,
17 Navy”, \$88,281,000, to remain available until September
18 30, 2010.

19 PROCUREMENT, MARINE CORPS

20 For an additional amount for “Procurement, Marine
21 Corps”, \$729,232,000, to remain available until Sep-
22 tember 30, 2010.

1 AIRCRAFT PROCUREMENT, AIR FORCE

2 For an additional amount for “Aircraft Procurement,
3 Air Force”, \$147,800,000, to remain available until Sep-
4 tember 30, 2010.

5 OTHER PROCUREMENT, AIR FORCE

6 For an additional amount for “Other Procurement,
7 Air Force”, \$42,125,000, to remain available until Sep-
8 tember 30, 2010.

9 PROCUREMENT, DEFENSE-WIDE

10 For an additional amount for “Procurement, De-
11 fense-Wide”, \$102,588,000, to remain available until Sep-
12 tember 30, 2010.

13 OTHER DEPARTMENT OF DEFENSE PROGRAMS

14 DEFENSE HEALTH PROGRAM

15 For an additional amount for “Defense Health Pro-
16 gram”, \$649,001,000; of which \$599,001,000 shall be for
17 operation and maintenance; and of which \$50,000,000
18 shall be for research, development, test and evaluation, to
19 remain available until September 30, 2009, only for peer
20 reviewed research on traumatic brain injury and psycho-
21 logical health, including post-traumatic stress disorder.

22 GENERAL PROVISIONS

23 SEC. 201. Appropriations provided in this Act are
24 available for obligation until September 30, 2008, unless
25 otherwise provided in this Act.

(TRANSFER OF FUNDS)

1

2 SEC. 202. (a) Upon a determination by the Secretary
3 of Defense that such action is necessary in the national
4 interest, the Secretary may transfer between appropria-
5 tions up to \$4,000,000,000 of the funds made available
6 to the Department of Defense in this Act.

7 (b) The Secretary shall notify the Congress promptly
8 of each transfer made pursuant to the authority in this
9 section.

10 (c) The authority provided in this section is in addi-
11 tion to any other transfer authority available to the De-
12 partment of Defense and is subject to the same terms and
13 conditions as the authority provided in section 8005 of the
14 Department of Defense Appropriations Act, 2008, except
15 for the fourth proviso.

16 SEC. 203. Funds appropriated in this Act, or made
17 available by the transfer of funds in or pursuant to this
18 Act, for intelligence activities are deemed to be specifically
19 authorized by the Congress for purposes of section
20 504(a)(1) of the National Security Act of 1947 (50 U.S.C.
21 414(a)(1)).

22 SEC. 204. None of the funds provided in this Act may
23 be used to finance programs or activities denied by the
24 Congress in fiscal years 2007 or 2008 appropriations to
25 the Department of Defense or to initiate a procurement

1 or research, development, test and evaluation new start
2 program unless such program or project must be under-
3 taken immediately in the interest of national security and
4 after written prior notification to the congressional de-
5 fense committees.

6 SEC. 205. (a) From funds made available for oper-
7 ation and maintenance in this Act to the Department of
8 Defense, not to exceed \$500,000,000 may be used, not-
9 withstanding any other provision of law, to fund the Com-
10 mander's Emergency Response Program, for the purpose
11 of enabling military commanders in Iraq and Afghanistan
12 to respond to urgent humanitarian relief and reconstruc-
13 tion requirements within their areas of responsibility by
14 carrying out programs that will immediately assist the
15 Iraqi and Afghan people.

16 (b) Not later than 15 days after the end of each fiscal
17 year quarter, the Secretary of Defense shall submit to the
18 congressional defense committees a report regarding the
19 source of funds and the allocation and use of funds during
20 that quarter that were made available pursuant to the au-
21 thority provided in this section or under any other provi-
22 sion of law for the purposes of the programs under sub-
23 section (a).

24 SEC. 206. (a) During fiscal year 2008, funds avail-
25 able in this Act to the Department of Defense for oper-

1 ation and maintenance may be used, notwithstanding any
2 other provision of law, to provide supplies, services, trans-
3 portation, including airlift and sealift, and other logistical
4 support to Coalition forces supporting military and sta-
5 bility operations in Iraq and Afghanistan.

6 (b) The Secretary of Defense shall provide quarterly
7 reports to the congressional defense committees regarding
8 support provided under this section.

9 SEC. 207. (a) Supervision and administration costs
10 associated with a construction project funded with appro-
11 priations available for operation and maintenance, Af-
12 ghanistan Security Forces Fund, or Iraq Security Forces
13 Fund, and executed in direct support of the Global War
14 on Terror only in Iraq and Afghanistan, may be obligated
15 at the time a construction contract is awarded.

16 (b) For purposes of this section, the term “super-
17 vision and administration costs” includes all in-house Gov-
18 ernment costs.

19 SEC. 208. Each amount appropriated or otherwise
20 provided in this Act is designated as an emergency re-
21 quirement and necessary to meet emergency needs pursu-
22 ant to subsections (a) and (b) of section 204 of S. Con.
23 Res. 21 (110th Congress), the concurrent resolution on
24 the budget for fiscal year 2008.

1 SEC. 209. (a) Not later than January 15, 2008 and
2 every 90 days thereafter through the end of fiscal year
3 2008, the Secretary of Defense shall set forth in a report
4 to the Congress a comprehensive set of performance indi-
5 cators and measures for progress toward military and po-
6 litical stability in Iraq.

7 (b) The report shall include performance standards
8 and goals for security, economic, and security force train-
9 ing objectives in Iraq, together with a notional timetable
10 for achieving these goals.

11 (c) The report shall include, at a minimum, the fol-
12 lowing specific provisions:

13 (1) With respect to stability and security in
14 Iraq, the following:

15 (A) Key measures of political stability, in-
16 cluding the important political milestones that
17 must be achieved over the next several years.

18 (B) The primary indicators of a stable se-
19 curity environment in Iraq, such as number of
20 engagements per day, numbers of trained Iraqi
21 forces, trends relating to numbers and types of
22 ethnic and religious-based hostile encounters,
23 and progress made in the transition to Provin-
24 cial Iraqi Control (PIC).

1 (C) An assessment of the estimated
2 strength of the insurgency in Iraq and the ex-
3 tent to which it is composed of non-Iraqi fight-
4 ers.

5 (D) A description of all militias operating
6 in Iraq, including the number, size, equipment
7 strength, military effectiveness, sources of sup-
8 port, legal status, and efforts to disarm or re-
9 integrate each militia.

10 (E) Key indicators of economic activity
11 that should be considered the most important
12 for determining the prospects of stability in
13 Iraq, including—

14 (i) unemployment levels;

15 (ii) electricity, water, and oil produc-
16 tion rates; and

17 (iii) hunger and poverty levels.

18 (F) The criteria the Administration will
19 use to determine when it is safe to begin with-
20 drawing United States forces from Iraq.

21 (2) With respect to the training and perform-
22 ance of security forces in Iraq, the following:

23 (A) The training provided Iraqi military
24 and other Ministry of Defense forces and the
25 equipment used by such forces.

1 (B) Key criteria for assessing the capabili-
2 ties and readiness of the Iraqi military and
3 other Ministry of Defense forces, goals for
4 achieving certain capability and readiness levels
5 (as well as for recruiting, training, and equip-
6 ping these forces), and the milestones and no-
7 tional timetable for achieving these goals.

8 (C) The operational readiness status of the
9 Iraqi military forces, including the type, num-
10 ber, size, and organizational structure of Iraqi
11 battalions that are—

12 (i) capable of conducting
13 counterinsurgency operations independ-
14 ently, without any support from Coalition
15 forces;

16 (ii) capable of conducting
17 counterinsurgency operations with the sup-
18 port of United States or Coalition forces;
19 or

20 (iii) not ready to conduct
21 counterinsurgency operations.

22 (D) The amount and type of support pro-
23 vided by Coalition forces to the Iraqi Security
24 forces at each level of operational readiness.

1 (E) The number of Iraqi battalions in the
2 Iraqi Army currently conducting operations and
3 the type of operations being conducted.

4 (F) The rates of absenteeism in the Iraqi
5 military forces and the extent to which insur-
6 gents have infiltrated such forces.

7 (G) The training provided Iraqi police and
8 other Ministry of Interior forces and the equip-
9 ment used by such forces.

10 (H) Key criteria for assessing the capabili-
11 ties and readiness of the Iraqi police and other
12 Ministry of Interior forces, goals for achieving
13 certain capability and readiness levels (as well
14 as for recruiting, training, and equipping), and
15 the milestones and notional timetable for
16 achieving these goals, including—

17 (i) the number of police recruits that
18 have received classroom training and the
19 duration of such instruction;

20 (ii) the number of veteran police offi-
21 cers who have received classroom instruc-
22 tion and the duration of such instruction;

23 (iii) the number of police candidates
24 screened by the Iraqi Police Screening
25 Service, the number of candidates derived

1 from other entry procedures, and the suc-
2 cess rates of those groups of candidates;

3 (iv) the number of Iraqi police forces
4 who have received field training by inter-
5 national police trainers and the duration of
6 such instruction;

7 (v) attrition rates and measures of ab-
8 senteeism and infiltration by insurgents;
9 and

10 (vi) the level and effectiveness of the
11 Iraqi Police and other Ministry of Interior
12 forces in provinces where the United
13 States has formally transferred responsi-
14 bility for the security of the province to the
15 Iraqi Security forces under the Provincial
16 Iraqi Control (PIC) process.

17 (I) The estimated total number of Iraqi
18 battalions needed for the Iraqi Security forces
19 to perform duties now being undertaken by Co-
20 alition forces, including defending the borders
21 of Iraq and providing adequate levels of law
22 and order throughout Iraq.

23 (J) The effectiveness of the Iraqi military
24 and police officer cadres and the chain of com-
25 mand.

1 (K) The number of United States and Co-
2 alition advisors needed to support the Iraqi Se-
3 curity forces and associated ministries.

4 (L) An assessment, in a classified annex if
5 necessary, of United States military require-
6 ments, including planned force rotations,
7 through the end of calendar year 2008.

8 SEC. 210. None of the funds appropriated or other-
9 wise made available by this or any other Act shall be obli-
10 gated or expended by the United States Government for
11 a purpose as follows:

12 (1) To establish any military installation or
13 base for the purpose of providing for the permanent
14 stationing of United States Armed Forces in Iraq.

15 (2) To exercise United States control over any
16 oil resource of Iraq.

17 SEC. 211. None of the funds appropriated or other-
18 wise made available by this Act may be obligated or ex-
19 pended to provide award fees to any defense contractor
20 contrary to the provisions of section 814 of the John War-
21 ner National Defense Authorization Act for Fiscal Year
22 2007 (Public Law 109–364).

23 SEC. 212. During the current fiscal year, appropria-
24 tions made available to the Department of Defense for op-
25 eration and maintenance in this Act may, upon determina-

1 tion by the Secretary of Defense that such action is nec-
2 essary to meet the operational requirements of a Com-
3 mander of Combatant Command engaged in contingency
4 operations overseas, be used to purchase items having an
5 investment item cost of not more than \$500,000.

6 SEC. 213. Section 3303(c) of Public Law 110–28
7 shall apply to funds appropriated in this Act.

8 This Act may be cited as the “Orderly and Respon-
9 sible Iraq Redeployment Appropriations Act, 2008”.

Passed the House of Representatives November 14,
2007.

Attest: LORRAINE C. MILLER,
Clerk.

Calendar No. 507

110TH CONGRESS
1ST Session

H. R. 4156

AN ACT

Making emergency supplemental appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes.

NOVEMBER 15, 2007

Received, and pursuant to the order of November 14, 2007, read the second time and placed on the calendar.