

limit coverage, and they reap billions in excessive salaries, profits, and bonuses.

Look at the facts: United Health earned \$2.9 billion last year. WellPoint reported profits of \$2.5 billion. For CEO pay, United Health Group's Stephen Hemsley made \$3.2 million. WellPoint's Angela Braly made \$9.8 million. It doesn't stop there. Former United Health Group's CEO, Bill McGuire, left his job in 2006 and still took home \$1.1 billion. That's a lot of zeros.

Who are we kidding, Mr. Speaker? This is all about money—campaign contributions, CEO salaries, millions in advertising to kill reform, and billions in profits. That's what's at stake here.

It's time to stop this nonsense and enact real reform that includes a public insurance option based on Medicare rates and with a network of providers to lower costs and to provide quality care.

#### THE SEVEN DIRTY WORDS WE CAN'T USE

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, this year, we lost a comedian of some note named George Carlin. One of the marks of his career was when he challenged the FCC with the seven dirty words. We're now engaged in a debate on health care, and we've been told that there are a number of phrases that we can't use because we're attempting to speak truth to power, power being the Democratic leadership here in the House.

What are these dirty words or phrases we can't use to describe the leading Democratic health care proposal?

We can't call it "government-run" even though that's what it's going to be inevitably. We can't call it "single-payer" even though that's where they're going. We can't call it "socialized medicine." I don't know why not, but we can't. We can't call it "ObamaCare." We can't call it "rationed care" even though rationing is an absolutely essential element to their plan. We can't call it the "government mandate care" even though it's full of mandates. The word "shall" appears, I believe, 100 times in the bill. "Shall" means "must," which means a mandate. You can't call it "keep your change care" because, frankly, there won't be any change for you to keep.

The seven dirty words we can't use.

#### THE URGENCY OF HEALTH CARE REFORM

(Mr. CARSON of Indiana asked and was given permission to address the House for 1 minute.)

Mr. CARSON of Indiana. Madam Speaker, I rise today to speak to the urgency of health care reform. I want to share the story of Holly, an Indian-

apolis woman who has courageously fought and won two bouts with breast cancer. Thankfully, Holly's medical costs were largely covered by insurance. While she praises the care and treatment she received, Holly is rightly worried about the future.

Due to her history of recurring cancer, Holly will be uninsurable if she ever loses her job and, with it, her employer-based health insurance plan. Holly and thousands of people across my district know that the status quo will leave millions more uninsured, in some cases even fighting for their lives.

We must push forward with overhauling our health care system, not only for the 47 million who are uninsured but for the millions more who will be added to these rolls unless we act. Now is not the time for fear-mongering. Now is not the time for political posturing or for narcissistic behavior. We must be Representatives in the true sense of the word and act on behalf of the American people.

#### HONORING ST. ANN'S 150TH ANNIVERSARY

(Mr. LANCE asked and was given permission to address the House for 1 minute.)

Mr. LANCE. Madam Speaker, I rise this morning in honor of the 150th anniversary of St. Ann's Roman Catholic Church in Hampton, Hunterdon County, New Jersey.

St. Ann's was officially established in 1859, and Father Claude Rolland of France was named its first resident pastor.

Throughout its history, St. Ann's has faithfully fulfilled its mission while, at the same time, helping to establish eight other Catholic churches in Hunterdon and Warren Counties. Due to its contribution to the history of our State in 2003, the church was designated by New Jersey as a Site of Historical Note. Today, St. Ann's Parish is enjoying a period of significant growth under the leadership of its current pastor, Father Michael Saharic.

I congratulate St. Ann's Church for its 150 years of service to the communities of Hampton, Glen Gardner and surrounding areas and as a pillar of faith.

#### NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. BROUN of Georgia. Madam Speaker, pursuant to clause 2(a)(1) of the IX, I hereby notify the House of my intention to offer a resolution as a question of the privileges of the House. The form of my resolution is as follows:

Whereas the gentleman from Georgia, Mr. Broun submitted an amendment to the Committee on Rules to H.R. 3326, Department of Defense Appropriations Act, 2010;

Whereas that gentleman's amendment would have required that none of the funds

made available in this Act be used to standardize the design of future ground combat uniforms across the military branches;

Whereas defense appropriations have typically been used to provide funding for various types of equipment such as uniforms;

Whereas the gentleman's amendment complied with all applicable Rules of the House for amendments to appropriations measures and would have been in order under an open amendment process, but regrettably the House Democratic leadership has dramatically and historically reduced the opportunity for open debate on this floor; and

Whereas the Speaker, Ms. Pelosi, the Democratic leadership, and the chairman of the Committee on Appropriations, Mr. Obey, prevented the House from voting on the amendment by excluding it from the list of amendments made in order under the rule for the bill: Now, therefore, be it

*Resolved*, That H. Res. 685, the rule to accompany H.R. 3326, be amended to allow the gentleman from Georgia's amendment to be considered and voted on in the House.

The SPEAKER pro tempore (Ms. EDWARDS of Maryland). Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader, as a question of the privileges of the House, has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Georgia will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

#### DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. Pursuant to House Resolution 685 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 3326.

□ 1031

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 3326) making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes, with Mr. BLUMENAUER (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the committee of the whole rose on Wednesday, July 29, 2009, all time for general debate had expired.

Pursuant to the rule, the bill is considered read for amendment under the 5-minute rule and the bill shall be considered read through page 147, line 4.

The text of that portion of the bill is as follows:

H.R. 3326

*Be it enacted by the Senate and House of Representatives of the United States of America in*

*Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2010, for military functions administered by the Department of Defense and for other purposes, namely:

## TITLE I

## MILITARY PERSONNEL

## MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$39,901,547,000.

## MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$25,095,581,000.

## MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$12,528,845,000.

## MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$25,938,850,000.

## RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10305, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for

payments to the Department of Defense Military Retirement Fund, \$4,308,513,000.

## RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,918,111,000.

## RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$610,580,000.

## RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,600,462,000.

## NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$7,525,628,000.

## NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$2,949,899,000.

## TITLE II

## OPERATION AND MAINTENANCE

## OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed \$12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, \$30,454,152,000.

## OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed \$14,657,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, \$34,885,932,000.

## OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, \$5,557,510,000.

## OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed \$7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, \$33,785,349,000.

## OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, \$27,929,377,000: *Provided*, That not more than \$50,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: *Provided further*, That of the funds provided under this heading, not less than \$29,732,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than \$3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office.

## OPERATION AND MAINTENANCE, ARMY

## RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$2,621,196,000.

## OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation;

care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$1,280,001,000.

#### OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$228,925,000.

#### OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$3,079,228,000.

#### OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), \$6,353,627,000.

#### OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, \$5,888,741,000.

#### UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, \$13,932,000, of which not to exceed \$5,000 may be used for official representation purposes.

#### ENVIRONMENTAL RESTORATION, ARMY (INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$415,864,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental res-

toration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

#### ENVIRONMENTAL RESTORATION, NAVY (INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, \$285,869,000, to remain available until transferred: *Provided*, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

#### ENVIRONMENTAL RESTORATION, AIR FORCE (INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, \$494,276,000, to remain available until transferred: *Provided*, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

#### ENVIRONMENTAL RESTORATION, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, \$11,100,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time

period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

#### ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES (INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$277,700,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

#### OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), \$109,869,000, to remain available until September 30, 2011.

#### COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts, \$404,093,000, to remain available until September 30, 2012.

#### DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, \$100,000,000.

#### TITLE III PROCUREMENT

##### AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and

other expenses necessary for the foregoing purposes, \$5,144,991,000, to remain available for obligation until September 30, 2012.

#### MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,358,609,000, to remain available for obligation until September 30, 2012.

#### PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$2,681,952,000, to remain available for obligation until September 30, 2012.

#### PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$2,053,395,000, to remain available for obligation until September 30, 2012.

#### OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$9,293,801,000, to remain available for obligation until September 30, 2012.

#### AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of air-

craft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$18,325,481,000, to remain available for obligation until September 30, 2012.

#### WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$3,226,403,000, to remain available for obligation until September 30, 2012.

#### PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$794,886,000, to remain available for obligation until September 30, 2012.

#### SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program, \$739,269,000;  
Carrier Replacement Program (AP), \$484,432,000;

NSSN, \$1,964,317,000;  
NSSN (AP), \$1,959,725,000;  
CVN Refueling, \$1,563,602,000;  
CVN Refuelings (AP), \$211,820,000;  
DD(X), \$1,073,161,000;  
DDG-51 Destroyer, \$1,912,267,000;  
DDG-51 Destroyer (AP), \$328,996,000;  
Littoral Combat Ship, \$2,160,000,000;  
LPD-17, \$872,392,000;  
LPD-17 (AP), \$184,555,000;  
Intratheater Connector, \$357,956,000;  
LCAC Service Life Extension Program, \$63,857,000;

Prior year shipbuilding costs, \$454,586,000;  
Service Craft, \$3,694,000; and

For outfitting, post delivery, conversions, and first destination transportation, \$386,903,000.

In all: \$14,721,532,000, to remain available for obligation until September 30, 2014: *Provided*, That additional obligations may be incurred after September 30, 2014, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

#### OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$5,395,081,000, to remain available for obligation until September 30, 2012.

#### PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, \$1,563,743,000, to remain available for obligation until September 30, 2012.

#### AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$11,956,182,000, to remain available for obligation until September 30, 2012; *Provided*, That no funds provided in this Act for the procurement or modernization of C-17 aircraft may be obligated until all C-17 contracts funded with prior year "Aircraft Procurement, Air Force" appropriated funds are definitized.

#### MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such

plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$6,508,359,000, to remain available for obligation until September 30, 2012.

#### PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$809,941,000, to remain available for obligation until September 30, 2012.

#### OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$16,883,791,000, to remain available for obligation until September 30, 2012.

#### PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$4,036,816,000, to remain available for obligation until September 30, 2012.

#### DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), \$82,846,000, to remain available until expended.

#### TITLE IV

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities

and equipment, \$11,151,884,000, to remain available for obligation until September 30, 2011.

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$20,197,300,000, to remain available for obligation until September 30, 2011: *Provided*, That funds appropriated in this paragraph which are available for the V-22 may be used to meet unique operational requirements of the Special Operations Forces: *Provided further*, That funds appropriated in this paragraph shall be available for the Cobra Judy program.

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$27,976,278,000, to remain available for obligation until September 30, 2011.

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, \$20,721,723,000, to remain available for obligation until September 30, 2011: *Provided*, That, notwithstanding any other provision of law, of the funds made available under this heading for missile defense programs, not less than \$80,000,000 shall be available for the Kinetic Energy Interceptor Program.

##### OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, \$190,770,000, to remain available for obligation until September 30, 2011.

#### TITLE V

##### REVOLVING AND MANAGEMENT FUNDS

##### DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, \$1,455,004,000.

##### NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, \$1,692,758,000, to remain available until expended: *Provided*, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (engines, reduction gears, and propellers); shipboard cranes; and

spreaders for shipboard cranes: *Provided further*, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: *Provided further*, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

#### TITLE VI

##### OTHER DEPARTMENT OF DEFENSE PROGRAMS

##### DEFENSE HEALTH PROGRAM

##### (INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, \$29,891,109,000; of which \$28,257,565,000 shall be for operation and maintenance, of which not to exceed two percent shall remain available until September 30, 2011, and of which up to \$15,537,688,000 may be available for contracts entered into under the TRICARE program; of which \$384,142,000, to remain available for obligation until September 30, 2012, shall be for procurement; and of which \$1,249,402,000, to remain available for obligation until September 30, 2011, shall be for research, development, test and evaluation: *Provided*, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than \$10,000,000 shall be available for HIV prevention educational activities undertaken in connection with U.S. military training, exercises, and humanitarian assistance activities conducted primarily in African nations.

##### CHEMICAL AGENTS AND MUNITIONS

##### DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions, to include construction of facilities, in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, \$1,510,760,000, of which \$1,146,802,000 shall be for operation and maintenance, of which no less than \$84,839,000, shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of \$34,905,000 for activities on military installations and \$49,934,000, to remain available until September 30, 2011, to assist State and local governments; \$12,689,000 shall be for procurement, to remain available until September 30, 2012, of which no less than \$12,689,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and \$351,269,000, to remain available until September 30, 2011, shall be for research, development, test and evaluation, of which \$348,669,000 shall only be for the Assembled Chemical Weapons Alternatives (ACWA) program.

##### DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

##### (INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving

under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, \$1,237,684,000: *Provided*, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

#### JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the "Joint Improvised Explosive Device Defeat Fund", \$364,550,000, of which \$183,000,000 shall be for Attack the Network, to remain available until September 30, 2011; \$25,000,000 shall be for Defeat the Device, to remain available until September 30, 2012; \$35,000,000 shall be for Train the Force, to remain available until September 30, 2010; \$121,550,000 shall be for Staff and Infrastructure, to remain available until September 30, 2010: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further*, That within 60 days of the enactment of this Act, a plan for the intended management and use of the amounts provided under this heading shall be submitted to the congressional defense committees: *Provided further*, That the Secretary of Defense shall submit a report not later than 60 days after the end of each fiscal quarter to the congressional defense committees providing assessments of the evolving threats, individual service requirements to counter the threats, the current strategy for predeployment training of members of the Armed Forces on improvised explosive devices, and details on the execution of the Fund: *Provided further*, That the Secretary of Defense may transfer funds provided herein to appropriations for operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

#### OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$288,100,000, of which \$287,100,000 shall be for operation and maintenance, of which not to exceed \$700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which \$1,000,000, to remain available until September 30, 2012, shall be for procurement.

#### TITLE VII

##### RELATED AGENCIES

##### CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, \$290,900,000.

##### INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account, \$611,002,000.

#### TITLE VIII

##### GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

##### (TRANSFER OF FUNDS)

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

thority in this Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2010: *Provided further*, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section: *Provided further*, That no obligation of funds may be made pursuant to section 1206 of Public Law 109-163 (or any successor provision) unless the Secretary of Defense has notified the congressional defense committees prior to any such obligation.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled "Explanation of Project Level Adjustments" in the report of the Committee on Appropriations of the House of Representatives accompanying this Act, the obligation and expenditure of amounts appropriated or otherwise made available in this Act for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this Act: *Provided*, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 8007. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2010: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement.

##### (TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds: *Provided further*, That



transfers may be made between working capital funds and the "Operation and Maintenance" appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8009. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8010. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of \$20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed \$500,000,000 unless specifically provided in this Act: *Provided further*, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: *Provided further*, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

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

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this Act may be used for a multiyear procurement contract as follows:

F-18 aircraft variants.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the

Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99-239: *Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During fiscal year 2010, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2011 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2011 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2011.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8014. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this section applies only to active components of the Army.

SEC. 8015. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by more than 10 Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the

cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) \$10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (41 U.S.C. 47);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

#### (TRANSFER OF FUNDS)

SEC. 8016. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protege Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8017. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That

for the purpose of this section, the term “manufactured” shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8018. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under federal law.

SEC. 8019. No more than \$500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8020. In addition to the funds provided elsewhere in this Act, \$15,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over \$500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense with respect to any fiscal year: *Provided further*, That notwithstanding section 430 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8021. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8022. None of the funds appropriated by this Act shall be available to perform any cost study pursuant to the provisions of OMB Circular A-76 if the study being performed exceeds a period of 24 months after initiation of such study with respect to a single function activity or 30 months after initiation of

such study for a multi-function activity, commencing on the date on which the preliminary planning for the study begins through the date on which a performance decision is rendered with respect to the function, excluding time during which the study is suspended because of protests before the Government Accountability Office or United States Court of Federal Claims but including time during which the study is performed subsequent to such protests.

SEC. 8023. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed \$350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8024. (a) Of the funds made available in this Act, not less than \$34,756,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) \$26,433,000 shall be available from “Operation and Maintenance, Air Force” to support Civil Air Patrol Corporation operation and maintenance, readiness, counter-drug activities, and drug demand reduction activities involving youth programs;

(2) \$7,426,000 shall be available from “Air-craft Procurement, Air Force”; and

(3) \$897,000 shall be available from “Other Procurement, Air Force” for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8025. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other non-profit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: *Provided*, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2010 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2010, not more than 5,582 staff years of technical effort (staff years) may be funded for defense FFRDCs, not more than 3,236 staff years may be funded for the systems engineering and integration FFRDCs and not more than 1,264 staff years may be funded for laboratory FFRDCs: *Pro-*

*vided*, That of the specific amount referred to previously in this subsection, not more than 1,082 staff years may be funded for the defense studies and analysis FFRDCs: *Provided further*, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2011 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

(f) Notwithstanding any other provision of this Act, the total amount appropriated in this Act for FFRDCs is hereby reduced by \$125,200,000.

SEC. 8026. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8027. For the purposes of this Act, the term “congressional defense committees” means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8028. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A-76 shall not apply to competitions conducted under this section.

SEC. 8029. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement



memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2010. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term "Buy American Act" means title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933 (41 U.S.C. 10a et seq.).

SEC. 8030. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8031. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, and Minnesota relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, and Minnesota.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term "Indian tribe" means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103-454; 108 Stat. 4792; 25 U.S.C. 479a-1).

SEC. 8032. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than \$250,000.

SEC. 8033. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2011 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2011 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2011 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8034. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2011: *Provided*, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: *Provided further*, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947, as amended, shall remain available until September 30, 2011.

SEC. 8035. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8036. Of the funds appropriated to the Department of Defense under the heading "Operation and Maintenance, Defense-Wide", not less than \$12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8037. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term "Buy American Act" means title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933 (41 U.S.C. 10a et seq.).

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a "Made in America" inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality-competitive, and available in a timely fashion.

SEC. 8038. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: *Provided*, That this limitation shall not apply to contracts in an amount of less than \$25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8039. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program; or

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats.

SEC. 8040. The Secretary of Defense, notwithstanding any other provision of law, acting through the Office of Economic Adjustment of the Department of Defense, may use funds made available in this Act under the heading "Operation and Maintenance, Defense-Wide" to make grants and supplement other Federal funds in accordance with the guidance provided in the report of the Committee on Appropriations of the House of Representatives accompanying this Act.

#### (RESCISSIONS)

SEC. 8041. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

"Other Procurement, Army, 2009/2011", \$131,900,000;

"Shipbuilding and Conversion, Navy, 2009/2013", \$177,767,000;

"Other Procurement, Navy, 2009/2011", \$18,844,000;

"Aircraft Procurement, Air Force, 2009/2011", \$687,071,000;

"Missile Procurement, Air Force, 2009/2011", \$60,000,000;

"Other Procurement, Air Force, 2009/2011", \$36,400,000;

"Research, Development, Test and Evaluation, Navy, 2009/2010", \$20,000,000;

"Research, Development, Test and Evaluation, Air Force, 2009/2010", \$70,000,000;

"Research, Development, Test and Evaluation, Defense-Wide, 2009/2010", \$189,357,000.

SEC. 8042. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) technicians of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure.

SEC. 8043. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8044. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8045. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: *Provided*, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

SEC. 8046. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8047. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That this restriction shall not apply to the purchase of "commercial items", as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8048. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8049. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act without the express authorization of Congress: *Provided*, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8050. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following—

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8051. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8052. During the current fiscal year, no more than \$30,000,000 of appropriations made in this Act under the heading "Operation and Maintenance, Defense-Wide" may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and serv-

ices for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8053. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101-510, as amended (31 U.S.C. 1551 note): *Provided*, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: *Provided further*, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8054. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8055. Using funds available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided*, That in the City of Kaiserslautern such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: *Provided further*, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8056. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: *Provided*, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: *Provided further*, That this restriction does not apply to programs funded within the National Intelligence Program:

*Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8057. None of the funds made available in this Act may be used to approve or license the sale of the F-22A advanced tactical fighter to any foreign government.

SEC. 8058. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50-65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8059. (a) None of the funds made available by this Act may be used to support any training program involving a unit of the security forces of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

(c) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

(d) Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8060. None of the funds appropriated or made available in this Act to the Department of the Navy shall be used to develop, lease or procure the T-AKE class of ships unless the main propulsion diesel engines and propellers are manufactured in the United States by a domestically operated entity: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis

by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes or there exists a significant cost or quality difference.

SEC. 8061. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8062. Notwithstanding any other provision of law, funds appropriated in this Act under the heading "Research, Development, Test and Evaluation, Defense-Wide" for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 30 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8063. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8064. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: *Provided*, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8065. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8066. None of the funds provided in this Act may be used to transfer to any non-governmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of "armor penetrator", "armor piercing (AP)", "armor piercing incendiary (API)", or "armor-piercing incendiary-tracer (API-T)", except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2)

used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8067. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8068. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: *Provided*, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: *Provided further*, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: *Provided further*, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

SEC. 8069. Funds available to the Department of Defense for the Global Positioning System during the current fiscal year may be used to fund civil requirements associated with the satellite and ground control segments of such system's modernization program.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 8070. Of the amounts appropriated in this Act under the heading "Operation and Maintenance, Army", \$106,754,000 shall remain available until expended: *Provided*, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: *Provided further*, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: *Provided further*, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: *Provided further*, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8071. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104-208; 110 Stat. 3009-111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2010.

SEC. 8072. In addition to amounts provided elsewhere in this Act, \$5,000,000 is hereby appropriated to the Department of Defense, to

remain available for obligation until expended: *Provided*, That notwithstanding any other provision of law, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8073. Of the amounts appropriated in this Act under the heading "Research, Development, Test and Evaluation, Defense-Wide", \$202,434,000 shall be for the Israeli Cooperative Programs: *Provided*, That of this amount, \$45,792,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, \$50,036,000 shall be available for an upper-tier component to the Israeli Missile Defense Architecture, and \$72,400,000 shall be for the Arrow Missile Defense Program, of which \$25,000,000 shall be for producing Arrow missile components in the United States and Arrow missile components in Israel to meet Israel's defense requirements, consistent with each nation's laws, regulations and procedures: *Provided further*, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: *Provided further*, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8074. Of the amounts appropriated in this Act under the heading "Shipbuilding and Conversion, Navy", \$454,586,000 shall be available until September 30, 2010, to fund prior year shipbuilding cost increases: *Provided*, That upon enactment of this Act, the Secretary of the Navy shall transfer such funds to the following appropriations in the amounts specified: *Provided further*, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred:

To:

Under the heading Shipbuilding and Conversion, Navy, 2004/2010:

New SSN, \$26,906,000;

LPD-17 Amphibious Transport Dock Program, \$16,844,000;

Under the heading Shipbuilding and Conversion, Navy, 2005/2010:

New SSN, \$18,702,000;

LPD-17 Amphibious Transport Dock Program, \$16,498,000;

Under the heading Shipbuilding and Conversion, Navy, 2007/2011:

DD(X) Program, \$309,636,000;

Under the heading Shipbuilding and Conversion, Navy, 2008/2012:

LPD-17 Amphibious Transport Dock Program, \$66,000,000.

SEC. 8075. None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command administrative and operational control of U.S. Navy forces assigned to the Pacific fleet: *Provided*, That the command and control relationships which existed on October 1, 2004, shall remain in force unless changes are specifically authorized in a subsequent Act.

SEC. 8076. Notwithstanding any other provision of law or regulation, the Secretary of Defense may exercise the provisions of section 7403(g) of title 38, United States Code, for occupations listed in section 7403(a)(2) of title 38, United States Code, as well as the following:

Pharmacists, Audiologists, Psychologists, Social Workers, Orthotists/Prosthetists, Occupational Therapists, Physical Therapists, Rehabilitation Therapy Assistants, Respiratory Therapists, Speech Pathologists, Dietitian/Nutritionists, Industrial Hygienists, Psychology Technicians, Social Service Assistants, Practical Nurses, Nursing Assistants, Medical Technologists, Medical Technicians, Pharmacy Technicians, Health System Specialists, Medical Instrument Technicians, and Dental Hygienists:

(A) The requirements of section 7403(g)(1)(A) of title 38, United States Code, shall apply.

(B) The limitations of section 7403(g)(1)(B) of title 38, United States Code, shall not apply.

SEC. 8077. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2010 until the enactment of the Intelligence Authorization Act for Fiscal Year 2010.

SEC. 8078. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

SEC. 8079. (a) In addition to the amounts provided elsewhere in this Act, \$3,000,000 is hereby appropriated to the Department of Defense for "Operation and Maintenance, Army National Guard". Such amount shall be made available to the Secretary of the Army only to make a grant in the amount of \$3,000,000 to the entity specified in subsection (b) to facilitate access by veterans to opportunities for skilled employment in the construction industry.

(b) The entity referred to in subsection (a) is the Center for Military Recruitment, Assessment and Veterans Employment, a non-profit labor-management cooperation committee provided for by section 302(c)(9) of the Labor-Management Relations Act, 1947 (29 U.S.C. 186(c)(9)), for the purposes set forth in section 6(b) of the Labor Management Cooperation Act of 1978 (29 U.S.C. 175a note).

SEC. 8080. The budget of the President for fiscal year 2011 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts: *Provided*, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: *Provided further*, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: *Provided further*, That these documents shall include budget exhibits OP-5 and OP-32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8081. None of the funds in this Act may be used for research, development, test,

evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

SEC. 8082. Up to \$2,500,000 of the funds appropriated under the heading "Operation and Maintenance, Navy" in this Act for the Pacific Missile Range Facility may be made available to contract for the repair, maintenance, and operation of adjacent off-base water, drainage, and flood control systems, electrical upgrade to support additional missions critical to base operations, and support for a range footprint expansion to further guard against encroachment.

SEC. 8083. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, \$88,700,000 is hereby appropriated to the Department of Defense: *Provided*, That the Secretary of Defense shall make grants in the amounts specified as follows: \$20,000,000 to the United Service Organizations; \$30,000,000 to the Red Cross; \$6,000,000 to the SOAR Virtual School District; \$5,000,000 to The Presidio Heritage Center; \$5,000,000 to the Paralympics Military Program; \$4,800,000 to the Arrest Deterioration of Ford Island Aviation Control Tower, Pearl Harbor, HI; \$2,000,000 to the Go For Broke program; \$1,000,000 to Our Military Kids; \$3,000,000 to the New Jersey Technology Center; \$2,000,000 to the Women in Military Service for America Memorial; \$500,000 to the Marshall Legacy Institute; \$1,000,000 to the Vietnam Veterans Memorial Fund for Demining Activities; \$7,400,000 to the Edward M. Kennedy Institute for the Senate; and \$1,000,000 for the Riverside General Hospital in Houston, Texas, for the treatment of psychological health issues.

SEC. 8084. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC-130 Weather Reconnaissance mission below the levels funded in this Act: *Provided*, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8085. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: *Provided*, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8086. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8087. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: *Provided*, That the Secretary may transfer not to exceed \$100,000,000 under the authority provided by this section: *Provided*

further, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate, unless a response from the Committees is received sooner: *Provided further*, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this Act.

SEC. 8088. For purposes of section 612 of title 41, United States Code, any subdivision of appropriations made under the heading "Shipbuilding and Conversion, Navy" that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in the current fiscal year or any prior fiscal year.

SEC. 8089. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) None of the funds appropriated by this Act may be used to institute an inter-Service common contract for acquisition of MQ-1 or MQ-1C UAVs until 30 days after the Secretary of Defense certifies to the congressional defense committees that a common contract would achieve cost savings, be interoperable with, and not create undue sustainment costs compared to the current fleet.

SEC. 8090. Notwithstanding any other provision of law or regulation, the Secretary of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.

SEC. 8091. Up to \$15,000,000 of the funds appropriated under the heading, "Operation and Maintenance, Navy" may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: *Provided*, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: *Provided further*, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8092. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2011.

SEC. 8093. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading "Shipbuilding and Conversion, Navy" shall be considered to be for the same purpose as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8094. Notwithstanding any other provision of law, that not more than 35 percent of funds provided in this Act for environmental remediation may be obligated under indefinite delivery/indefinite quantity contracts with a total contract value of \$130,000,000 or higher.

SEC. 8095. The Secretary of Defense shall create a major force program category for space for the Future Years Defense Program of the Department of Defense. The Secretary of Defense shall designate an official in the Office of the Secretary of Defense to provide overall supervision of the preparation and justification of program recommendations and budget proposals to be included in such major force program category.

SEC. 8096. The Director of National Intelligence shall include the budget exhibits identified in paragraphs (1) and (2) as described in the Department of Defense Financial Management Regulation with the congressional budget justification books.

(1) For procurement programs requesting more than \$20,000,000 in any fiscal year, the P-1, Procurement Program; P-5, Cost Analysis; P-5a, Procurement History and Planning; P-21, Production Schedule; and P-40 Budget Item Justification.

(2) For research, development, test and evaluation projects requesting more than \$10,000,000 in any fiscal year, the R-1, RDT&E Program; R-2, RDT&E Budget Item Justification; R-3, RDT&E Project Cost Analysis; and R-4, RDT&E Program Schedule Profile.

SEC. 8097. Notwithstanding any other provision of law, none of the funds made available in this Act may be used to pay negotiated indirect cost rates on a contract, grant, or cooperative agreement (or similar arrangement) entered into by the Department of Defense and an entity in excess of 35 percent of the total cost of the contract, grant, or agreement (or similar arrangement): *Provided*, That this limitation shall apply only to funds made available in this Act for basic research.

SEC. 8098. The Secretary of Defense shall maintain on the homepage of the Internet website of the Department of Defense a direct link to the Internet website of the Office of Inspector General of the Department of Defense.

SEC. 8099. (a) Not later than 60 days after enactment of this Act, the Office of the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2010: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

SEC. 8100. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8101. For the purposes of this Act, the term "congressional intelligence committees" means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

SEC. 8102. The Department of Defense shall continue to report incremental contingency operations costs for Operation Iraqi Freedom and Operation Enduring Freedom on a monthly basis in the Cost of War Execution Report as prescribed in the Department of Defense Financial Management Regulation Department of Defense Instruction 7000.14, Volume 12, Chapter 23 "Contingency Operations", Annex I, dated September 2005.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 8103. (a) CONTINUATION OF STOP-LOSS SPECIAL PAY.—In addition to the amounts appropriated or otherwise made available elsewhere in this Act, \$8,300,000 is hereby appropriated to the Secretary of Defense to carry out this section. Such amount shall be made available to the Secretaries of the military departments only to provide special pay during fiscal year 2010 to members of the Army, Navy, Air Force, and Marine Corps, including members of their reserve components, who, at any time during fiscal year 2010, serve on active duty while the members' enlistment or period of obligated service is extended, or whose eligibility for retirement is suspended, pursuant to section 123 or 12305 of title 10, United States Code, or any other provision of law (commonly referred to as a "stop-loss authority") authorizing the President to extend an enlistment or period of obligated service, or suspend an eligibility for retirement, of a member of the uniformed services in time of war or of national emergency declared by Congress or the President.

(b) SPECIAL PAY AMOUNT.—The amount of the special pay paid under subsection (a) to or on behalf of an eligible member shall be \$500 per month for each month or portion of a month during fiscal year 2010 that the member is retained on active duty as a result of application of the stop-loss authority.

(c) TREATMENT OF DECEASED MEMBERS.—If an eligible member described in subsection (a) dies before the payment required by this section is made, the Secretary concerned shall make the payment in accordance with section 2771 of title 10, United States Code.

(d) CLARIFICATION OF RETROACTIVE STOP-LOSS SPECIAL PAY AUTHORITY.—Section 310 of the Supplemental Appropriations Act, 2009 (Public Law 111-32) is amended by adding at the end the following new subsection:

"(i) EFFECT OF SUBSEQUENT REENLISTMENT OF VOLUNTARY EXTENSION OF SERVICE.—Members of the Armed Forces, retired members, and former members otherwise described in subsection (a) are not eligible for a payment under this section if the members—

"(1) voluntarily reenlisted or extended their service after their enlistment or period of obligated service was extended, or after their eligibility for retirement was suspended, pursuant to a stop-loss authority; and

"(2) received a bonus for such reenlistment or extension of service."

SEC. 8104. Appropriations available to the Department of Defense for the purchase of heavy and light armored vehicles for force protection purposes may be used for such purchase, up to a limit of \$262,000 per vehicle, notwithstanding other limitations applicable to the purchase of passenger carrying vehicles.

## (INCLUDING TRANSFER OF FUNDS)

SEC. 8105. During the current fiscal year, not to exceed \$10,000,000 from each of the appropriations made in title II of this Act for "Operation and Maintenance, Army," "Operation and Maintenance, Navy," and "Operation and Maintenance, Air Force" may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

## (INCLUDING TRANSFER OF FUNDS)

SEC. 8106. Of the funds appropriated in the Intelligence Community Management Account for the Program Manager for the Information Sharing Environment, \$24,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: *Provided*, That the funds transferred under this provision are to be merged with, and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That the Office of Management and Budget must approve any transfers made under this provision.

SEC. 8107. (a) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 403-1(d)) unless the Committees on Appropriations of the House of Representatives and the Senate are notified 15 days in advance of the reprogramming that

(1) creates or initiates a new program, project or activity;

(2) eliminates a program, project or activity;

(3) augments funds for existing projects in excess of 10 percent or more; or,

(4) reduces by 10 percent or more funding or personnel for a project;

(b) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 403-1(d)) made after August 1, 2010, except in extraordinary circumstances and after the Committees on Appropriations of the House of Representatives and the Senate are notified 30 days in advance of the reprogramming.

SEC. 8108. None of the funds appropriated or otherwise made available by this Act, or that remain available for obligation for the Department of Defense from the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110-329), the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), and the Supplemental Appropriations Act, 2009 (Public Law 111-32), may be used to award to a contractor or convert to performance by a contractor any functions performed by Federal employees pursuant to a study conducted under Office of Management and Budget (OMB) Circular A-76, as of the date of enactment of this Act.

## (INCLUDING TRANSFER OF FUNDS)

SEC. 8109. During the current fiscal year, the Secretary of Defense may transfer to the appropriation "Foreign Currency Fluctuations, Defense" unobligated amounts of funds appropriated for operation and maintenance for fiscal year 2007, 2008, or 2009 and unobligated amounts of funds appropriated for military personnel for any of such fiscal years if such unobligated amounts are not necessary for the liquidation of obligations

or for the making of authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations: *Provided*, That the amount in the appropriation "Foreign Currency Fluctuations, Defense" may not exceed the amount specified in subsection 2779(d) of title 10, United States Code, as a result of the transfer: *Provided further*, That the transfer authority provided by this section is in addition to any other transfer authority contained in this Act.

SEC. 8110. The amounts appropriated in Title II of this Act are hereby reduced by \$289,570,000 to reflect excess cash balances in Department of Defense Working Capital Funds.

SEC. 8111. (a)(1) No National Intelligence Program funds appropriated in this Act may be used for a mission critical or mission essential business management information technology system that is not registered with the Director of National Intelligence. A system shall be considered to be registered with that officer upon the furnishing notice of the system, together with such information concerning the system as the Director of the Business Transformation Office may prescribe.

(2) During the current fiscal year no funds may be obligated or expended for a financial management automated information system, a mixed information system supporting financial and non-financial systems, or a business system improvement of more than \$1,000,000, within the Intelligence Community until the Director of National Intelligence certifies to the congressional intelligence committees that the system is being developed and managed in accordance with the Business Transformation requirements.

(b) The Director of the Business Transformation Office shall provide the congressional intelligence committees notification of approvals under paragraph (1) no later than 30 days after certification. Each such notification shall include a statement confirming that the following steps have been taken with respect to the system:

(1) Business process reengineering.

(2) An analysis of alternatives and an economic analysis that includes a calculation of the return on investment.

(3) Assurance the system is compatible with the enterprise-wide business architecture.

(4) Performance measures.

(5) An information assurance strategy consistent with the Chief Information Officer of the Intelligence Community.

(c) This section shall not apply to any programmatic or analytic systems or programmatic or analytic system improvements.

## (INCLUDING TRANSFER OF FUNDS)

SEC. 8112. (a) In addition to funds made available elsewhere in this Act, there is hereby appropriated \$439,615,000 to remain available until transferred: *Provided*, That these funds are appropriated to the "Tanker Replacement Transfer Fund" (referred to as "the Fund" elsewhere in this section): *Provided further*, That the Secretary of the Air Force may transfer amounts in the Fund to "Operation and Maintenance, Air Force", "Aircraft Procurement, Air Force", and "Research, Development, Test and Evaluation, Air Force", only for the purposes of proceeding with a tanker acquisition program: *Provided further*, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriations or fund to which transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of the Air

Force shall, not fewer than 15 days prior to making transfers using funds provided in this section, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation.

(b) The Secretary of Defense is directed to award one or more contracts for the aerial refueling tanker replacement program according to either of the following alternatives:

(1) A contract to a single offeror based on a best value or lowest cost source selection derived from full and open competition, subject to the condition that non-development aircraft produced under such contract must be finally assembled in the United States. Such competition and source selection shall include evaluation of the life-cycle costs of each aircraft over a 40-year period (including costs of fuel consumption, military construction and other factors normally associated with operation and support of tanker aircraft) and shall include an independent 40-year life-cycle cost estimate conducted by a federally funded research and development center; or

(2) Contracts awarded to each of the two offerors that responded to Request for Proposal No. FA8625-07-R-6470 (as released on January 29, 2007) subject to the condition that all non-development aircraft produced under any such contracts must be finally assembled in the United States.

(c) The Secretary of Defense shall certify in writing to the congressional defense committees by October 1, 2009, which of the procurement alternatives in subsection (b) represents the most cost-effective and expeditious tanker replacement strategy that best responds to United States national security requirements. The certification shall be accompanied by a report to the congressional defense committees detailing the rationale for such certification.

SEC. 8113. (a) Under regulations prescribed by the Secretary of Defense, the Secretary concerned shall provide any member or former member of the Armed Forces with the benefits specified in subsection (b) if the member or former member would, on any day during the period beginning on January 19, 2007, and ending on the date of the implementation of the Post-Deployment/Mobilization Respite Absence (PDMRA) program by the Secretary concerned, have qualified for a day of administrative absence under the Post-Deployment/Mobilization Respite Absence program had the program been in effect during such period.

(b) BENEFITS.—The benefits authorized under this section are the following:

(1) In the case of an individual who is a former member of the Armed Forces at the time of the provision of benefits under this section, payment of an amount not to exceed \$200 for each day the individual would have qualified for a day of administrative absence as described in subsection (a) during the period specified in that subsection.

(2) In the case of an individual who is a member of the Armed Forces at the time of the provision of benefits under this section, either one day of administrative absence or payment of an amount not to exceed \$200, as selected by the Secretary concerned, for each day the individual would have qualified for a day of administrative absence as described in subsection (a) during the period specified in that subsection.

(c) EXCLUSION OF CERTAIN FORMER MEMBERS.—A former member of the Armed Forces is not eligible under this section for the benefits specified in subsection (b)(1) if



the former member was discharged or released from the Armed Forces under other than honorable conditions.

(d) **MAXIMUM NUMBER OF DAYS OF BENEFITS.**—Not more than 40 days of benefits may be provided to a member or former member of the Armed Forces under this section.

(e) **FORM OF PAYMENT.**—The paid benefits authorized under this section may be paid in a lump sum or installments, at the election of the Secretary concerned.

(f) **CONSTRUCTION WITH OTHER PAY AND LEAVE.**—The benefits provided a member or former member of the Armed Forces under this section are in addition to any other pay, absence, or leave provided by law.

(g) **DEFINITIONS.**—In this section:

(1) The term “Post-Deployment/Mobilization Respite Absence program” means the program of a military department to provide days of administrative absence not chargeable against available leave to certain deployed or mobilized members of the Armed Forces in order to assist such members in reintegrating into civilian life after deployment or mobilization.

(2) The term “Secretary concerned” has the meaning given that term in section 101(5) of title 37, United States Code.

(h) **TERMINATION.**—(1) The authority to provide benefits under this section shall expire on the date that is 1 year after the date of the enactment of this Act.

(2) Expiration under this subsection of the authority to provide benefits under this section shall not affect the utilization of any day of administrative absence provided a member of the Armed Forces under subsection (b)(2), or the payment of any payment authorized a member or former member of the Armed Forces under subsection (b), before the expiration of the authority in this section.

SEC. 8114. (a) **RESETTLEMENT SUPPORT AND OTHER PUBLIC BENEFITS FOR CERTAIN IRAQI REFUGEES.**—Section 1244(g) of the Refugee Crisis in Iraq Act of 2007 (subtitle C of title XII of division A of Public Law 110-181; 122 Stat. 398) is amended by striking “for a period not to exceed eight months” and inserting “to the same extent, and for the same periods of time, as such refugees”.

(b) **RESETTLEMENT SUPPORT AND OTHER PUBLIC BENEFITS FOR CERTAIN AFGHAN ALLIES.**—Section 602(b)(8) of the Afghan Allies Protection Act of 2009 (title VI of division F of Public Law 111-8; 123 Stat. 809) is amended by striking “for a period not to exceed 8 months” and inserting “to the same extent, and for the same periods of time, as such refugees”.

SEC. 8115. (a) With respect to the list of specific programs, projects and activities contained in the tables entitled “Explanation of Project Level Adjustments” in the Report of the Committee on Appropriations of the House of Representatives, those which are considered congressional earmarks for purposes of Rule XXI of the House of Representatives, when awarded to a for profit entity, shall be awarded under full and open competition.

(b) For profit entities previously awarded a contract with the Department of Defense which remains in effect during fiscal year 2010, to provide such programs projects or activities as described in subsection (a), shall be considered to have satisfied the conditions of full and open competition, provided that any such contract was awarded under full and open competition.

SEC. 8116. The amounts appropriated in title II of this Act are hereby reduced from the specified accounts in the specified amounts:

“Operation and Maintenance, Navy”, \$192,000,000;

“Operation and Maintenance, Marine Corps”, \$28,000,000;

“Operation and Maintenance, Air Force”, \$188,000,000;

“Operation and Maintenance, Defense-Wide”, \$142,000,000.

SEC. 8117. In carrying out Congressionally Directed Medical Research programs related to breast cancer research, the Secretary of Defense shall ensure the following:

(a) The selection process for choosing an individual to serve as a member of an integration panel shall be fair and representative of the interested community so that the integration panel consists of a diverse representation of the breast cancer survivor and advocacy community; and

(b) An individual serving as a member of an integration panel may not be an employee, serve on the board of, or have a financial relationship with the same organization (including any organization related to such organization through common board membership, financial support, or other similar relationship) as that of another individual serving as a member of such panel.

SEC. 8118. None of the funds appropriated or otherwise made available by this Act, or that remain available for obligation for the Department of Defense from the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110-329), the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), and the Supplemental Appropriations Act, 2009 (Public Law 111-32), may be used to eliminate any personnel positions from the 194th Regional Support Wing of the United States Air National Guard as of the date of enactment of this Act.

SEC. 8119. (a) None of the funds made available in this or any prior Act may be used to release an individual who is detained, as of April 30, 2009, at Naval Station, Guantanamo Bay, Cuba, into the continental United States, Alaska, Hawaii, the District of Columbia, or any of the United States territories of Guam, American Samoa (AS), the United States Virgin Islands (USVI), the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands (CNMI).

(b) None of the funds made available in this or any prior Act may be used to transfer an individual who is detained, as of April 30, 2009, at the Naval Station, Guantanamo Bay, Cuba, into the continental United States, Alaska, Hawaii, the District of Columbia, or any of the United States territories of Guam, American Samoa (AS), the United States Virgin Islands (USVI), the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands (CNMI), for the purposes of detaining or prosecuting such individual until 2 months after the plan detailed in subsection (c) is received.

(c) The President shall submit to the Congress, in writing, a comprehensive plan regarding the proposed disposition of each individual who is detained, as of April 30, 2009, at Naval Station, Guantanamo Bay, Cuba, who is not covered under subsection (d). Such plan shall include, at a minimum, each of the following for each such individual:

(1) The findings of an analysis regarding any risk to the national security of the United States that is posed by the transfer of the individual.

(2) The costs associated with not transferring the individual in question.

(3) The legal rationale and associated court demands for transfer.

(4) A certification by the President that any risk described in paragraph (1) has been mitigated, together with a full description of the plan for such mitigation.

(5) A certification by the President that the President has submitted to the Governor and legislature of the State or territory (or, in the case of the District of Columbia, to

the Mayor of the District of Columbia) to which the President intends to transfer the individual a certification in writing at least 30 days prior to such transfer (together with supporting documentation and justification) that the individual does not pose a security risk to the United States.

(d) None of the funds made available in this or any prior Act may be used to transfer or release an individual detained at Naval Station, Guantanamo Bay, Cuba, as of April 30, 2009, to the country of such individual's nationality or last habitual residence or to the freely associated States of the Federated States of Micronesia (FSM), the Republic of the Marshall Islands (RMI), or the Republic of Palau, or to any other country other than the United States, unless the President submits to the Congress, in writing, at least 30 days prior to such transfer or release, the following information:

(1) The name of any individual to be transferred or released and the country to which such individual is to be transferred or released.

(2) An assessment of any risk to the national security of the United States or its citizens, including members of the Armed Services or the United States, that is posed by such transfer or release and the actions taken to mitigate such risk.

(3) The terms of any agreement with another country for acceptance of such individual, including the amount of any financial assistance related to such agreement.

#### TITLE IX

#### OVERSEAS DEPLOYMENTS AND OTHER ACTIVITIES

##### MILITARY PERSONNEL

##### MILITARY PERSONNEL, ARMY

For an additional amount for “Military Personnel, Army”, \$10,492,723,000: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

##### MILITARY PERSONNEL, NAVY

For an additional amount for “Military Personnel, Navy”, \$1,622,717,000: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

##### MILITARY PERSONNEL, MARINE CORPS

For an additional amount for “Military Personnel, Marine Corps”, \$997,470,000: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

##### MILITARY PERSONNEL, AIR FORCE

For an additional amount for “Military Personnel, Air Force”, \$1,855,337,000: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

##### RESERVE PERSONNEL, ARMY

For an additional amount for “Reserve Personnel, Army”, \$302,637,000: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

## RESERVE PERSONNEL, NAVY

For an additional amount for "Reserve Personnel, Navy", \$39,040,000: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

## RESERVE PERSONNEL, MARINE CORPS

For an additional amount for "Reserve Personnel, Marine Corps", \$31,337,000: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

## RESERVE PERSONNEL, AIR FORCE

For an additional amount for "Reserve Personnel, Air Force", \$24,822,000: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

## NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for "National Guard Personnel, Army", \$839,966,000: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

## NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for "National Guard Personnel, Air Force", \$18,500,000: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

## OPERATION AND MAINTENANCE

## OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", \$41,836,029,000: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

## OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy", \$4,975,665,000: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

## OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps", \$2,961,279,000: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

## OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", \$7,858,895,000: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

## OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for "Operation and Maintenance, Defense-Wide", \$7,397,800,000, of which:

(1) not to exceed \$12,500,000 for the Combatant Commander Initiative Fund, to be used in support of Operation Iraqi Freedom and Operation Enduring Freedom; and

(2) not to exceed \$1,540,000,000, to remain available until expended, for payments to reimburse key cooperating nations for logistical, military, and other support, including access provided to United States military operations in support of Operation Iraqi Freedom and Operation Enduring Freedom, notwithstanding any other provision of law: *Provided*, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military operations in Iraq and Afghanistan, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph: *Provided further*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, ARMY  
RESERVE

For an additional amount for "Operation and Maintenance, Army Reserve", \$163,461,000: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

## OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for "Operation and Maintenance, Navy Reserve", \$54,447,000: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, MARINE CORPS  
RESERVE

For an additional amount for "Operation and Maintenance, Marine Corps Reserve", \$69,333,000: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, AIR FORCE  
RESERVE

For an additional amount for "Operation and Maintenance, Air Force Reserve", \$100,740,000: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, ARMY  
NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", \$257,317,000: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, AIR NATIONAL  
GUARD

For an additional amount for "Operation and Maintenance, Air National Guard", \$231,889,000: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OVERSEAS CONTINGENCY OPERATIONS  
TRANSFER FUND

## (INCLUDING TRANSFER OF FUNDS)

For an additional amount for expenses directly relating to overseas contingency operations by United States military forces, \$14,636,901,000, to remain available for obligation until expended: *Provided*, That of the funds made available under this heading, the Secretary of Defense may transfer these funds only to military personnel accounts, operation and maintenance accounts, the defense health program appropriation, and working capital funds accounts: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the Secretary shall notify the congressional defense committees 15 days prior to such transfer: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

## AFGHANISTAN SECURITY FORCES FUND

For the "Afghanistan Security Forces Fund", \$7,462,769,000, to remain available until September 30, 2011: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command-Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund and used for such purposes: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall,

not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

#### PROCUREMENT

##### AIRCRAFT PROCUREMENT, ARMY

For an additional amount for "Aircraft Procurement, Army", \$1,636,229,000, to remain available until September 30, 2012: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

##### MISSILE PROCUREMENT, ARMY

For an additional amount for "Missile Procurement, Army", \$469,470,000, to remain available until September 30, 2012: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

##### PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for "Procurement of Weapons and Tracked Combat Vehicles, Army", \$1,219,466,000, to remain available until September 30, 2012: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

##### PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", \$370,635,000, to remain available until September 30, 2012: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

##### OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army", \$5,635,306,000, to remain available until September 30, 2012: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

##### AIRCRAFT PROCUREMENT, NAVY

For an additional amount for "Aircraft Procurement, Navy", \$889,097,000, to remain available until September 30, 2012: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

##### WEAPONS PROCUREMENT, NAVY

For an additional amount for "Weapons Procurement, Navy", \$73,700,000, to remain available until September 30, 2012: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

##### PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for "Procurement of Ammunition, Navy and Marine

Corps", \$698,780,000, to remain available until September 30, 2012: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

##### OTHER PROCUREMENT, NAVY

For an additional amount for "Other Procurement, Navy", \$260,797,000, to remain available until September 30, 2012: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

##### PROCUREMENT, MARINE CORPS

For an additional amount for "Procurement, Marine Corps", \$1,100,268,000, to remain available until September 30, 2012: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

##### AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for "Aircraft Procurement, Air Force", \$825,718,000, to remain available until September 30, 2012: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

##### MISSILE PROCUREMENT, AIR FORCE

For an additional amount for "Missile Procurement, Air Force", \$36,625,000, to remain available until September 30, 2012: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

##### PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for "Procurement of Ammunition, Air Force", \$256,819,000, to remain available until September 30, 2012: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

##### OTHER PROCUREMENT, AIR FORCE

For an additional amount for "Other Procurement, Air Force", \$2,275,238,000, to remain available until September 30, 2012: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

##### PROCUREMENT, DEFENSE-WIDE

For an additional amount for "Procurement, Defense-Wide", \$489,980,000, to remain available until September 30, 2012: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

##### NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of items of equipment as designated by the Chief of the National Guard Bureau and the Chiefs of the reserve components of the Armed Forces, \$500,000,000, to remain available for obligation until September 30, 2012, of which

\$300,000,000 shall be available only for the Army National Guard: *Provided*, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: *Provided further*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

##### RAPID ACQUISITION FUND

##### (INCLUDING TRANSFER OF FUNDS)

There is hereby established in the Treasury of the United States the Rapid Acquisition Fund. For the Rapid Acquisition Fund, \$40,000,000, to remain available until September 30, 2012: *Provided*, That such funds shall be available to the Secretary of Defense, with the advice of the Chairman of the Joint Chiefs of Staff, for the purpose of providing for Joint Urgent Operational Needs: *Provided further*, That the Secretary of Defense may transfer such funds to appropriations for operation and maintenance; procurement; and research, development, test and evaluation: *Provided further*, That funds so transferred shall be merged with and shall be available for the same purposes and the same time period as that account to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such funds may be transferred back to this appropriation: *Provided further*, That the transfer authority provided herein is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

##### MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND

##### (INCLUDING TRANSFER OF FUNDS)

For the Mine Resistant Ambush Protected Vehicle Fund, \$3,606,000,000, to remain available until September 30, 2011: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, to procure, sustain, transport, and field Mine Resistant Ambush Protected vehicles: *Provided further*, That the Secretary shall transfer such funds only to appropriations for operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such funds may be transferred back to this appropriation: *Provided further*, That the Secretary shall, not fewer than 10 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

## RESEARCH, DEVELOPMENT, TEST AND EVALUATION

## RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for "Research, Development, Test and Evaluation, Army", \$57,962,000, to remain available until September 30, 2011: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

## RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for "Research, Development, Test and Evaluation, Navy", \$38,280,000, to remain available until September 30, 2011: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

## RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for "Research, Development, Test and Evaluation, Air Force", \$29,286,000, to remain available until September 30, 2011: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

## RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for "Research, Development, Test and Evaluation, Defense-Wide", \$115,826,000, to remain available until September 30, 2011: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

REVOLVING AND MANAGEMENT FUNDS  
DEFENSE WORKING CAPITAL FUNDS

For an additional amount for "Defense Working Capital Funds", \$412,215,000: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

## OTHER DEPARTMENT OF DEFENSE PROGRAMS

## DEFENSE HEALTH PROGRAM

For an additional amount for "Defense Health Program", \$1,155,235,000, which shall be for operation and maintenance: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

## DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES

## (INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Drug Interdiction and Counter-Drug Activities", \$317,603,000, to remain available until September 30, 2011: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

## JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

## (INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Joint Improvised Explosive Device Defeat Fund",

\$1,490,000,000, of which \$730,000,000 shall be for Attack the Network, to remain available until September 30, 2011; \$600,000,000 shall be for Defeat the Device, to remain available until September 30, 2012; and \$160,000,000 shall be for Train the Force, to remain available until September 30, 2010: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

## OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the "Office of the Inspector General", \$8,876,000: *Provided*, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

## GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2010.

## (INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to \$3,000,000,000 between the appropriations or funds made available to the Department of Defense in this title, with the exception of the "Overseas Contingency Operations Transfer Fund": *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in the Department of Defense Appropriations Act, 2010: *Provided further*, That the amount in this section is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SEC. 9003. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance or the "Afghanistan Security Forces Fund" provided in this Act and executed in direct support of overseas contingency operations in Afghanistan or Iraq, may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase motor vehicles for use by military and civilian employees of the Department of Defense in Iraq and Afghanistan, up to a limit of \$75,000 per vehicle, notwithstanding other limitations applicable to passenger carrying motor vehicles.

SEC. 9005. Not to exceed \$1,300,000,000 of the amount appropriated in this title under the heading "Operation and Maintenance, Army" may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program, for the purpose of enabling military commanders in Iraq and Afghanistan to respond to urgent humanitarian relief and reconstruction requirements within their areas of responsibility: *Provided*, That not later than 15 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to

the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: *Provided further*, That, of the funds provided, \$500,000,000 shall not be available until 5 days after the Secretary of Defense has completed a thorough review of the Commander's Emergency Response Program and provided a report on his findings to the congressional defense committees.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Iraq and Afghanistan: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

## (INCLUDING TRANSFER OF FUNDS)

SEC. 9007. During fiscal year 2010 and from funds in the "Defense Cooperation Account", as established by 10 U.S.C. 2608, the Secretary of Defense may transfer not to exceed \$6,500,000 to such appropriations or funds of the Department of Defense as the Secretary shall determine for use consistent with the purposes for which such funds were contributed and accepted: *Provided*, That such amounts shall be available for the same time period as the appropriation to which transferred: *Provided further*, That the Secretary shall report to the Congress all transfers made pursuant to this authority: *Provided further*, That the amount in this section is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SEC. 9008. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

- (1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.
- (2) To exercise United States control over any oil resource of Iraq.
- (3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9009. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105-277; 112 Stat. 2681-822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109-148).

SEC. 9010. (a) REPORT ON IRAQ TROOP DRAW-DOWN STATUS, GOALS, AND TIMETABLE.—In recognition and support of the policy of

President Barack Obama to withdraw all United States combat brigades from Iraq by August 31, 2010, and all United States military forces from Iraq on December 31, 2011. Congress directs the Secretary of Defense (in consultation with other members of the National Security Council) to prepare a report that identifies troop drawdown status and goals and includes—

(1) a detailed, month-by-month description of the transition of United States military forces and equipment out of Iraq; and

(2) a detailed, month-by-month description of the transition of United States contractors out of Iraq.

(b) ELEMENTS OF REPORT.—At a minimum, the Secretary of Defense shall address the following:

(1) How the Government of Iraq is assuming the responsibility for reconciliation initiatives as the mission of the United States Armed Forces transitions.

(2) How the drawdown of military forces complies with the President's planned withdrawal of combat brigades by August 31, 2010, and all United States forces by December 31, 2011.

(3) The roles and responsibilities of remaining contractors in Iraq as the United States mission evolves, including the anticipated number of United States contractors to remain in Iraq after August 31, 2010, and December 31, 2011.

(c) SUBMISSION.—

(1) Not later than 90 days after the date of enactment of this Act, and every 90 days thereafter through September 30, 2010, the Secretary of Defense shall submit the report required by subsection (a) and a classified annex to the report, as necessary.

(2) The Secretary may submit the report required by subsection (a) separately as provided in paragraph (1) or include the information required by this report when submitting reports required of the Secretary under section 9204 of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 122 Stat. 2410).

The Acting CHAIR. No amendment shall be in order except the amendments printed in House report 111-233. Each amendment in part A of the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered read, and shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent; not to exceed eight of the amendments printed in part B of the report if offered by the gentleman from Arizona (Mr. FLAKE) or his designee, shall be in order, may be offered only in the order printed in the report, shall be considered as read, and shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent; an en bloc amendment, if offered by the gentleman from Arizona (Mr. FLAKE) or his designee, consisting of all the amendments printed in part B of the report, shall be in order, shall be considered read, and shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent; not to exceed two of the amendments printed in part C of the report if offered by the gentleman from California (Mr. CAMPBELL) or his designee, shall be in order, which may be offered only in the order printed in the report, shall be considered read, and shall be

debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

After disposition of the amendments specified in the first section of House Resolution 685, the Chair and ranking minority member of the Committee on Appropriations or their designees each may offer one pro forma amendment to the bill for the purpose of debate, which shall be controlled by the proponent.

The amendments specified in the first section of House Resolution 685 shall not be subject to a demand for division of the question.

PART A AMENDMENT NO. 1 OFFERED BY MR.

MURTHA

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 111-233.

Mr. MURTHA. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 1 offered by Mr. MURTHA:

Page 8, line 11, before the period at the end, insert the following: “: *Provided*, That \$60,199,000 shall be made available for the Joint POW/MIA Accounting Command”.

Page 103, line 3, strike “\$10,000,000” and insert “\$12,000,000”.

Page 118, after line 15, insert the following new sections:

SEC. 8120. None of the funds appropriated or otherwise made available in this Act may be used for advance procurement of the F-22 aircraft: *Provided*, That \$368,800,000 of the funds made available in title III under the heading “Aircraft Procurement, Air Force” may be available for the following programs in the following amounts:

(1) \$64,000,000 for production line shut down activities for the F-22.

(2) \$138,800,000 for spare engines for F-22 and C-17 aircraft.

(3) \$79,000,000 for LAIRCM kits for the Air National Guard.

(4) \$37,000,000 for advanced targeting pods.

(5) \$50,000,000 for advanced radar development.

SEC. 8121. The amount appropriated in title VI under the heading “Defense Health Program” for operation and maintenance is hereby reduced by \$26,000,000 and the amount appropriated under such heading for research, development, test, and evaluation is hereby increased by \$26,000,000.

SEC. 8122. None of the funds appropriated or otherwise made available in this Act may be used to award to a contractor, or convert to performance by a contractor, the provision of utilities at the United States Military Academy at West Point.

SEC. 8123. The amounts otherwise provided by this Act are revised by reducing the amount made available under title II under the heading “Operation and Maintenance, Air Force”, and increasing the amount available under title VI under the heading “Chemical Agents and Munitions Destruction, Defense”, by \$50,000,000.

SEC. 8124. None of the funds appropriated or otherwise made available in this Act may be used by the Secretary of the Army to convert government-owned ammunition production assets to the private sector.

Page 122, line 3, strike “*Provided*, That” and insert “*Provided*, That up to \$241,503,000 of the amount under this heading shall be transferred to the Coast Guard ‘Operating Expenses’ account: *Provided further*, That”.

The Acting CHAIR. Pursuant to House Resolution 685, the gentleman from Pennsylvania (Mr. MURTHA) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. MURTHA. This amendment provides \$60,199,000 to be made available for a joint POW/MIA account, \$2 million additional funding for the Fisher House, for a total of \$12 million, for redirecting \$368,800 otherwise available for advanced procurement of additional F-22 aircraft spare parts. Let me explain—well, some money shifting from the health program and some chemical agents and so forth. In other words, some amendments we couldn't get to in the floor.

The major difference is that I had advanced funding for the F-22 in the bill, and obviously the Senate, in its wisdom, defeated the possibility of the F-22 passing. So what I've done is say, okay, if we're not going to have an F-22, let's at least fund the original 187 airplanes at the fullest robust level. And that's the only difference, actually, that we have between myself and Mr. YOUNG.

So with that, I reserve the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I claim the time in opposition to the manager's amendment.

The Acting CHAIR. The gentleman from Florida is recognized for 10 minutes.

Mr. YOUNG of Florida. Mr. Chairman, as Chairman MURTHA suggested, we basically support this manager's amendment. We have no opposition, and in fact, support it except for the one item that has to do with the air superiority aircraft, the F-22.

We support the original position that Chairman MURTHA offered to the subcommittee and the subcommittee agreed to, and that was to be able to keep the production line open for the F-22. We're just really concerned that 187 aircraft cannot guarantee that we will control the air over the battlefield if that situation develops.

I now include a chart that I discussed yesterday in general debate on the number of aircraft, fighter aircraft, that we have bought over the years, and how many of them we have lost through attrition, through accidents, and through actual combat.

#### AIRCRAFT HISTORY

F-4: Production: 1958 to 1979 by McDonnell Douglas; Built: 4,138 (2,874 USAF; 1,264 Navy and MC); Lost: 71 combat losses plus 54 lost in accidents (3%).

F-14: Production: 1970 to 1992 by Northrop Grumman; Built: 679; Lost: 121 (18%); Retired in 2007.

F-15: Production: 1974 to 1985 by McDonnell Douglas/Boeing; Built: 1,118; Destroyed: 117 (10%); Active Today: 618.

F-16: Production: 1978 by General Dynamics/Lockheed Martin; Built: 2,230; Destroyed: 334 (15%); Includes 25 destroyed due to battle damage; Active Today: 1,167.

F-18: Production: 1983 by McDonnell Douglas/Boeing; Built: 1,048; Lost in accidents: 170

(includes 2 shot down in Gulf War); Stricken for maintenance and exceeding life limits: 246 (40%); Active Today: 632.

F-22: Production: 2001 to 2009 by Lockheed Martin; Building: 187; Projected losses: 6, leaving only 181 (3% like the F-4); 19, leaving only 168 (10% like the F-15); 28, leaving only 159 (15% like the F-16); 34, leaving only 153 (18% like the F-14); 75, leaving only 112 (40% like the F-18).

187 just doesn't really, in my opinion, doesn't guarantee that we will have what we need. Hopefully, we'll never need them, but we just don't know that we might not need them. And if we need them and don't have them, where are we and where is the soldier on the ground? If we need them and don't have them, somebody else's airplane may be over that battlefield.

So it would have been better if we could have had a straight up-or-down vote on the F-22 issue, and I requested of the Rules Committee to make such an amendment in order, and they chose not to do so.

So I will vote against this manager's amendment—again, not because we're opposed to the manager's amendment, but we think that we are threatening the future security of air control and air superiority over the battlefield.

I reserve the balance of my time.

Mr. MURTHA. I yield myself 2 minutes.

I certainly agree with what the gentleman said. I have a great concern about air superiority, but the problem is we need 292 votes in the House. The President is hard over on this issue. We need 66 votes in the Senate, and there is no chance of us getting that kind of a vote.

So what I'm trying to do is make sure that that is robustly funded, the ones that are there, because the very thing Mr. YOUNG mentioned, the fact that these airplanes have high maintenance, they cost about \$50,000 an hour to maintain, and it's very expensive and very burdensome. So I want to make sure they have the spare parts they need, the engines they need in order so the ones we have, have what they need.

With that, I reserve the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I yield now to a very distinguished member of the subcommittee, the gentleman from New Jersey (Mr. FRELINGHUYSEN) for 3 minutes.

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

I rise in opposition to the amendment authored by our chairman. I don't quarrel with many of the provisions of the Murtha amendment. He's absolutely right on in most regards. But, Mr. Chairman, I ask my colleagues to remember one day, April 15, 1953. On that date is the last time a U.S. soldier, sailor or marine was killed by an attack from the air. It's nearly 60 years ago, during the Korean War.

Air dominance has been the game changer that has allowed our ground troops to execute their missions. We

have air dominance today. Our job here is to make sure we have it tomorrow, and certainly the committee is going to do that. But air dominance is fragile and could slip away quickly. As we gather here today, the Russians are producing advanced fighter aircraft. We know that. The Chinese are apparently working to reverse engineer some of those advanced fighters for their own use, and we know certain countries are producing and selling very sophisticated air defense systems; more accurate, more lethal, more mobile, more difficult to neutralize than any systems our Air Force and Navy has ever faced. Hence, the need for the F-22.

The Air Force has 187 F-22 Raptors. It does not have 187 for combat deployment. We would like that to be the case. About 130 or so are ready, what we call combat coded with the full package, and they're ready for those missions. Approximately 60 are maintained, as I understand, for training and testing purposes.

And the question, of course, arises—and I support the F-25 Joint Strike Fighter. It's on its way, but when and how soon. The Joint Strike Fighter, as we know, is not the Raptor, doesn't have those capabilities. I think we need to keep the F-22 assembly line alive and warm. Once it's shut down, there is virtually no prospect that we can bring it back again. You can't flip the switch to bring the Raptor back into production.

So I rise in reluctant opposition to the amendment. I respect the chairman's desire to sort of keep the line open, have spare parts, but I do oppose the amendment.

Mr. MURTHA. I reserve.

Mr. YOUNG of Florida. I will yield to the gentleman from Georgia (Mr. KINGSTON), a member of the subcommittee, for 2 minutes.

Mr. KINGSTON. I thank the gentleman from Georgia and the gentleman from Pennsylvania.

I wanted to speak about the F-22 issue because, as we know, the Senate has cut off funding for it, but I do have some concerns about our fighter fleet.

Currently, the military inventory is 3,500 fighter aircraft. That's 2,400 for the Air Force, 1,100 for the Navy and the Marine Corps. Most of these aircraft were purchased at high annual rates during the 1980s. These aircraft will reach the end of their service in the next 10 years.

So what we're talking about is something that maybe could be more important in the next decade or within the next decade than might be to people today, but the Air Force will replace the A-10, the F-16, and the F-15 with the F-22 and the F-35 Joint Strike Fighter.

To give you an idea of some of these ages, there are 350 A-10s with an average age of 28 years, 470 F-15s with an average of 26 years, 220 F-16s with an average of 17 years, 1,200 F-16-S's with an average of 20 years. We have rough-

ly 140 Raptors to replace the fleet and have no F-35-S's and will not have them until 2013. And of course the F-22 production line will end in 2011. That's the Air Force.

Now, as respects the Navy, the Navy will replace the carriers and F/A-18 Hornets with Super Hornets and the F-35-Js, Joint Strike Fighters. The reason they're doing this is to have 125 carriers with an average age of 14 years each, 620 Hornets with an average age of 19 years.

The Acting CHAIR. The time of the gentleman has expired.

Mr. YOUNG of Florida. I yield the gentleman from Georgia 1 additional minute.

Mr. KINGSTON. I thank the gentleman.

What I will do, I will submit some of these statistics for the record. But I guess the bottom line is that we're very concerned with the need to replace the aging fleet in the Navy and in the Air Force, and I believe keeping the F-22 line open resolves some of this.

The Defense Committee has worked very hard on this. There's been a lot of good bipartisan dialogue. I know both sides care about it, whether you're for or against this amendment, but I think that at this time we need to go on this very cautiously and very slowly.

I appreciate the chairman's and the ranking member's leadership on this issue and look forward to continue working with you.

Mr. MURTHA. I just want to reiterate what I said.

The political climate has changed substantially. We're in a situation where the President's hard over, and we are doing the best we can to have robust funding for the fleet. That's what I intend to do, or I hope, when this amendment passes, that's what we'll have done.

With that, I reserve the balance of my time.

□ 1045

Mr. YOUNG of Florida. Mr. Chairman, I now yield 1 minute to the distinguished gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. I appreciate the difficulty we're in; but once again, to have air superiority requires two things: technical superiority, which the F-22 provides, as well as numerical superiority, which was why originally we were going to build 750. Up until last year, 381 was the minimum. Everyone from Air Combat Command, to Air National Guard, to every study says 243 is the number. There is no data that says 187 is the correct number, other than the Secretary. If the Russians are going to build a new generation and sell 200 to 300 at the same time we cut 250 legacy planes from our Air Force, at the same time we stop the F-22, at the same time the F-35 is not going to be available until 2014 at the earliest and still has problems, we may find ourselves on the wrong side of history



if we do not stand up for the F-22. If we can spend \$5 billion on ACORN but complain about \$2 billion for 18,000 jobs to continue on a plane that we need, there is something in our prioritization that needs to be reviewed.

I appreciate the position of the gentleman from Pennsylvania, but here is the time we need to make a statement that the future is essential.

Mr. MURTHA. I yield myself 1 minute.

I will say to the gentleman, as I have said before, we're doing the best we can with what we have. Politically, it's changed so dramatically that we just have no alternative than to make sure that what we have is robustly funded.

With that, I reserve the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, can I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman from Florida has 2 minutes remaining. The gentleman from Pennsylvania has 7 minutes remaining.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself the balance of the time.

I want to say and to make sure that Members understand that I know that Mr. MURTHA is not opposed to the F-22 and that he supports it because it was in his original mark that he presented to the subcommittee. And I understand the change in political mode that we have experienced. But you know, from the time that I came here, we were fighting about the F-14. There were those who didn't want to do the F-14, which was a very important aircraft for our fleet protection. Most of our new aircraft have been opposed by certain quarters in the country. The M1 tank, which is by far the world's best tank, was opposed by certain groups of people. Well, we cannot afford to allow an enemy to control the air over our troops. It's as simple as that. We have never sent our soldiers into battle with only 187 fighter aircraft in our inventory that have the capability to control the air over the battlefield. So yes, it's expensive. Freedom doesn't come free. I'm not really opposed to this amendment, but I'm going to vote against it because of the F-22 issue.

I yield back the balance of my time.

Mr. MURTHA. I yield back the balance of my time and call for an affirmative vote on the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. MURTHA).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. YOUNG of Florida. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

#### PART A AMENDMENT NO. 2 OFFERED BY MR. CONAWAY

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 111-233.

Mr. CONAWAY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 2 offered by Mr. CONAWAY:

Page 8, line 11, after the dollar amount, insert the following: "(increased by \$1,000,000) (reduced by \$1,000,000)".

The Acting CHAIR. Pursuant to House Resolution 685, the gentleman from Texas (Mr. CONAWAY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CONAWAY. I thank the Chair. I appreciate that, and I will endeavor to not use all the 5 minutes.

Mr. MURTHA. Will the gentleman yield?

Mr. CONAWAY. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. We're willing to accept the amendment.

Mr. CONAWAY. Mr. Chairman, thank you for accepting the amendment.

Mr. YOUNG of Florida. Will the gentleman yield?

Mr. CONAWAY. Yes, sir, I will.

Mr. YOUNG of Florida. Mr. Chairman, we support this amendment and are happy to accept it.

Mr. CONAWAY. Thank you very much.

Let me briefly explain what it does because on the surface, it looks like it's just an in-and-out with no real issue. I will be quick. The issue allows me to talk about financial management, internal controls, and clean audits at the Department of Defense. This is, as it should be, a high priority that is reflected in the priorities set by the Secretary of Defense himself. It's not really up to the Appropriations Committee to find these funds. These funds ought to come out of hide. It's important they do that.

Yesterday or the day before, the Secretary announced a \$60 billion savings search for the Department of Defense. He can't find that money without good internal controls. The authorization committee has said this is now a priority. We've accelerated the movement by 4 years, the point at which the Department of Defense needs to have clean, audited financial statements. Sarbanes-Oxley made that function of internal control a high priority when it was passed. Businesses had to do what was referred to as section 404 reviews. It was difficult, it was painful, and it was expensive. But almost every one of those publicly held companies will tell you today that after they put those new controls in place, that they are better. Their financial statements are better. Their decisions based on financial information are better. The same

thing would apply to the Department of Defense if they would make this a priority. It has to be a priority for the Secretary of Defense, the appropriations committee and the authorization committee.

Mr. MURTHA. Would the gentleman take yes for an answer?

Mr. CONAWAY. I did. I just want to get this on record. I did take yes for an answer. The importance of financial statement auditing is important. It needs to be a priority.

I yield back the balance of my time.

The Acting CHAIR. Does any Member seek time in opposition?

If not, the question is on the amendment offered by the gentleman from Texas (Mr. CONAWAY).

The amendment was agreed to.

#### PART A AMENDMENT NO. 3 OFFERED BY MR. FLAKE

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 111-233.

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk designated as No. 596 in part A.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 3 offered by Mr. FLAKE:

Page 35, line 2, after the dollar amount, insert "(reduced by \$160,000,000)".

The Acting CHAIR. Pursuant to House Resolution 685, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. I thank the Chair. Before I start with this amendment, I want to say that I support the part of the manager's amendment that the gentleman from Pennsylvania offered with regard to the F-22 program. I'm glad that we're doing what we're doing there, and I commend the committee for sticking with what the President wanted there. I think we've done the right thing.

This amendment would remove \$160 million in funding for the U.S.-made first responder radios for use by Mexico's police force. This request is not classified as an earmark but is programmatic funding, and it came to my attention last week when it was featured in a story by the Washington Post. According to the article, 12 Members of Congress requested this funding which is to be used for radios with certain specifications. The article goes on to say that while no specific company is named in the bill, Motorola, which makes radios that fit the parameters set forth in the bill and which is based in Illinois, home to seven of the requesting Members, appeared to be the intended beneficiary of this funding. At the same time, the article points out that because this request is not considered to be an earmark, the Members who requested it are not required to publicly report it. Typically they have

to sign a certification saying they have no financial interest in the earmark, and that was not the case here.

Mr. Chairman, if it looks like an earmark, sounds like an earmark, I think it's an earmark. It ought to be disclosed under House rules, and it isn't here. Even if we accept that funding directed to a nameless company based on a certain set of requirements that only one company could provide is not an earmark, then we're met with an inconvenient problem: Why bother to make the earmark process more open and transparent when it would be just as easy to request the funding—in this case, funding that is several times more expensive than the average earmark—by calling the beneficiary a program and tailoring its description to suit the needs of one company? It's bad enough that this bill includes over 500 earmarks directed at private companies. The sponsors of those earmarks are all required to disclose their requests on their Web sites; and they even certify, as I mentioned, that they have no financial interest. But that is not the case here. They write letters, but it doesn't show up as an earmark.

The Post article quotes Bill Allison, senior fellow at the Sunlight Foundation, as saying, "It kind of makes a mockery of the disclosure requirements we have. They will disclose the little things, the \$1 million projects; but when you have big-ticket items, you don't have Members willing to take responsibility for those." I agree with Mr. Allison's assessment. If we truly want to drain the swamp and make the earmark process more transparent, we can't continue to allow private companies to be funded outside the current House rules.

I urge support for my amendment and reserve the balance of my time.

Mr. MURTHA. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MURTHA. I reserve the balance of my time.

Mr. FLAKE. I would inquire of the gentleman on the subcommittee if he believes that this is an earmark; and if it is, why Members aren't required to certify that they have no financial interest if they're requesting money for it?

I yield the gentleman time to respond.

Mr. MURTHA. I will use my own time.

Mr. FLAKE. May I inquire as to the time remaining?

The Acting CHAIR. The gentleman from Arizona has 1½ minutes remaining.

Mr. FLAKE. I will reserve the balance of my time.

Mr. MURTHA. I have the right to close, and I reserve my time.

Mr. FLAKE. We have a process here that I think over the years has been abused severely. We see that whenever we pick up the paper. We see examples

of earmarks that have gone out of this place in prior years with no notice at all. Last year we didn't even have any opportunity to offer any amendments. The Appropriations Committee didn't even mark up the Defense bill. We see story after story from prior years of what happens when we don't have adequate disclosure and transparency. I would submit that that's what we're continuing here. We have a programmatic request that 12 Members signed a letter. Seven of those Members represent the State in which the recipient of the earmark clearly will receive a huge contract, and yet we don't have to file the disclosure requirements that we do for regular earmarks. I would say that we should not fund this programmatic request, which is really a stealth earmark, and get back to the process that we at least pretend to follow here, where we have disclosure and accountability. I would urge support of the amendment.

I yield back the balance of my time.

Mr. MURTHA. I rise in opposition to the amendment. I am trying to figure out what the gentleman is trying to do. This was in the table from the White House, from the administration, the Defense Department. This would delete \$160 million in drug interdiction and counter-drug activities which go to Mexico, Afghanistan and Colombia. The Defense Department has the authority to train and equip foreign governments for counter-drug activities since Congress enacted section 1004 of the '91 National Defense Authorization Act. This funding will enable the Department of Defense to provide digital communication equipment to our allies in order to fight the increasing drug trade and execute this funding at the discretion of the Department of Defense.

I mean, I can't imagine anything that's more important to us and our troops in Afghanistan than the amount of money that we're putting in for anti-drug interdiction. So I would urge the Members to vote against this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

#### PART A AMENDMENT NO. 4 OFFERED BY MR. SESSIONS

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 111-233.

Mr. SESSIONS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 4 offered by Mr. SESSIONS:

At the end of the bill (before the short title), insert the following:

#### TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 1001. Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the use of hyperbaric oxygen therapy (in this section referred to as "HBOT") under the Secretary of Defense. Such report shall include the following:

(1) The number of members of the Armed Forces, veterans, and civilians being treated with HBOT.

(2) The types of conditions being treated with HBOT and the respective success rates for each condition.

(3) The current inventory of all hyperbaric chambers being used by the Secretary of Defense (including the locations, the purposes, and the rate of use of such chambers).

(4) Any plans for expanding the use of HBOT for treatment.

The Acting CHAIR. Pursuant to House Resolution 685, the gentleman from Texas Mr. (Sessions) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

□ 1100

Mr. SESSIONS. Mr. Chairman, thank you very much, and I appreciate the opportunity for you to recognize me.

Mr. YOUNG of Florida. Mr. Chairman, would the gentleman yield?

Mr. SESSIONS. I would yield to the gentleman.

Mr. YOUNG of Florida. Mr. Chairman, we are very familiar with this amendment. We know of the great work Mr. SESSIONS has done relative to the hyperbaric chambers for treatment of all types of wounds and diseases, and we are very pleased to accept this amendment.

Mr. SESSIONS. I thank the gentleman, and I appreciate his help.

Mr. MURTHA. If the gentleman would yield, I agree with the amendment.

Mr. SESSIONS. I thank the gentleman, the chairman of the committee, Mr. MURTHA.

Mr. Chairman, I would just like to say that this committee, as well as the Rules Committee, has been very open to receiving information about the current status of hyperbaric oxygen treatment as an opportunity for us to learn more about how we will help our returning veterans and those who have been injured in conflicts around the globe.

This body has worked very closely with not only Secretary Gates, General Casey, the Chief of Staff of the United States Army, but also with their designee, General Lori Sutton, who is working very closely with the Congress to make sure that we pay attention to the head trauma injuries of our soldiers as they engage in trying to help the United States win the war on terror.

I want to personally thank not only the gentleman, Mr. YOUNG, and the

gentleman, Mr. MURTHA, but also the appropriators, Mr. WAMP and Mr. EDWARDS. I would also like to thank the chairwoman of the Rules Committee, Ms. SLAUGHTER, for not only making this amendment in order, but also the words of support that have been expressed on behalf of the Armed Services Committee, but also the Rules Committee.

I thank both these gentlemen for accepting my amendment.

I yield back my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. SESSIONS).

The amendment was agreed to.

PART A AMENDMENT NO. 5 OFFERED BY MR. TIERNEY

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 111-233.

Mr. TIERNEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 5 offered by Mr. TIERNEY:

At the end of the bill (before the short title), insert the following:

#### TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in title IV under the heading “Research, Development, Test and Evaluation, Defense-Wide” shall be available for the Kinetic Energy Interceptor program, and the amount otherwise provided under such heading is hereby reduced by \$80,000,000.

The Acting CHAIR. Pursuant to House Resolution 685, the gentleman from Massachusetts (Mr. TIERNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. TIERNEY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, my colleague, Congressman HOLT, and I are offering this amendment striking \$80 million that's in the bill for the Kinetic Energy Interceptor program. Mr. HOLT and I believe that the Kinetic Energy Interceptor program no longer warrants Congress' support, and we are not alone in that assessment.

The Bush administration made the initial decision to terminate the KEI program in its fiscal year 2010 Program Objectives Memorandum last fall. Then, President Obama did not include funding for it in his budget proposal, and both the House Armed Services Committee and the Senate Armed Services Committee did not specify funding for it in their respective authorization bills.

Secretary Gates has testified that “the missile's 38 or 39 feet long. It weighs 12 tons. There's no extant ship we can put it on. We would have to design a new ship.”

The head of the Missile Defense Agency, Lieutenant General O'Reilly, has said that the KEI program is being

terminated because “its capability is inconsistent with the missile defense mission to counter rogue nation threats.”

The KEI program was intended to be a 5-year development program that is now a 16-year development program.

Mr. Chairman, I reserve the balance of my time.

Mr. MURTHA. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MURTHA. I reserve my time.

Mr. TIERNEY. Mr. Chairman, I would just like to say the majority leader is fond of saying that it is never too late to do the right thing, and here is our opportunity to do the right thing.

We have to, at some point in time, start looking at all of our budgets, and that includes the Defense budget, to make sure that we're not putting money out that needs to be put towards other priorities.

Here you have the Missile Defense Agency's director itself saying that this program should be terminated. You have the Secretary of Defense in two administrations saying the program should be terminated. You have, from what I can hear from people, the silence of those that say they are against this amendment, not arguing that in fact this is a program that should move forward.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. MURTHA. I continue to reserve.

Mr. TIERNEY. Mr. Chairman, I yield 1 minute to my colleague from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Chairman, I thank my friend from Massachusetts.

Almost no one believes that the Kinetic Energy Interceptor program is necessary or that it will be completed successfully. The Director of the Missile Defense Agency, the Secretary of Defense, and the President have all called for the termination of the program. House and Senate Armed Services Committees have supported that position.

I understand the desire of the chairman of the subcommittee (Mr. MURTHA) to get something of value from all the money that has been already spent, but stringing this program along is not the answer. Even after the removal of this money there will be plenty of funding to learn from the mistakes of the program.

Mr. Chairman, even if the KEI were successful, it will never work well enough to change our strategy. Missile defense systems must be perfect to achieve their professed goals, and we can never get that perfection.

The fact that we don't need them against our friends and that they will only encourage our enemies to build more offensive systems to get around, this so-called shield are the arguments against this missile defense. The best this flawed system could ever provide

is a provocative, yet permeable defense. I urge my colleagues to adopt the amendment.

Mr. MURTHA. Mr. Chairman, I continue to reserve.

Mr. TIERNEY. I am happy, I guess, to keep on talking. I think that the desire to have the final word without any rebuttal is somewhat indicative of the strength of an argument, but if that is the gentleman's choice, certainly you are able to do that.

I would note that the administration urges the Congress to support the President's initiative to terminate or reduce programs that fund narrowly focused activities and duplicate existing programs and that have outlived their usefulness. It particularly mentions the Kinetic Energy Interceptor program as one of those, indicating that we can better target scarce resources and redirect funds to programs with a greater potential for results. And that, of course, is in the Statement of Administration Policy with respect to this bill.

Let me, if I can, Mr. Chairman, just read what the Director of the Missile Defense Agency says about this, and he said this on May 21, 2009:

“The original KEI mission grew from a boost phase only mission to a boost and mid-course mission. The development schedule grew from 5½ years to 12 to 14 years (depending on spirals), program cost grew from \$4.6 billion to \$8.9 billion, and the missile average unit production cost grew from \$25 million to over \$50 million per interceptor. Technical issues delayed the first booster flight test date (established in 2007) by over a year,” and this year any further testing is highly unlikely.

“Given the above and that 15 percent of the \$8.9 billion worth of work on contract till 2018 has been accomplished, the KEI program was terminated.”

And further, you have the Secretary of Defense, Mr. Gates, indicating that this is one decision that he didn't have to make or take credit for. The Missile Defense Agency itself, under the Bush administration, essentially eliminated the Kinetic Energy Interceptor, or thought that it had.

First of all, he said this has been a 5-year development program that now looks like it's about to be a 16-year development program. There has not been a single flight test. There has been little work on the third stage of the kill vehicle, which is obviously critical. A big part of the program is that it needs to be close to the launch site to be able to be effective, and the 38- or 39-foot size of the instrument and the weight of 12 tons means that we have no extant ship that could actually be used to get close enough. It would be virtually of limited or no use against Iran or Russia or the Chinese. It has very limited capability, and that is why this is not a productive way to proceed on this matter.

There may be some argument by some here—and we will never know

until after we're finished talking, of course—that we want to keep some of this money in for research purposes. Let me suggest to my colleagues that there is a significant amount of money in research, development and testing within the entire Department of Defense budget as well as within the budget for the Missile Defense Program.

I urge my colleagues to support this motion and thank the chairman for the time.

Mr. MURTHA. I rise in opposition to the amendment. It will strike \$80 million out of the Kinetic Energy Interceptor program.

In my estimation, what I said to the Defense Department over and over again, all at once, after all these years of no oversight in the Defense Department, they get nothing from the program. We've got the same thing in the Presidential helicopter. We've got the same thing in many of these other programs. What I'm trying to convince them is they have to have oversight earlier in a research program.

Now, the Under Secretary tells me that in the new research programs he is going to try to have a cost cap or some kind of effectiveness so that they measure it, benchmarks of some sort so that they can measure these earlier.

We may have to adjust this in conference if this amendment doesn't pass, but I ask the Members to vote "no" on this amendment, and we will see what we can work out. The program has already spent \$1 billion, and we ought to get something out of it.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. TIERNEY).

The question was taken; and the Acting Chair announced that the nos appeared to have it.

Mr. TIERNEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

It is now in order to consider amendments printed in part B of House Report 111-233.

PART B AMENDMENT NO. 1 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk designated as No. 1 in part B.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 1 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

#### TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Enhanced Navy Shore Readiness Integration.

The Acting CHAIR. Pursuant to House Resolution 685, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Let me just state, since the gentleman wouldn't yield time at the end of his statement for me to ask, with the last earmark amendment I had, the only information we have from the committee says that the money is to go to Mexico for a program in Mexico, for radios for Mexico. Afghanistan was never mentioned. If it is covered, we don't know that.

But when the Appropriations Committee takes 18 minutes to mark up the bill and then brings it to the floor and then the chairman of the subcommittee won't answer a question about it, to just say, Well, it's for Afghanistan as well, that doesn't help with this process at all. And I think that will be the pattern today, whether to simply reserve time and then not yield any so we can have any kind of colloquy to find out what really is at the heart of these earmarks or what these are really for.

So I hope that changes. I hope we have a real discussion here because we didn't get it in the Appropriations Committee. Remember, 18 minutes to approve a bill unanimously, with more than 1,000 earmarks in it that nobody in the full body had seen, and we only got a copy of days before the bill came out. Eighteen minutes.

Anyway, this amendment would prohibit \$5 million from going to fund Enhanced Navy Shore Readiness Integration. The earmark is going to Concurrent Technologies. Now, most people who have been following this process will know that name and know it well because Concurrent has drawn considerable attention due to its proclivity for earmarks. According to Taxpayers for Common Sense, Concurrent received more than \$200 million in earmarks between 2001 and 2006.

Concurrent technically is a nonprofit organization, with revenues in the hundreds of millions of dollars. And it is receiving earmark after earmark after earmark after earmark, although questions are raised all over the place. According to the Center for Responsive Politics, Concurrent Technologies' employees have donated more than \$113,000 to current members of the House Defense Appropriations Subcommittee since 1998.

Let me just use a chart here. This chart kind of explains the phenomenon that we will see over and over and over again. And with every earmark amendment I am offering today, this pattern exists where Members of Congress will earmark dollars; the earmark spending goes to the earmark recipient; the earmark recipient will then turn around; and lobbying firms representing the earmark recipient, PACs there, executives from the lobbying firm, executives from the company itself, con-

tribute handsomely to Members of Congress, and it recycles again and again and again. Circular fund-raising, that's what we're talking about here.

Now, I will point out that when Members of Congress request an earmark, they are forced to sign a certification letter saying that they have no financial interest. This kind of circular fund-raising is not illegal, and that's not what I'm alleging at all. But is it right? And should we, as Members of Congress, tolerate it again and again and again when these companies like Concurrent Technologies are in the news for having problems explaining what they've done with the earmark money that they've received again and again? And here we go saying, Now we have transparency and accountability, and we've changed the earmark process, and yet here we are again appropriating more money through an earmark to Concurrent Technologies.

Mr. Chairman, I reserve the balance of my time.

Mr. DICKS. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I reserve my time.

Mr. FLAKE. Mr. Chairman, when we were discussing earmarks earlier in the appropriation cycle, one Member defending his earmark came to the floor and said he was getting an earmark for a university. Based on things I've read in the papers, this college does not have a lobbyist, either a Federal or State lobbyist. No one from the school has donated to my campaign; nothing at the school is named after me or is proposed to be named after me. To my knowledge, the school has never received an earmark of any sort from the Federal Government prior to this.

I would ask the gentleman, the sponsor of the earmark, if he can make the same statement with regard to this earmark. Have moneys come back from the recipient of the earmark?

And I would yield him time to do so.

□ 1115

Mr. DICKS. Mr. Chairman, I reserved my time and I will answer this on my own time.

Mr. FLAKE. Roll Call has noted that PMA, and we will get to another PMA earmark a little later, has been—well, let me step back just a bit. Sunlight Foundation has noted that Concurrent Technologies paid PMA \$320,000 in lobbying fees in 2008 and received more than \$14 million in earmarks sponsored by five Members, including the sponsor of this amendment. This signifies an impressive 4,463 percent return on investment. It's no wonder this process of circular fund-raising continues.

According to the Center for Responsive Politics, the sponsor of this earmark is reportedly among the five top recipients of PMA contributions. Roll Call noted that PMA has been the largest source of campaign contributions since 2001 and PMA and its client have

provided the sponsor of this earmark with nearly \$200,000 in campaign contributions since 2001.

The Acting CHAIR. The time of the gentleman has expired.

Mr. DICKS. Mr. Chairman, I rise in strong opposition to this amendment offered by Mr. FLAKE.

In addressing my colleagues, I want to begin by clarifying what the funds designated for Enhanced Navy Shore Readiness Integration are directed to.

Several years ago the Navy adopted a significantly different approach to managing all of its installations on U.S. soil. The commander of Navy Installations Command operates an \$8 billion enterprise for the Nation. Now, you can imagine that when making changes in such a vast enterprise, its leaders want to explore innovative options; but they need to carefully evaluate ideas to find the best ones. They also need to test out an idea as a pilot project, and that's exactly what happened here.

The Concurrent Technologies Corporation is a nonprofit. In fact, they just had a competitive bid which they won a few months ago. They do great work for the United States Navy. The Navy often matches the money that Congress puts up because the work is of such high quality. And this company is located in Bremerton, Washington, one of its branch offices. They do great work for Navy Region Northwest.

I don't have anything named after me. My family has no interest in this in any way, shape, or form. This is a good, solid program; and this company this year has no one representing it. It doesn't have a lobbying firm. Well, the gentleman wants to make various insinuations, but I still funded it because it was quality work. It was work that was meritorious. And Congress has the right to do this.

Congress also has the right to review national programs. National programs should be considered by Congress. We can either increase the funding for them or decrease the funding for them. We have the right to do that. Congress has the power of the purse, and we can't give it away because it's in the Constitution. And this is an important issue.

Now, all I can tell my colleagues here is that this is a good operation in Bremerton. They're doing fine work for the United States Navy, and I urge a "no" vote.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

PART B AMENDMENT NO. 258 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk designated as No. 258 in part B.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 258 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Reduced Manning Situational Awareness.

The Acting CHAIR. Pursuant to House Resolution 685, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, before I get to the substance of the amendment, if people out there want to know why members of the Appropriations Committee, and particularly the Defense Subcommittee, are loathe to talk about these earmarks and to talk about this process and why the markup in the full committee took a full 18 minutes, this might explain it.

If you look here to the left of this chart, 33 percent of the dollar value of the earmarks in the Defense Appropriations bill go to just under 4 percent of the Members of this body. One-twenty-fifth of the Members in this body take home 33 percent of the earmarked dollars in this appropriations bill. So I don't blame them for wanting to get through this quickly, for having an 18-minute markup where nobody really talks about anything; you just shove it on through and it's a unanimous vote. If you want to know why, here it is.

But this Congress, the rest of the body, the rank-and-file Members who aren't on that committee ought to be concerned, particularly when over and over again there are press stories that are unflattering about what happens when earmarks go in this fashion. The Washington Post's top story above the fold today is another one, talking about how Members are loathe to get rid of these pork projects in the bill or these earmarks.

So I would submit that if anybody out there is wondering why this process goes so quickly and Members are so disinclined to debate, why not? If you can do it, do it. If 4 percent of the Members in this body can take home 24 percent of the earmarks, that's a pretty good gig. But the rest of us ought to be concerned, and I think the country is concerned, certainly the press is reporting that there is an issue there.

This amendment would remove \$5 million for funding for the Reduced Manning Situational Awareness program. According to the sponsor of this program, it's a command and control system with smart sensors, 3-D visual-

ization, video analytics, and bandwidth management.

I'm not here to argue the merits of the program. I frankly don't have much knowledge in that area. But what we see here again is an earmark going to a private company. Sometimes Members will say, I'm just working for my district; I'm just getting earmarks for economic development in my district. In this case the company is not even located in the sponsor's district.

Mr. Chairman, I reserve the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I rise to claim time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, I am not going to talk about the amendment because the gentleman has conceded that the program it would fund is essential to force protection, and that is the case.

But I think the point that I want to make is there has been a lot of misleading information suggested here, not necessarily intentionally and I don't think with any attempt to besmirch anyone's character. We have heard on the cap-and-trade bill "read the bill." We have heard on the health bill, if we ever see one, "read the bill." And I agree with all of that. We ought to be reading the bills.

I don't think my friend from Arizona has read this bill, and it is not nearly as big as the cap-and-trade bill was or the health bill will be. But had he read the bill, he would have found on page 113, section 8115(a) that it says: "Those which are considered congressional earmarks for purposes of rule XXI of the House of Representatives, when awarded to a for-profit entity, shall be awarded under full and open competition."

Mr. Chairman, I yield back the balance of my time.

Mr. FLAKE. Mr. Chairman, I'm glad the gentleman brought up this phrase in the bill that it should be opened to full competition. The reason for the earmark is to get around competition. We all know that. Now we can have language in the bill that requires that. But I had a meeting with some Defense Department procurement officials and the Comptroller General a while ago, and I asked the Defense Department officials, What is your process with these earmarks? And they said, We subject them to full competition, basically except when we don't. So I asked them, Can you do a random sample of earmarks in the 2009 or 2008 Defense bill and come back to me and let me know how many went to the intended recipient for the earmark?

Mr. DICKS. Will the gentleman yield?

Mr. FLAKE. I yield.

Mr. DICKS. The gentleman obviously hasn't read the bill because it's in the bill that you have to compete these projects if it is done by a for-profit

company. Congress has passed a law saying you have to compete these. So the gentleman is wrong in so many ways, but on this one you are really wrong.

Mr. FLAKE. I thank the gentleman for trying to clarify that. But I would submit that that is the process that the Defense Department says that they follow now. So they will take this language and say that's what we do already, except when we don't. And when they don't subject it to full competition, they simply issue what's called a J&A. And the J&A is the justification for why that earmark was not subject to competition.

I have asked for months and months and months, and I'm still waiting for some of those J&As. But we know with uncanny precision these earmarks end up with the intended recipient and simply putting in language in here, which my guess is will be taken out in the Senate anyway, though it doesn't mean much in the first place, it will not likely survive the Senate; but if it does, the Defense Department will say we do that anyway.

If it's subject to full competition, the gentleman mentioned with Concurrent Technologies that they had won in open competition for another pot of money. Well, great. If they're so good, why do we have to earmark money for them? Why don't we say compete on your own like everybody else? That is the purpose of these earmarks, to get around competition. That is the purpose of it. So to say, well, we inserted language in it and that will solve it all, it simply doesn't because the Defense Department knows who butters their bread. They know that they need to follow with uncanny precision the intended recipient.

The Acting CHAIR. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

PART B AMENDMENT NO. 315 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 315 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

#### TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Body Armor Improved Ballistic Protection, Research and Development.

The Acting CHAIR. Pursuant to House Resolution 685, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, let me just finish the thought I had before.

President Bush a couple of years ago said that earmarks that end up in the report language and not in the bill itself, like these earmarks, that he would instruct the Federal agencies to ignore them and to simply openly compete contracts out there. This Appropriations Committee inserted language after the President did that and said that the President or the Federal agencies should have to follow the language in the report even though it wasn't legislative language.

So if we're all keen on competition here, why in the world, until the public started to focus on it, did we instruct the Federal agencies and say you have to take the language that's in the report as if it were law?

Anyway, let's get to this amendment. This amendment would remove \$2.2 million in funding for KDH Defense, for a Body Armor Improved Ballistic Protection.

I have not come here to debate the merits of the earmark. Again, I'm not an expert in improved ballistic protection defense. But I should say again I think people in our military are and the Pentagon is and that they should probably make this decision rather than a single Member of Congress.

As reported by Roll Call earlier this week, KDH Defense has received millions in earmarks to produce an underwater swimmer detection sonar system for the Navy to be used to protect its docks and ships. KDH's expertise lies in sewing bulletproof vests, but reportedly this earmark project was the first product to be delivered by KDH Electronic Systems, a startup company affiliated with KDH.

After several years and a series of botched agreements with subcontractors, KDH has yet to deliver this product. Based on the statements made by the president of KDH, it doesn't appear as though they ever will. And yet we are here today again ready to provide KDH with millions more in taxpayer dollars.

I would ask why are we doing this when we already have information that some of the individuals or companies that will be associated with this earmark haven't exactly done well in the past, haven't produced what they said they would, in some cases have little expertise in the area that they say they do in order to get the earmark?

Mr. Chairman, I reserve the balance of my time.

□ 1130

Mr. MURTHA. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MURTHA. I reserve my time.

Mr. FLAKE. Mr. Chairman, again, here we have the same pattern of circular fund-raising. Again, I am not alleging any illegal activity here. This is legal. It is unfortunate, but it is legal for Members to sign a certification that they have no financial interest in the earmark. But our same Ethics Committee issues guidance to the Members saying campaign contributions do not necessarily reflect or constitute financial interest.

That, I would submit, Mr. Chairman, is the wrong approach, and we are going to continue to see story after story where earmark recipients simply don't have the capability or the inclination to deliver on the product that they said they would deliver on, and yet they still continue, even in this environment with investigations swirling around all over, to receive these same earmarks.

By now, my colleagues are familiar with the PMA scandal that has plagued this body for months. There is an investigation, at least they are looking into it, we are told, by our own Ethics Committee here.

I am unconvinced that the PMA scandal will be the last scandal we see in this body. I am convinced that there will be earmarks that we approve today that later investigation will determine were not aboveboard, that these companies receiving these earmarks simply weren't delivering, because we have seen that again and again and again, and yet we go through this same process as if nothing were amiss.

I reserve the balance of my time.

Mr. MURTHA. I reserve my time.

Mr. FLAKE. Mr. Chairman, an editorial in The New York Times, entitled "Political Animal 101," referred to the "relationship between campaign dollars and the customized appropriations they are fed by grateful lawmakers" as "the ultimate in symbiotic survival and cynical influence trading."

That is The New York Times. There have been editorials in the Washington Post. They have been in Roll Call and The Hill and just about everywhere. The mainstream media has done a great job investigating this and showing that this process leaves a lot to be desired.

Again, it doesn't have to be illegal to be something that Members of this body should stand up and say, you know, our House should have a higher standard here. We ought to have a higher standard than whether we can survive an investigation going on by the Justice Department right now, that we ought to leave some confidence with the public that we are doing things right here. And I would submit when you have more than 1,000 earmarks, more than 500 of which represent no-bid contracts to private companies like this one, then we have got a problem.

I urge support of the amendment.

The Acting CHAIR. The gentleman's time has expired.



Mr. MURTHA. Let me read again to the gentleman from Arizona. "With respect to the list of specific programs, projects and activities contained in the tables entitled Explanation of Project Level Adjustment in the report of the Committee on Appropriations of the House of Representatives, those which are considered Congressional earmarks for purpose of rule XXI of the House of Representatives, when awarded for a profit entity, shall be awarded under full and open competition."

Now, let me tell you, you talk about old awards. KDH was awarded on 14 July 2009, a competitive \$39.4 million contract for 65,000 vests for the Army and Air Force. They must be doing a good job or they wouldn't have been made that award.

I went to Iraq. They were short—would the gentleman, I know the staff has a lot of information for him, but I would like him to listen to what I am saying.

I went to Iraq and I found with the First Division a 44,000 shortage of armor. The biggest complaint I get from the troops in the field—I don't know how often you visit the field, Mr. FLAKE. I don't know how often you come to the people that do this work.

When I go in the factories, their sons and daughters are working in this place. They love the work that they do. They know they are doing work that is under very specific guidelines set by the government.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair would remind Members to address their remarks in debate to the Chair.

Mr. MURTHA. You are absolutely right. I am sorry, Mr. Chairman.

Mr. Chairman, I want you to know that when I go to visit these plants and I see these people working, whose sons and daughters are fighting, they know how important these vests are. They know how important the work that they do is for the Defense Department.

I remember 20 years ago when I brought defense companies into my district and I had 24 percent unemployment. We didn't have the specifications. We didn't have any small business that could do the work. We didn't get any awards. Once we learned the ISOs, once we were able to perfect it, once we were able to compete—the people of my district are hardworking—we got the unemployment down to below the national level and diversified the economy.

All I can do is bring people in. I can't direct them where to do the business of the Defense Department. They do it on their own. They are the ones that award the contracts. I visit those plants and I see those hardworking people. I see what they do for this great country. Not only the troops serving in Iraq and Afghanistan, but the public who work in these defense organizations do everything they can to help this great country.

We put money into the budget. We have an obligation to take care of our

district. We have an obligation to take care of this great country. And the people working in my district work hard.

I visit these plants and these bases all the time. I visit the troops and I ask them, What are your biggest problems? The biggest problem is employment, Mr. Chairman. The biggest problem is the fact that the vests are too heavy for Afghanistan. They are working on trying to get vests that aren't so heavy.

I just went out to the hospital the other day. I don't know how often Mr. FLAKE goes to the hospital. I am sure he goes quite often. Every week he probably goes to the hospital. But I will tell you this. I go to the hospital.

I saw a young fellow who was wounded two years ago. His organs were outside of his body for 10 days. He had a bag for about 6 months. He got rid of the bag. They did another operation.

This goes on continuously. Nobody has done more work for the medical profession, putting earmarks in for breast cancer, ovarian cancer, all of those things, because we feel so strongly about it.

We want a great defense in this country, and the people working in the defense industry do a great job. We don't appropriate this money for anybody except the people that do the work, and if they do the work, they are awarded the contracts. And they are competitive contracts, and it is very clear in our bill, and it doesn't come out of the bill. It has been in title X of the bill ever since I can remember. They have to be competitive if they are pro-profit.

With that, I yield back the balance of my time and ask for a "no" vote on the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was rejected.

PART B AMENDMENT NO. 389 OFFERED BY FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk designated as No. 389 in part B.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 389 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

#### TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_. None of the funds provided in this Act shall be available for Gulf Range Mobile Instrumentation Capability.

The Acting CHAIR. Pursuant to House Resolution 685, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, I want to respond a little to what the chairman of the Defense Subcommittee said.

He mentioned some of the horrible things that are happening in Iraq and Afghanistan. I have attended funerals

myself of members who were killed by an IED or some other measure out there that they need greater protection from. But that is not what we are talking about here.

The reason we are here and the reason I offered the last amendment is it is going to a firm that, according to press reports, doesn't have the expertise to do what they intend to do and in the past have not delivered on the promises that were made before.

We see stories again and again and again on that same theme, that earmarks go to such companies. In fact, there is a trial going on, I believe, right now in Florida where an earmark recipient has pled guilty, I believe, to distributing earmark money to contractors who had no intention of following through and delivering on the contract. That is why we are here.

So we can talk all we want about the needs of our troops in the field, and that is why I am offering these, because this money should be going to our troops in the field. Instead, it is being bled off, in some cases, according to press reports, to companies who don't know enough about what they are doing to receive the earmark. But they are getting an earmark and getting around competition despite the language in this year's bill which claims that these will be subject to free and open competition.

This particular amendment, Mr. Chairman, would remove \$3 million from funding for a Gulf Range Mobile Instrumentation Capability project. Again, I am here not knowing the specifics of the technology here, but I would submit that there are people in the Defense Department that perhaps might know better than some Members. And in this case, I would think that the chairman of the Defense Subcommittee would concede that we shouldn't be giving money to companies that have been implicated, at least it has been alleged, that they are under investigation.

The Wall Street Journal reviewed real estate records and reported that many of the facilities that ProLogic, the recipient of this earmark, uses are partly owned by the family of the CEO, and ProLogic pays the CEO monthly rent that is higher than prevailing local rates. ProLogic was also subpoenaed in a broader Federal investigation into earmarks going to West Virginia, where ProLogic is headquartered.

The Wall Street Journal also noted that four of ProLogic's six facilities were located in the congressional districts of senior members of the House Appropriations Committee. CBS News reported that ProLogic has spent more than \$880,000 lobbying and contributed more than \$400,000 to congressional campaigns.

I should note this company has denied allegations of wrongdoing and the status of the investigation is currently unknown.

But here we have a company that press reports say is either under investigation or cooperating with an investigation, and we are still giving it an earmark, a no-bid contract. Despite what is said about this will be open to free and open competition, we are giving them an earmark and saying this company at this address should get this money.

I just don't see where this connects with the speech about the needs of our men and women in the military. Again, I will stipulate, we need to make sure that our men and women are armed, that they have force protection, that they have the arms and everything else they need. And that is why I am so against this process that we have here, because we bleed off money that should be going to our military into companies, through no-bid contracts, who in too many cases simply aren't doing the work that they were contracted to do.

With that, I reserve the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I will claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. I don't know about the company and the concerns that Mr. FLAKE has about the company. I don't even know the company, but I know the issue and I know the needs for the Eglin Range. The Air Force and the Navy use the eastern part of the Gulf of Mexico for just tremendous amounts of training.

Members will recall that during the debates over oil drilling and drilling for natural gas and doing other kinds of commercial activities in the eastern Gulf of Mexico, we always protected the Gulf of Mexico east of the military mission line because it was so critical to training for our national defense, to train those pilots and those people who are on seaborne missions, to train them so, if they do have to go into harm's way, they will have the proper training.

This is for range sensors to help with the training of those military training programs of the Air Force and Navy. If you recall, the debate was very, very aggressive on that issue, and the Congress on numerous occasions agreed that we had to protect the eastern Gulf of Mexico so that we were free to use those areas for training.

Now, I am not going to vote for this amendment. The interesting thing here is, I think, if Mr. FLAKE were a member of the Armed Services Committee or the Appropriations Committee, he would have a better knowledge of how that works. He may never have even heard of what we call unfunded requirements. He may never have heard of witnesses coming to testify before these committees on the issue of the request by the administration for appropriations and then giving you and giving the members of the committees a list of unfunded requirements, things that they need that were not included by OMB in the budget request.

The Members that have been here for a while might remember that when I first became chairman of this subcommittee, I identified every unfunded requirement that I could and I put it on a scroll and we rolled it across the front of this Chamber so people, Members, could see what the military said they needed but didn't have in the budget request.

I will give you one example. In talking about bombers at a particular hearing some years ago, an Air Force officer said to me, You know, these bombers are really important, but you guys aren't paying attention to something else really important.

I said, Tell us about it. What are you talking about?

□ 1145

He said, do you know that the tugs that we use to pull the bombers out of the hangars to take them out to the runway, we don't have enough? And so, if we have a large mission, we have bombers and aircraft waiting in line to get a tug to pull them out. Well, that's an unfunded requirement, and the committee tries to take care of those unfunded requirements. The Defense Department, under the language that I read earlier, must compete, no matter what the bill says, no matter what the report says about where the committee thinks that the work ought to go, the Defense Department has to compete it.

Now, I don't know how much more transparency we can give to Mr. FLAKE if the projects are competed. But I agree with him. If someone, some company is not doing the job properly, then they ought to be investigated, and they ought to be taken off the list of contractors. In fact, in my own district I had a request for an earmark in this year's bill, and the Inspector General decided to pay that company a visit to see about something. I'm not even sure what it was about because they keep these investigations pretty secret.

But I pulled the request for that earmark until we work it out, until we find out what happened here, what went wrong, what are they investigating. And I think we ought to do that. And I don't think we ought to be providing contracts to anyone who hasn't treated the public trust properly. So Mr. FLAKE and I aren't totally in disagreement, but we're in disagreement on this amendment because that Eastern Gulf of Mexico range that is so important to training Air Force and Navy pilots especially, and seaborne vehicles, is very, very important, and those sensors are part of that training.

I yield back my time.

Mr. FLAKE. I would disagree with the gentleman. I think we're in total agreement on this amendment. CBS News reported ProLogics businesses are getting a lot of attention, a lot of it from the FBI, which is investigating whether it diverted public money for its own private profit. This company is reported to be under investigation. And so should we be giving it an earmark?

The gentleman mentioned that he doesn't know the company. But this we do know; that this company, it's reported by CBS and by others, that it is under investigation, and we're giving an earmark. So when the gentleman says that he thinks that we are in agreement that we shouldn't give earmarks to companies that it's alleged that there's some impropriety going on, I would submit that that's what we have here, according to the press. And unless we know completely that they're clean and doing good work, then we shouldn't give them an earmark. We should instead say to the Department of Defense: you decide. The gentleman mentioned that he doesn't know the company. Does he know if this company is the only company that can provide these services outlined?

Mr. MILLER of Florida. Mr. Chair, I rise in opposition to the amendment.

I stand in vigorous support of my request for a Gulf Range Mobile Instrumentation Capability. This capability will convey enormous long-term benefits and provide weapons systems in a cost effective manner on time.

#### DISTRICT INTRODUCTION

For those of you that don't know, I represent the First District of Florida, which is home to Eglin Air Force Base, Air Force Special Operations Command, Naval Air Stations Pensacola and Whiting Field, Corry Station, which hosts the Center for Information Dominance and is the proud future home of the Joint Strike Fighter.

#### ARGUMENT/JUSTIFICATION

The project fulfills a critical need. Specifically at Eglin Air Force Base, the 46th Range Group has a need for a capability for remote test, collection, storage and relay of various types of data. This capability can be accomplished with a Gulf Range Mobile Instrumentation Capability. This capability is needed to support test events which occur over large geographic areas on both land and sea. Examples of this testing includes Live, Virtual, Constructive test events, large footprint weapons testing, Directed Energy testing, and hypersonic testing.

This capability does not exist because there is a shortfall across this nation in both adequate range space and instrumentation to realistically test today's long-range stand-off weapons. This problem is expanding with the enhanced performance of weapons in development. The Eglin range remains one of the only locations to test these weapons over its enormous land and water area. The instrumentation shortfalls can and should be addressed today. This project would develop mobile data acquisition capabilities to address the need for cost efficient operations involving remote areas with multiple ranges across the nation. As a simple example, extending a datalink, much like a wireless network, over 150 nautical miles into the Gulf would greatly support test operations. Test professionals need this capability and it will help ensure that our defense test and evaluation capabilities field cost-effective systems.

Developmental test and evaluation brings new capabilities to the battlefield and saves lives. I have had the opportunity to watch some of the magnificent testing conducted on the Eglin range. The 46th Test Wing completed testing last year on the small diameter

bomb and it is now being employed for F-15E Strike Eagles in Afghanistan because it offers unique low-collateral damage capability. This testing could be expedited and improved with the instrumentation capability we are discussing now. Future weapons testing includes Tomahawk, Joint Direct Attack Munition, Non-Line of Sight-Launch System, and continued testing of the Small Diameter Bomb. These programs will all benefit from increased safety, shorter tests, and a better product. In the end, this will convey benefits to Military activities across the nation, as we eventually link geographically separate ranges.

The T&E infrastructure, whether administered by a military service or by a Defense Department entity, continues to be a target for budget cuts year after year. In a recent letter I sent to the Secretary of Defense, and the Undersecretary of Defense for Acquisition, Technology, and Logistics, I questioned why the 2010 funding for Test and Evaluation is \$57.9 million below last year's level and noted that such a lack of funding could negatively impact numerous critical Department of Defense programs.

Five senators, including Senator MARTINEZ and Senator NELSON, recently sent a letter to Chairman INOUE and Senator COCHRAN identifying two Test and Evaluation budget shortfalls in the FY2010 Budget. In fact, Congress created the Director of Test Resource Management in 2003 and in conjunction with the Director of Operational Test and Evaluation, the DTRMC is supposed to be afforded the opportunity to certify each military service's budget every year before it is submitted to Congress. Due to the new Administration and different budget submission timelines, the DTRMC was not able to certify the services' budgets for the Fiscal Year 2010 submission. In the wake of acquisition reform, the Administration must fund areas that contribute to long-term cost savings.

I am looking forward to seeing the contributions of the Gulf Range Mobile Instrumentation Capability to future weapon systems. This capability is a critical need because a shortage exists across the nation of adequate instrumentation systems. However, investments in test and evaluation infrastructure provide magnified benefits because they affect so many weapon systems. The right test resources provide weapon systems on time, in a cost-effective manner.

Mr. FLAKE. I yield back.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

PART B AMENDMENT NO. 432 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk designated as No. 432 in part B.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 432 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Ultra Low Profile EARS Gunshot Localization System.

The Acting CHAIR. Pursuant to House Resolution 685, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Just in reference to the last amendment, let me finish my thought there. Here we have, and the ranking minority member on the subcommittee concedes that we shouldn't be giving an earmark to a company if there's allegations out there that they're not doing the job that they're supposed to do, or that there's some cloud hanging over, I would assume. And yet that's what this earmark is for.

And so I seem to hear that, yeah, that we shouldn't do that and that my amendment would be agreed to. But all I heard were noes when my amendment was offered. So I would hope that when it comes time to vote, that Members will say, you know, regardless of everything else, perhaps if it's reported that a company is under investigation, perhaps we shouldn't be giving it an earmark until that's cleared up. And so I would hope that that's remembered when it comes time to vote later this day.

This amendment would strike \$1.5 million from the Ultra Low Profile EARS Gunshot Localization System. According to the sponsor's Web site, funding for this localization will produce a completely covert detection system which will enhance situational awareness and survivability of our military.

Mr. Chairman, this sounds like a worthwhile project. Even though the military did not request it, it may be something that we will ultimately benefit from. But why are we earmarking funds again here for a private, for-profit company that will not have to compete, regardless of the language that's in the House bill—that will likely not survive the Senate anyway, but which complies with regulations that the Defense Department says they already have about competition?

According to the sponsor's Web site, Planning Systems, Incorporated, will be the recipient of these funds. What's not included is justification for use of taxpayer dollars to an entity that the receiving entity of these funds was a client of now-defunct PMA Group. We're all familiar, all too familiar with the PMA Group. The PMA Group, and the companies it represented, donated more than \$270,000 to the sponsor of this earmark in the 2008 cycle alone. Collectively, employees of the PMA Group and its clients have contributed

nearly \$1 million to the sponsor since 1998.

According to the Center for Responsive Politics, this earmark sponsor was the third-highest recipient of contributions from PMA since 1998. And that's not all. The recipient of this earmark, Planning Systems, Incorporated, has contributed more than \$35,000 to the campaign of the sponsor of this earmark, again, according to the Center for Responsive Politics.

Again, there is nothing in our House rules that prohibit this. I'm not alleging that there are. But I'm saying that we have to stop this process of circular fund-raising. It just looks too bad outside of this body when we have a process where Members of Congress will earmark spending to an earmark recipient, and that earmark recipient, through its employees, through a PAC, through its lobbyists or through its executives, will contribute very handsomely back to the Member of Congress' campaign committee.

There is no other way to look at this outside of this body, I would say, than to say we shouldn't be doing that, particularly in a process where we're told that there are more than 1,000 earmarks in the bill, just days before the bill comes to the floor, and we know that 552 of those earmarks are no-bid contracts to private companies like this one.

I reserve the balance of my time.

Mr. MORAN of Virginia. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MORAN of Virginia. I rise in opposition to the amendment. I thank the gentleman from Arizona for his conscientious scrutiny, particularly of the appropriations process. I trust perhaps some day he will look at the tax process, the Tax Code, which many of your colleagues are very much aware, has far more earmarks of greater amount. But in deference to the gentleman's concern, again, I would underscore the fact that in this appropriations bill, we make clear, in legislation, that when there is an earmark awarded to a for-profit entity, it shall be awarded under full and open competition.

Now, that's legislative language. It's not intent or report language. It's the law. I appreciate the fact that the gentleman has raised this earmark because otherwise no attention would be given to it since it represents about  $\frac{1}{1000}$  of 1 percent of the entire bill, a very small amount, \$1.5 million.

Normally it would go without notice. But fortunately, the gentleman has raised it, so it gives me an opportunity to explain what it does. And it is quite true that Mr. Alan Friedman's firm, who is a terrific person, CEO, and scientist, was represented by PMA, which, in fact, is located in my Congressional district. And I'm proud to have their support, frankly, because they too were conscientious in making sure that

their earmarks were fully investigated, vetted, and competitively bid. And, in fact, for the last three straight years, this system was competitively bid and won.

What this system is is called the SWAT system. It is very strongly supported by our military because it saves lives. What it does is to enable people, special operations primarily, and intelligence assets, that are in denied territory, and I don't need to go into detail any further than that, to find out exactly where gunshots are coming from, how far away, and how many snipers there are. And it's worked exceptionally well.

What Mr. Friedman does with this small amount of money is to address one problem with this system, which is that it's bulky. It's very visible. It has radars, and so it's too easily detected by the enemy so, to some extent, our people can be an easier target as a result. What this does is to make this system virtually invisible. And for \$1.5 million it's going to save hundreds of lives in our expectation; that's why we are more than confident that when it is competitively bid, which is required by this legislation, it will win this bid.

If the gentleman was actually to look at this system, he, even, would vote to include the money in this bill to ensure this system is available for our military in some of the roughest, most dangerous terrain, so as to save their lives.

I reserve the balance of my time, Mr. Chairman.

Mr. FLAKE. I would simply ask, and maybe when he has his time back, to explain why, if it was open to competition in the last 3 years, why we had to earmark it this year.

The gentleman made the point that's been made again, that these have to be subject to fair and open competition. Let me say again, the Defense Department has said that all along. For years they've said the same thing. We subject these earmarks to full and open competition, but that doesn't stop Members of Congress. As soon as this bill is passed today, there will be a flurry of press releases, I guarantee it, where Members will say, I was successful in securing funding for this particular program. And if it's open to competition, how do you know that you've secured funding?

Let me just read from a couple of the press releases in the past:

I was pleased to secure funding to assist these small businesses in Prince George's County working on projects that will benefit our Nation's military and the safety of our troops.

That was somebody who knows the process pretty well. It's the majority leader. He put out a press release as soon as legislation was passed, not waiting for the competition that supposedly comes when the project gets to the Defense Department. And like I said, tomorrow you'll see a round of those same press releases: I was able to secure funds, because Members know, with uncanny precision, the Defense

Department will follow these earmarks.

I would say, again, with this particular earmark it sounds like a great program. The sponsor of the earmark indicated that this was open to competition in the last couple of years. That's great. Why do we have to earmark it this year?

I yield back the balance of my time.

□ 1200

Mr. MORAN of Virginia. May I inquire how much time I have, Mr. Chairman.

The Acting CHAIR. The gentleman has 2½ minutes.

Mr. MORAN of Virginia. Mr. Chairman, again, in case it wasn't fully understood—this may resolve the gentleman's concern.

In the legislation, it says, again, that all earmarks, when awarded to a for-profit entity, shall be awarded under full and open competition.

I can't stress that enough.

Now, to address the gentleman's concern, first of all, I've never made a press announcement about this. In fact, truth be known, I haven't talked to Mr. Friedman for probably a year, and I certainly didn't even let him know that this earmark was in. It was in because we checked with military personnel, vetted it, and found that this was a system that was a substantial improvement over what the military is currently using, which is called the SMART System. This is the EARS System. These are acronyms. This, as I explained, will be a much safer, less visible system that will protect lives.

Now, Mr. Friedman is no longer represented by PMA, and I haven't had contact with him. The fact is, at least in quite some time, this has been in here because of the merits of the project. It's only \$1.5 million, but it is highly meritorious. That's why it is in.

I grant you I know about it because it takes place, the work is done, in my congressional district. It also represents jobs, but they're not simply jobs for the sake of keeping people employed; they're jobs to protect our military and civilian personnel in the most dangerous terrain and in the most dangerous places on the planet. That's what this does for \$1.5 million.

Now, again, I have enormous respect for the people in the Pentagon, but they don't always move with blazing speed when they are making a change from one system to another. Oftentimes, you go with the status quo. Even though there are deficiencies, it is the easiest thing. What this does and the reason we put many of these earmarks in is that it adds a new level of technology to do a better job of accomplishing its underlying purpose.

With that, I again thank the gentleman for raising this issue.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

PART B AMENDMENT NO. 439 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR (Mr. HOLDEN). The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 439 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

#### TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for AARGM Counter Air Defense Future Capabilities.

The Acting CHAIR. Pursuant to House Resolution 685, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment would prohibit \$2.5 million from being directed to Alliant Tech Systems, or ATK, for AARGM Counter Air Defense Future Capabilities.

According to ATK's Web site, AARGM is a supersonic, medium-range, air-launched tactical missile used by the U.S. and by allied forces. The sponsor's Web site and certification letter state that the funds directed to this project in the bill would enable ATK to continue to demonstrate improvements to AARGM, particularly at longer ranges.

Now, here again, I am not going to argue the merits of the problem; neither are most of us here. It's possible that ATK's missile system is the best one out there, but we don't know that. I would suggest that nobody in this body knows that, not even the sponsor of the earmark.

We don't know that because there is no way the Appropriations Committee thoroughly vetted each of the 1,102 earmarked projects in this bill during its 18-minute markup. We don't know that because Members of Congress, in general, don't have the kind of expertise required to make that determination.

In cases like these, when we're determining the kind of missiles that best work for our Armed Forces, it seems to me that the decision is best made by experts at the Department of Defense. Once that determination is made, just like with any other procurement, the contract to make these missiles ought to be competitively bid through the DOD.

But as is the case with nearly 550 of these earmarks, we have a handpicked private company being handed Federal funds for a project based solely on the discretion of one Member of Congress. This is a no-bid contract. This alone

should be troubling enough, but there is an additional facet.

I mentioned the problem with circular fundraising that has been detailed by so many media organizations out there. It's getting tiring reading these stories every day. The Associated Press reported that an ongoing FBI investigation is "highlighting the close ties between special interest spending provisions, known as earmarks, and the raising of campaign cash."

As I mentioned, in every one of the individual earmarks that we're discussing today, there are examples of funding going to the earmark recipient, and then the executives from the company, their lobbyists and the PACs are contributing large amounts of campaign dollars back to the sponsors of the earmark. That simply doesn't look right. It may be legal. It is.

Our Ethics Committee has said that you can get campaign contributions in close proximity to earmarks; but Members of this body, I would think, would want to have a higher standard here. We ought to say, you know, maybe we don't know exactly the kind of missile systems that ought to be used. We ought to leave that to those with a little more expertise instead of giving a no-bid contract to a private company which happens to be in the district or doesn't but which is simply willing to provide a lot of campaign contributions.

So I would say, Mr. Chairman, we have to stop this process. We have to say we can no longer afford to award no-bid contracts to private companies, as we have done in the past, regardless of the language that is inserted which says that all of these have to be subject to competition.

We know how it works in the Defense Department because they say now, over the past several years, these have to be subject to competition. Yet, time and time again, when you look, there is an uncanny alignment between the earmark recipient designated by the sponsor of the earmark and the company that eventually gets the dollars.

I reserve the balance of my time.

Mr. MURTHA. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MURTHA. I reserve my time.

Mr. FLAKE. Mr. Chairman, again, I would say we can no longer continue to give no-bid contracts to private companies. I would say, as I mentioned, that for those who say we have language now in the bill—and I would certainly yield time to the gentleman, to the chairman of the Subcommittee on Defense—I would hope that he would agree, if they really believe in this language and that if the Senate knocks the language out, that we will not agree to a conference report that has these no-bid contracts in it.

If that is the case, if we are so willing to believe that this language actually has any force—and I don't believe it

does because the Defense Department already says that they subject these earmarks to full competition—for those who are placing so much stock in this language, I would assume that they agree so strongly and that they will say these are going to be subject to competition. If the Senate strikes that language out, I would like to hear from those here that the House will also nullify those no-bid contracts, because we have designated who those recipients should be.

I yield back the balance of my time.

Mr. MURTHA. Let me read to the gentleman, Mr. Chairman:

"With respect to the list of specific programs, projects and activities contained in the tables entitled 'Explanation of Project Level Adjustments' in the Report of the Committee on Appropriations of the House of Representatives, those which are considered congressional earmarks for purposes of rule XXI of the House of Representatives, when awarded to a for-profit entity, shall be awarded under full and open competition."

This amendment would prohibit \$2.5 million for AARGM Counter Air Defense Future Capabilities. Now, I know that Members of Congress represent their districts. I know that Arizona gets \$9.7 billion in defense. I'm sure that this Member is not worried about the fact that some of this money may go someplace else. I know that's not his reason for this. It's \$9.7 billion. It's fifth in the number of defense industries throughout the country. Let me tell the Chair a story:

When I first took over the committee in 1989, I looked at one of the projects that the Navy was working on. They made consoles for all of the ships in the Navy, and they were paid \$850,000 for those consoles. We said, You've got to compete them. We had probably 25 to 30 hearings that year. We had 51 trips that we sent the troops on, which is the same as we had this year. We had 37 hearings this year, and we had hundreds and hundreds of meetings.

This one particular program was called the Q-70. We forced them to compete it, and it's a very interesting thing. The Navy went to the Air Force and said, Look, we want you to buy this particular program, and we'll buy it from you. This is so they wouldn't have to compete. Well, the staff found out about it; and in the end, that didn't work and they competed.

That particular console now costs \$125,000 per unit. We've saved over \$1 billion. They happen to make that in my district. Some people would say that was an earmark. We saved over \$1 billion in one contract. On another submarine torpedo contract, we saved over a half a billion dollars.

So small business is the backbone of industry in this country. All the growth has been in small business. These folks are working diligently. They pay taxes. They go home every day, and they know how important it is to do good work. They meet super-spec-

ifications from the military. They complain all the time that the specifications are too tough and that competition is too tough.

The first time that I brought defense companies to my district, I had 24 percent unemployment, and we couldn't get any business out of them because none of my companies knew how to do defense work. Now, in Arizona, they obviously know how to do defense work. They've got \$9.7 billion worth of business in Arizona. Pennsylvania is not even on the list for the amount of defense work. That's embarrassing with all of the troops that we send. We send more National Guard members to Iraq and Afghanistan than any other National Guard unit in the country. I've lost 19 people in my congressional district, so I feel very strongly about this.

Small business is the backbone. These people that I visit are working hard. They know how tough it is. They know that they meet the specifications, and they bid on these contracts, and they win these contracts, and I'm proud to represent them. With that, I ask for a "no" vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

PART B AMENDMENT NO. 449 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 449 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

#### TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for AN/SLQ-25D Integration.

The Acting CHAIR. Pursuant to House Resolution 685, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment would prohibit \$8 million from being directed to Argon ST, which is a private systems engineering and development company headquartered in Fairfax, Virginia.

The sponsor's Web site and certification letters say that the funding

from this earmark would be used to upgrade current naval torpedo defense capabilities that would enhance ship survivability against the modern threat of a torpedo attack.

This isn't the first time that this company has received Federal funding for a project. This project, itself, received two earmarks, totaling \$8.7 million in 2007, and \$7.5 million was also allocated to such a system in 2006.

The FEC records indicate that, since 2006, employees of the earmark recipient, Argon ST, have donated more than \$47,000 in campaign contributions to the sponsor of the earmark. According to the Center for Responsive Politics, the Argonne PAC made \$23,000 in donations to the sponsor's campaign and to his leadership PAC in the 2008 election cycle.

□ 1215

According to the FEC, this represented more than a third of all donations of Argon's PAC made during the election cycle. In addition, during the 2008 cycle, Argon ST was reported to be the second highest contributor to the earmark sponsor's PAC. The funding for this earmark may very well be vital to national defense or it may not be. We just don't know here, I would suggest. But the earmarking system is so opaque that the purposes and justifications for more than 1,100 earmarks in this bill are a mystery to just about everyone.

Again, the committee took a whole 18 minutes to accept this bill on to the floor with a unanimous vote. Had this earmark been closely examined, it would have been revealed that this earmark recipient acquired Coherent Systems in 2007. Coherent Systems' former president and CEO now faces Federal charges for soliciting kickbacks from a defense contractor.

Argon ST is cooperating with Federal authorities in the investigation and is not facing any charges. But in the wake of the Abramoff scandal and the burgeoning PMA scandals, I would simply ask whether Congress should be providing no-bid contracts to private companies involved in Federal investigations. I would submit that it should not.

There is more than \$2.7 billion in earmark spending in this bill. We've had less than 2 weeks to go over 1,100 earmarks that comprise this spending. We simply can't continue to do this.

I know the Member will stand up and say these have to be competed out. And I will again ask the Member, and I will actually yield him the rest of my time, if he will stand and say that if the Senate removes this language that requires open competition, if then we will then remove these no-bid contracts.

And I will yield to the gentleman for that. He doesn't have to take my time. He can take his own.

Again, what I am asking is if the Senate removes the language that Members put, I think, too much stock

in because the Defense Department says they already subject these contracts to full and open competition, but if the Senate should remove that language, will the Members of this body remove the no-bid contracts, 552 of them, I believe, from the bill.

And I would yield for an answer.

I yield back my time.

Mr. MURTHA. Let me read again to the Chair.

"With respect to the list of specific programs, projects and activities contained in the tables entitled 'Explanation of Project Level Adjustments' in the Report of the Committee on Appropriations of the House of Representatives, those which are considered congressional earmarks for purposes of Rule XXI of the House of Representatives, when awarded to a for-profit entity, shall be awarded under full and open competition."

In this particular case, this company is doing very well. Reuters gave them a very high rating. But what we look at is the people that work in those places, the awarding of these contracts, the fact that the Defense Department has such high levels of specification that they insist on.

When you go to a defense company, they have all kinds of things that are added that are not true in most places, and small business is the best you can get at doing this kind of work.

During World War II, we produced 83,000 airplanes in 1 year during 1943, 30,000 tanks. There were some abuses, I'm sure. Today, we don't have that capacity. What we worry about, if we don't have small business doing this, it's going to go overseas, and if it goes overseas, we're going to lose those businesses, we'll lose the ability. We continually put "buy American" in our provisions, and it turns out that it still goes overseas. Much of the airplane parts are built overseas. Much of the parts—if we weren't careful, some of the body armor would be built overseas because some of the companies would be cheaper.

So we insist they be built in this country. We insist Americans do it. And those Americans are so proud of the work that they do, they have Americans flags there. They have pictures of the troops. They have letters from the troops about how proud of the work they are doing, and the government checks continually to make sure they're doing that kind of work, and they meet those specifications.

With that, I would ask for a "no" vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by

the gentleman from Arizona will be postponed.

PART B AMENDMENT NO. 553 OFFERED BY MR.

FLAKE

Mr. FLAKE. I have an amendment at the desk designated number 553 in part B.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 553 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for the following projects:

Account	Project	Amount
AP,N .....	Crane Integrated Defensive Electronic Countermeasures Depot Capability.	\$2,000,000
DPA .....	Low Cost Military Global Positioning System (GPS) Receiver.	\$4,000,000
OM,A .....	TRANSIM Driver Training.	\$3,500,000
OM,AF .....	Joint Aircrew Combined System Tester (JCAST).	\$2,000,000
OM,ARNG .....	Multi-Jurisdictional Counter-Drug Task Force Training.	\$3,500,000
OM,N .....	Enhanced Navy Shore Readiness Integration.	\$5,000,000
OP,A .....	Ft. Bragg Range 74 Combined Arms Collective Training Facility.	\$1,000,000
OP,A .....	Laser Marksmanship Training System.	\$2,000,000
OP,A .....	Machine Gun Training System for the Pennsylvania National Guard.	\$3,000,000
OP,A .....	Multi-Temperature Refrigerated Container System.	\$3,500,000
OP,A .....	Radio Personality Modules for SINGARS Test Sets.	\$3,000,000
P,MC .....	Portable Military Radio Communications Test Set.	\$1,500,000
PANMC .....	Enhanced Laser Guided Training Round.	\$4,500,000
RDTE,A .....	Advanced Composite Armor for Force Protection.	\$2,000,000



Account	Project	Amount	Account	Project	Amount	Account	Project	Amount
RDTE,A .....	Advanced Composite Research for Vehicles.	\$5,000,000	RDTE,AF .....	Advanced Modular Avionics for Operationally Responsive Satellite Use.	\$3,100,000	RDTE,N .....	Air Readiness/Effectiveness Measurement Program.	\$2,000,000
RDTE,A .....	AN/ALQ 211 Networked EW Controller.	\$1,000,000	RDTE,AF .....	Cyber Attack and Security Environment.	\$4,000,000	RDTE,N .....	AN/SLQ—25D Integration.	\$8,000,000
RDTE,A .....	Army Vehicle Condition Based Maintenance.	\$5,000,000	RDTE,AF .....	Demonstration and Validation of Renewable Energy Technology.	\$1,000,000	RDTE,N .....	Autonomous Anti-Submarine Warfare Vertical Beam Array Sonar.	\$2,000,000
RDTE,A .....	Defense Support for Civil Authorities for Key Resource Protection.	\$1,000,000	RDTE,AF .....	Long-Loiter, Load Bearing Antenna Platform for Pervasive Airborne Intelligence.	\$5,000,000	RDTE,N .....	Common Command and Control System Module.	\$4,000,000
RDTE,A .....	Dermal Matrix Research.	\$2,000,000	RDTE,AF .....	Rivet Joint Services Oriented Architecture.	\$2,500,000	RDTE,N .....	EP-3E Requirements Capability Migration Systems Integration Lab.	\$6,250,000
RDTE,A .....	Effects Based Operations Decision Support Services.	\$2,000,000	RDTE,AF .....	Senior Scout Communications Intelligence (COMINT) Capability Upgrade.	\$3,000,000	RDTE,N .....	High Density Power Conversion and Distribution Equipment.	\$1,500,000
RDTE,A .....	Eye-Safe Stand-off Fusion Detection of CBE Threats.	\$2,500,000	RDTE,AF .....	Senior Scout Communications Intelligence (COMINT) Capability Upgrade.	\$3,000,000	RDTE,N .....	Hybrid Propulsion/Power Generation for Increased Fuel Efficiency for Surface Combatants.	\$2,000,000
RDTE,A .....	Fire Shield .....	\$4,000,000	RDTE,DW .....	Gulf Range Mobile Instrumentation Capability.	\$3,000,000	RDTE,N .....	Integrated Advanced Ship Control.	\$1,500,000
RDTE,A .....	Fully Burdened Cost of Fuel and Alternative Energy Methodology and Conceptual Model.	\$3,500,000	RDTE,DW .....	Hand-held, Lethal Small Unmanned Aircraft System.	\$1,000,000	RDTE,N .....	Integrated Condition Assessment and Reliability Engineering.	\$1,000,000
RDTE,A .....	Heavy Fuel Engine Family for Unmanned Systems.	\$4,000,000	RDTE,DW .....	Low Cost Stabilized Turret.	\$1,000,000	RDTE,N .....	Joint Explosive Ordnance Disposal Diver Situational Awareness System.	\$2,000,000
RDTE,A .....	Highlander Electro-Optical Sensors.	\$2,000,000	RDTE,DW .....	Mosaic Camera Technology Transition.	\$2,000,000	RDTE,N .....	Joint Tactical Radio System Handheld Manpack Small Form Factor Radio System.	\$4,500,000
RDTE,A .....	Hostile Fire Indicator for Aircraft.	\$2,000,000	RDTE,DW .....	Ultra Low Profile EARS Gunshot Localization System.	\$1,500,000	RDTE,N .....	Management of Lung Injury by Micro-nutrients.	\$1,500,000
RDTE,A .....	Javelin Warhead Improvement Program.	\$5,000,000	RDTE,DW .....	United States Special Operations Command—USSOCOM/STAR-TEC Partnership Program.	\$2,000,000	RDTE,N .....	Micro-Drive for Future HVAC Systems.	\$600,000
RDTE,A .....	Joint Precision AirDrop Systems-Wind Profiling Portable Radar.	\$2,300,000	RDTE,N .....	76mm Swarmbuster Capability.	\$2,000,000	RDTE,N .....	Military Upset Recovery Training.	\$1,000,000
RDTE,A .....	Lightweight Metal Alloy Foam for Armor.	\$4,000,000	RDTE,N .....	Advanced Battery System for Military Avionics Power Systems.	\$2,000,000	RDTE,N .....	Modular Advanced Vision System.	\$2,000,000
RDTE,A .....	Mobile Integrated Diagnostic and Data Analysis.	\$2,000,000	RDTE,N .....	Advanced Capability Build 12 and 14.	\$2,000,000	RDTE,N .....	Navy Advanced Threat Simulator.	\$2,000,000
RDTE,A .....	Nanotechnology for Potable Water and Waste Treatment.	\$2,000,000	RDTE,N .....	Advanced Composite Manufacturing for Composite High-Speed Boat Design.	\$2,000,000	RDTE,N .....	Next Generation Electronic Warfare Simulator.	\$2,000,000
RDTE,A .....	Rapid Response Force Projection Systems.	\$2,000,000	RDTE,N .....	Advanced Manufacturing for Submarine Bow Domes and Rubber Boots.	\$2,000,000	RDTE,N .....	Paragon (Frequency Extension).	\$3,000,000
RDTE,A .....	Reduced Manning Situational Awareness.	\$5,000,000				RDTE,N .....	Persistent Surveillance Wave Powerbuoy System.	\$2,000,000
RDTE,A .....	Remote Bio-Medical Detector.	\$3,500,000						
RDTE,A .....	Universal Control.	\$2,500,000						

Account	Project	Amount
RDTE,N .....	Submarine Fatline Vec- tor Sensor Towed Array.	\$2,000,000
RDTE,N .....	Submarine Navigation Decision Aids.	\$5,000,000
RDTE,N .....	Wide Area Sen- sor Force Pro- tection Tar- geting.	\$2,000,000
RDTE,N(MC) ...	Global Supply Chain Man- agement.	\$1,000,000

The Acting CHAIR. Pursuant to House Resolution 685, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, let me note before I start this amendment, again I ask the chairman that if the Senate nullified the language requiring free and open competition, that the House would say, Okay, we will remove these no-bid contracts. I didn't hear an answer to that.

I would suggest that we know full well the Senate will remove that language. I think we put too much stock in the language anyway, but the Senate will surely remove it, because not to remove it might force some Senators to think they might not be able to secure funding for their earmark, and we know that's not going to happen.

So, if we were serious about this language, if we were serious about free and open competition, we wouldn't be earmarking in this fashion. Full stock.

Mr. Chairman, I would ask unanimous consent that this amendment be modified in the form I placed at the desk.

Mr. MURTHA. I object.

The Acting CHAIR. Objection is heard.

Mr. FLAKE. This amendment would prohibit nearly \$200 million for more than 70 earmarks for former clients of the PMA Group that would be funded in this bill.

We are now all familiar with the PMA scandal that I think is in the beginning stages and certainly not the end. PMA Group was a prominent lobbying firm that specialized in obtaining defense earmarks for its clients, whose offices were recently raided by the FBI, according to The Hill, as part of a Federal investigation into politically corrupt—potentially corrupt political contributions. The lobbying firm has ceased operations and shuttered its political action committee, but not before, according to The New York Times, leaving a detailed blueprint of how the political money churn works in Congress.

PMA is emblematic of the troubling circular fund-raising that's become entrenched in the current earmarking process. CQ Today noted that the firm has charged \$107 million in lobbying

fees from 2000 to 2008. Safe to say, the PMA Group was associated with showering Members of Congress with campaign cash.

According to the Center for Responsive Politics, since 1998, the firm and its clients have given \$40.3 million total to the candidate committees and leadership PACs of 514 lawmakers, nearly every Member of the current Congress. The Center also reported that members of the Defense Appropriations Subcommittee have collected nearly \$1 million in campaign cash since 1998 from PMA employees and the firm's PAC. If you include contributions from employees and PACs of the parent companies and subsidiaries of PMA clients, the total jumps to nearly \$8 million over the last decade.

In review of the 2008 PMA earmarks, the Sunlight Foundation noted that 40 organizations whose sole lobbyist was PMA had an average return on their lobbying fee investment of more than 2,700 percent. Clients of the firm received at least \$300 million worth of earmarks in fiscal year 2009 appropriations legislation, including several that were approved even after news that the FBI raided the firm's office and the justice investigation into the firm was well known. That was earlier this year.

The omnibus spending bill that we approved in January, had money for PMA clients in there just weeks after it was revealed that the PMA's offices had been raided, and we still didn't scrub them out. I would submit if we're not going to do it then, when would we do it?

I believe there are 70 earmarks in this bill for former clients of PMA. And we have had several privileged resolutions, of which I think at one count 29 members of the majority party, and nearly all members of the majority party, agreed that we should have the ethics committee look into the relationship between PMA and campaign dollars that have come to this Congress.

I reserve the balance of my time.

Mr. MURTHA. I rise in opposition.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MURTHA. I reserve my time.

Mr. FLAKE. May I inquire as to the time remaining?

The Acting CHAIR. The gentleman has 1 minute remaining.

Mr. FLAKE. I would yield the remainder of my time to the gentleman from Illinois (Mr. KIRK).

Mr. KIRK. I rise in support of this amendment. Coming from Illinois, we know the pace and timing of a Federal investigation. I think it's fairly clear that PMA and several principals will now be indicted.

To protect this House and to protect the Appropriations Committee, I think having a strategic pause in the spending of this money is necessary. It's clear that PMA and its key folks with so many Federal resources now dedicated to this investigation are going to face Federal criminal prosecution.

So to protect this House, this is a wise amendment to put forward to make sure that we can be beyond reproach. As someone who comes from Governor Blagojevich's State and already knows how Federal prosecutions and work goes forward, so many resources have been put forward on this case already that it is clear that an indictment is coming forward. And to protect this House, I think we should adopt the amendment.

Mr. MURTHA. I rise in opposition to the amendment. Let me read to the House again—the one Member keeps mentioning over and over again the same thing I'm going to mention.

“With respect to the list of specific programs, projects and activities contained in the tables entitled ‘Explanation of Project Level Adjustments’ in the Report of the Committee on Appropriations of the House of Representatives, those which are considered congressional earmarks for purposes of Rule XXI of the House of Representatives, when awarded to a for-profit entity, shall be awarded under full and open competition.”

As I mentioned, I hope that there is no Member that's trying to protect their own Defense money—\$9.7 billion in Arizona—that this is not the reason that there is opposition to these things.

But I don't say that under any circumstances. One thing I say is we put money in for projects. We don't put it in because of any one Representative.

Last year—this PMA is defunct, and this year, we've put the projects in that we thought were worthwhile, not because they're from a Representative, because they don't represent them any more. Those projects are in the budget because Members, themselves, thought they were good projects.

And with that, I ask a “no” on the amendment.

Mr. FRANKS of Arizona. Mr. Chair, my voting record has consistently demonstrated my support for a full investigation of The PMA Group, its lobbying activities, and the relationship between Member budget requests and campaign contributions by the House Committee on Standards of Official Conduct. I also publicly maintain that all budget requests that The PMA Group lobbied on behalf of should not be funded by the taxpayers. I intend to vote “aye” on this amendment.

Mr. MURTHA. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

EN BLOC AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an en bloc amendment made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendments en bloc consisting of all the amendments printed in part B of House Report 111-233 offered by Mr. FLAKE:

AMENDMENT NO. 1

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Enhanced Navy Shore Readiness Integration.

AMENDMENT NO. 2

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for the Army CH-47 Helicopter Forward and Aft Hook Project.

AMENDMENT NO. 3

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for the Army National Guard UH-60 Rewiring Program.

AMENDMENT NO. 4

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Internal Auxiliary Fuel Tank system.

AMENDMENT NO. 5

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a C-130 Active Noise Cancellation System.

AMENDMENT NO. 6

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for the Civil Air Patrol.

AMENDMENT NO. 7

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Large Aircraft Padded Infrared Countermeasures Systems for Air Force Reserve KC-135.

AMENDMENT NO. 8

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Advanced Skills Management Command Portal.

AMENDMENT NO. 9

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for the AN/AAR-47D(V)X Missile Warning System.

AMENDMENT NO. 10

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Crane Integrated Defensive Electronic Countermeasures Depot Capability.

AMENDMENT NO. 11

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Universal Avionics Recorder Wireless Flight Download Data.

AMENDMENT NO. 12

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Composite Operational Health and Occupational Risk Tracking System.

AMENDMENT NO. 13

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for the Armor and Structures Transformation Initiative-Steel to Titanium.

AMENDMENT NO. 14

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for the Flexible Aerogel Materials Supplier Initiative.

AMENDMENT NO. 15

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for the High Performance Thermal Battery Infrastructure Project.

AMENDMENT NO. 16

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Aluminum Oxy-Nitride and Spinel Optical Ceramics.

AMENDMENT NO. 17

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Inventory for Defense Applications.

AMENDMENT NO. 18

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Low Cost Military Global Positioning System (GPS) Receiver.

AMENDMENT NO. 19

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Metal Injection Molding Technological Improvements.

AMENDMENT NO. 20

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Navy Production Capacity Improvement Project.

AMENDMENT NO. 21

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Radiation Hardened Cryogenic Read Out Integrated Circuits.

AMENDMENT NO. 22

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Counter-Threat Finance—Global.

AMENDMENT NO. 23

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Air-Supported Temper Tent.

AMENDMENT NO. 24

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for the New Jersey Technology Center.

AMENDMENT NO. 25

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Electronics and Personal Cooling.

AMENDMENT NO. 26

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Anti-Corrosion Nanotechnology Solutions for Logistics.

AMENDMENT NO. 27

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Army Force Generation Synchronization Tool.

AMENDMENT NO. 28

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Common Logistics Operating System.

## AMENDMENT NO. 29

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for the Fort Benning National Incident Management System Compliant Installation Operations Center.

## AMENDMENT NO. 30

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Ground Combat System Knowledge Center and Technical Inspection Data Capture.

## AMENDMENT NO. 31

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Initiative to Increase Minority Participation in Defense.

## AMENDMENT NO. 32

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Logistics Interoperability.

## AMENDMENT NO. 33

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an M24 Sniper Weapons System Upgrade.

## AMENDMENT NO. 34

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Modular Command Post Tent.

## AMENDMENT NO. 35

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Secure Remote Monitoring Systems.

## AMENDMENT NO. 36

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Military Lens System Fabrication and Assembly.

## AMENDMENT NO. 37

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Net-Centric Decision Support Environment Sense and Respond Logistics.

## AMENDMENT NO. 38

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Operational/Technical Training Validation for Joint Maneuver Forces at Fort Bliss.

## AMENDMENT NO. 39

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for TRANSIM Driver Training.

## AMENDMENT NO. 40

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for UH-60 Leak Proof Drip Pans.

## AMENDMENT NO. 41

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Advanced Autonomous Robotic Inspections for Aging Aircraft.

## AMENDMENT NO. 42

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Engine Health Management Plus Data Repository Center.

## AMENDMENT NO. 43

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Joint Aircrew Combined System Tester (JACST).

## AMENDMENT NO. 44

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Warner Robins Air Logistics Center Strategic Airlift Aircraft Availability Improvement.

## AMENDMENT NO. 45

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Joint Interoperability Coordinated Operations and Training Exercise.

## AMENDMENT NO. 46

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Army National Guard M939A2 Repower Program.

## AMENDMENT NO. 47

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Multi-Jurisdictional Counter-Drug Task Force Training.

## AMENDMENT NO. 48

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for UH-60 Leak Proof Drip Pans.

## AMENDMENT NO. 49

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Multi-Climate Protection System.

## AMENDMENT NO. 50

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an LSD-41/49 Diesel Engine Low Load Upgrade Kit.

## AMENDMENT NO. 51

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Hydroacoustic Low Frequency Source Generation Systems.

## AMENDMENT NO. 52

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Force Protection Boats (Small).

## AMENDMENT NO. 53

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Enhanced Detection Adjunct Processor.

## AMENDMENT NO. 54

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Deployable Joint Command and Control Shelter Upgrade Program.

## AMENDMENT NO. 55

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Adaptive Diagnostic Electronic Portable Testset.

## AMENDMENT NO. 56

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for One AF/One Network Infrastructure for the Pennsylvania National Guard.

## AMENDMENT NO. 57

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for One AF/One Network Infrastructure.

## AMENDMENT NO. 58

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Aircrew Body Armor and Load Carriage Vest System.

## AMENDMENT NO. 59

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Air National Guard Joint Threat Emitter—Savannah Combat Readiness Training Centers.

## AMENDMENT NO. 60

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Virtual Interactive Combat Environment Training System for the Virginia National Guard.

## AMENDMENT NO. 61

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Ultralight Utility Vehicles for the National Guard.

## AMENDMENT NO. 62

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Radio Personality Modules for SINGARS Test Sets.

## AMENDMENT NO. 63

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Multi-Temperature Refrigerated Container System.

## AMENDMENT NO. 64

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Mobile Defensive Fighting Position.

## AMENDMENT NO. 65

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Machine Gun Training System for the Pennsylvania National Guard.

## AMENDMENT NO. 66

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Laser Marksmanship Training System.

## AMENDMENT NO. 67

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for the Ft. Bragg Range 74 Combined Arms Collective Training Facility.

## AMENDMENT NO. 68

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for the ATIS Maintenance and Enhancement Program.

## AMENDMENT NO. 69

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Ultra Lightweight Camouflage Net System (ULCANS).

## AMENDMENT NO. 70

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a MGPTS Type III or Rapid Deployable Shelter.

## AMENDMENT NO. 71

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Flame Resistant High Performance Apparel.

## AMENDMENT NO. 72

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Thorium/Magnesium Excavation—Blue Island.

## AMENDMENT NO. 73

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Special Operations Forces Modular Glove System.

## AMENDMENT NO. 74

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a WMD Multi-Sensor Response and Infrastructure Project System.

## AMENDMENT NO. 75

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Autonomous Sustainment Cargo Container.

## AMENDMENT NO. 76

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Atomized

Magnesium Domestic Production Design and Development.

## AMENDMENT NO. 77

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Army Vehicle Condition Based Maintenance.

## AMENDMENT NO. 78

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Army Portable Oxygen Concentration System.

## AMENDMENT NO. 79

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for ARL 3DE Model-Based Inspection and Scanning.

## AMENDMENT NO. 80

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Antioxidant Micronutrient Therapeutic Countermeasures.

## AMENDMENT NO. 81

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Anti-Microbial Bone Graft Product.

## AMENDMENT NO. 82

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an AN/ALQ 211 Networked EW Controller.

## AMENDMENT NO. 83

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Aluminum Armor Project.

## AMENDMENT NO. 84

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an All Composite Bus Program.

## AMENDMENT NO. 85

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Advanced Tactical Laser Flashlight.

## AMENDMENT NO. 86

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Advanced Reactive Armor Systems.

## AMENDMENT NO. 87

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Advanced Radar Transceiver IC Development.

## AMENDMENT NO. 88

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Advanced Rarfaction Weapon Engineered System.

## AMENDMENT NO. 89

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Advanced Packaging Materials for Combat Rations.

## AMENDMENT NO. 90

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Advanced Lithium Ion Phosphate Battery System for Army Combat Hybrid HMMWV and Other Army Vehicle Platforms.

## AMENDMENT NO. 91

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Advanced Lightweight Gunner Protection Kit for Lightweight MRAP Vehicle.

## AMENDMENT NO. 92

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Advanced Ground EW and Signals Intelligence System.

## AMENDMENT NO. 93

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Advanced Flexible Solar Photovoltaic Technologies.

## AMENDMENT NO. 94

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Advanced Field Artillery Tactical Data System.

## AMENDMENT NO. 95

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Advanced Digital Hydraulic Drive System.

## AMENDMENT NO. 96

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Advanced Detection of Explosives.

## AMENDMENT NO. 97

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Advanced Conductivity Program.

## AMENDMENT NO. 98

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Advanced Composites for Light Weight, Low Cost Transportation Systems using a 3+ Ring Extruder.

## AMENDMENT NO. 99

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Advanced Composite Research for Vehicles.

## AMENDMENT NO. 100

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Advanced Composite Ammunition Magazine/Mount System.

## AMENDMENT NO. 101

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Advanced Composite Armor for Force Protection.

## AMENDMENT NO. 102

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Advanced Carbon Hybrid Battery for Hybrid Electric Vehicles.

## AMENDMENT NO. 103

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Advanced Bonded Diamond for Optical Applications.

## AMENDMENT NO. 104

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Advanced Affordable Turbine Engine Program.

## AMENDMENT NO. 105

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Acid Alkaline Direct Methanol Fuel Cell.

## AMENDMENT NO. 106

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Enhanced Laser Guided Training Round.

## AMENDMENT NO. 107

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Small Caliber Ammunition Production Modernization.

## AMENDMENT NO. 108

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Magneto Inductive Remote Activation Munitions System (MI-RAMS) M156/M39 Kits and M40 Receivers.

## AMENDMENT NO. 109

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Portable Military Radio Communications Test Set.

## AMENDMENT NO. 110

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Portable Armored Wall System.

## AMENDMENT NO. 111

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Microclimate Cooling Unit for M1 Abrams Tank.

## AMENDMENT NO. 112

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Marine Corps MK 1077 Flatracks.

## AMENDMENT NO. 113

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Special Operations Forces Combat Assault Rifle.

## AMENDMENT NO. 114

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for SOPMOD II (M4 Carbine Rail System).



## AMENDMENT NO. 115

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Light Mobility Vehicle—Internally Transportable Vehicle.

## AMENDMENT NO. 116

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Ballistic Armor Research.

## AMENDMENT NO. 117

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Beneficial Infrastructure for Rotorcraft Risk Reduction.

## AMENDMENT NO. 118

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Bio-Printing of Skin for Battlefield Burn Repairs.

## AMENDMENT NO. 119

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Blood Safety and Decontamination Technology.

## AMENDMENT NO. 120

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Breast Cancer Medical Information Network Decision Support.

## AMENDMENT NO. 121

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Brownout Situational Awareness Sensor.

## AMENDMENT NO. 122

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Buster/Blacklight UAV Development.

## AMENDMENT NO. 123

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Cadmium Emissions Reduction-Letterkenny Army Depot.

## AMENDMENT NO. 124

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Capabilities Expansion of Spinel Transparent Armor Manufacturing.

## AMENDMENT NO. 125

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Carbide Derived Carbon for Treatment of Combat Related Sepsis.

## AMENDMENT NO. 126

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Cellular Therapy for Battlefield Wounds.

## AMENDMENT NO. 127

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Ceramic and MMC Armor Development using Ring Extruder Technology.

## AMENDMENT NO. 128

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a CERDEC Integrated Tool Control System.

## AMENDMENT NO. 129

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Chronic Tinnitus Treatment Program.

## AMENDMENT NO. 130

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Clinical Technology Integration for Military Health.

## AMENDMENT NO. 131

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Collagen-Based Wound Dressing.

## AMENDMENT NO. 132

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Combat Medic Trainer.

## AMENDMENT NO. 133

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Command, Control, Communications Technology.

## AMENDMENT NO. 134

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Compact Biothreat Rapid Analysis Concept.

## AMENDMENT NO. 135

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Composite Small Main Rotor Blades.

## AMENDMENT NO. 136

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Compostable and Recyclable Fiberboard Material for Secondary Packaging.

## AMENDMENT NO. 137

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Conversion of Municipal Solid Waste to Renewable Diesel Fuel.

## AMENDMENT NO. 138

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Crewmember Alert Display Development Program.

## AMENDMENT NO. 139

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Current Force Common Active Protection System Radar.

## AMENDMENT NO. 140

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Cyber Threat Analytics.

## AMENDMENT NO. 141

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Defense Support for Civil Authorities for Key Resource Protection.

## AMENDMENT NO. 142

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Defense Support to Civil Authorities Automated Support System.

## AMENDMENT NO. 143

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Dermal Matrix Research.

## AMENDMENT NO. 144

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Development of Improved Lighter-Weight IED/EFP Armor Solutions.

## AMENDMENT NO. 145

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for De-Weighting Military Vehicles through Advanced Composites Manufacturing Technology.

## AMENDMENT NO. 146

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Diabetes Care in the Military.

## AMENDMENT NO. 147

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Domestic Production of Nanodiamond for Military Applications.

## AMENDMENT NO. 148

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Drive System Composite Structural Component Risk Reduction Program.

## AMENDMENT NO. 149

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Dual Stage Variable Energy Absorber.

## AMENDMENT NO. 150

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Effects Based Operations Decision Support Services.

## AMENDMENT NO. 151

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Electric All Terrain Ultra Light Vehicle for the Minnesota National Guard.

## AMENDMENT NO. 152

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Electrically

Charged Mesh Defense Net Troop Protection System.

## AMENDMENT NO. 153

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Electronic Combat and Counter Terrorism Threat Developments to Support Joint Forces.

## AMENDMENT NO. 154

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Enabling Optimization of Reactive Armor.

## AMENDMENT NO. 155

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Enhancing the Commercial Joint Mapping Toolkit to Support Tactical Military Operations.

## AMENDMENT NO. 156

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Environmentally Intelligent Moisture and Corrosion Control for Concrete.

## AMENDMENT NO. 157

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for the Execution of a Quality Systems Program for FDA Regulation Activities.

## AMENDMENT NO. 158

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Extended Duration Silver Wound Dressing-Phase II.

## AMENDMENT NO. 159

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for the Eye-Safe Standoff Fusion Detection of CBE Threats.

## AMENDMENT NO. 160

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Field Deployable Hologram Production System.

## AMENDMENT NO. 161

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Fire Shield.

## AMENDMENT NO. 162

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Flu Vaccine Technology Program.

## AMENDMENT NO. 163

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Foil Bearing Supported UAV Engine.

## AMENDMENT NO. 164

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Fuel System Component Technology Research.

## AMENDMENT NO. 165

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Fully Burdened Cost of Fuel and Alternative Energy Methodology and Conceptual Model.

## AMENDMENT NO. 166

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Fused Silica for Large-Format Transparent Armor.

## AMENDMENT NO. 167

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Gas Engine Driven Air Conditioning.

## AMENDMENT NO. 168

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Geospatial Airship Research Platform.

## AMENDMENT NO. 169

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Headborne Energy Analysis and Diagnostic System.

## AMENDMENT NO. 170

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for the Heavy Fuel Engine Family for Unmanned Systems.

## AMENDMENT NO. 171

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for High Strength Glass Production and Qualification for Armor Applications.

## AMENDMENT NO. 172

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Highlander Electro-Optical Sensors.

## AMENDMENT NO. 173

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for High-Volume Manufacturing Development for Thin-film Lithium Stack Battery Technologies.

## AMENDMENT NO. 174

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Hostile Fire Indicator for Aircraft.

## AMENDMENT NO. 175

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Human Organ and Tissue Preservation Technology.

## AMENDMENT NO. 176

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Hybrid Electric Drive All Terrain Vehicle.

## AMENDMENT NO. 177

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Hybrid Electric Heavy Truck Vehicle.

## AMENDMENT NO. 178

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Improved Thermal Batteries for Guided Munitions.

## AMENDMENT NO. 179

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Improved Thermal Resistant Nylon for Enhanced Durability and Thermal Protection in Combat Uniforms.

## AMENDMENT NO. 180

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Infection Prevention Program for Battlefield Wounds.

## AMENDMENT NO. 181

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Infectious and Airborne Pathogen Reduction.

## AMENDMENT NO. 182

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Injection Molded Ceramic Body Armor.

## AMENDMENT NO. 183

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Ink-based Desktop Electronic Material Technology.

## AMENDMENT NO. 184

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Integrated Defense Technical Information.

## AMENDMENT NO. 185

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Integrated Family of Test Equipment V6 Product Improvement Program.

## AMENDMENT NO. 186

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Integrated Lightweight Tracker System.

## AMENDMENT NO. 187

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Intelligence, Surveillance and Reconnaissance (ISR) Simulation Integration Laboratory.

## AMENDMENT NO. 188

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Intelligent Energy Control Systems.

## AMENDMENT NO. 189

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Intensive Quenching for Advanced Weapon Systems.

## AMENDMENT NO. 190

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Inter Turbine Burner for Turbo Shaft Engines.

## AMENDMENT NO. 191

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for IR-Vascular Facial Fingerprinting.

## AMENDMENT NO. 192

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an IUID Data Platform.

## AMENDMENT NO. 193

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Javelin Warhead Improvement Program.

## AMENDMENT NO. 194

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Joint Fires and Effects Trainer System Enhancements.

## AMENDMENT NO. 195

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Joint Precision AirDrop Systems-Wind Profiling Portable Radar.

## AMENDMENT NO. 196

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Large Format Li-Ion Battery.

## AMENDMENT NO. 197

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Lens-Less Dual-Mode Micro Seeker for Medium-Caliber Guided Projectiles.

## AMENDMENT NO. 198

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Lightweight 10-meter Antenna Mast.

## AMENDMENT NO. 199

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Lightweight Magnesium Parts for Military Applications.

## AMENDMENT NO. 200

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Lightweight Metal Alloy Foam for Armor.

## AMENDMENT NO. 201

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Lightweight Munitions and Surveillance System for Unmanned Air and Ground Vehicles.

## AMENDMENT NO. 202

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Lightweight Packing System for Enhancing Combat Munitions Logistics.

## AMENDMENT NO. 203

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Lightweight Polymer Designs for Soldier Combat Optics.

## AMENDMENT NO. 204

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Lightweight Protective Roofing.

## AMENDMENT NO. 205

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Lightweight, Battery Driven, and Battlefield Deployment Ready NG Feeding Tube Cleaner.

## AMENDMENT NO. 206

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a LW25 Gun System and Demonstration.

## AMENDMENT NO. 207

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an M109A6 Paladin.

## AMENDMENT NO. 208

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Medical Biosurveillance and Efficiency Program.

## AMENDMENT NO. 209

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Medium Caliber Metal Parts Upgrade.

## AMENDMENT NO. 210

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Micro Inertial Navigation Unit Technology.

## AMENDMENT NO. 211

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Micro-machined Switches in Support of Trans-formational Communications Architecture.

## AMENDMENT NO. 212

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Mid-Infrared Super Continuum Laser.

## AMENDMENT NO. 213

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Military Drug Management Center.

## AMENDMENT NO. 214

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Mobile Integrated Diagnostic and Data Analysis.

## AMENDMENT NO. 215

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Mobile Mesh Network Node.

## AMENDMENT NO. 216

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Mobile Power 30 kW System Power Control Unit Development Project.

## AMENDMENT NO. 217

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Model for Green Laboratories and Clean Rooms.

## AMENDMENT NO. 218

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Mortar Anti-Personnel/Anti-Material Technology.

## AMENDMENT NO. 219

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a MOTS All Sky Imager.

## AMENDMENT NO. 220

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Multi-layer Co-extrusion for High Performance Packaging.

## AMENDMENT NO. 221

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Multiplexed Human Fungal Infection Diagnostics.

## AMENDMENT NO. 222

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Nanocrystal Source Display.

## AMENDMENT NO. 223

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Nanofluid Coolants.

## AMENDMENT NO. 224

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Nanotechnology for Potable Water and Water Treatment.

## AMENDMENT NO. 225

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Nanotechnology Fuze.

## AMENDMENT NO. 226

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Nanotechnology-Enabled Self-Healing Anti-Corrosion Coating Products.

## AMENDMENT NO. 227

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Networked Reliability and Safety Early Evaluation System.

## AMENDMENT NO. 228

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Neural Control of External Devices.

## AMENDMENT NO. 229

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Next Generation Communications System.

## AMENDMENT NO. 230

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Next Generation Green, Economical and Automated Production of Composite Structures for Aerospace.

## AMENDMENT NO. 231

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Next Generation Wearable Video Capture System.

## AMENDMENT NO. 232

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Night Vision and Electronic Sensors Directorate.

## AMENDMENT NO. 233

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Non-Leaching Antimicrobial Surface for Orthopedic Devices.

## AMENDMENT NO. 234

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Novel Zinc Air Power Sources for Military Applications.

## AMENDMENT NO. 235

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an OMNI Active Vibration Control System.

## AMENDMENT NO. 236

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Optimization of the US Army Topographic Data Management Enterprise.

## AMENDMENT NO. 237

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Optimizing Natural Language Processing of Open Source Intelligence.

## AMENDMENT NO. 238

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Pacific Command Renewable Energy Security Systems.

## AMENDMENT NO. 239

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Personal Miniature Thermal Viewer.

## AMENDMENT NO. 240

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Personal Status Monitor.

## AMENDMENT NO. 241

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Plasma Sterilizer.

## AMENDMENT NO. 242

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Polymeric Web Run-Flat Tire Inserts for Convoy Protection.

## AMENDMENT NO. 243

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Portable Fuel Cell Power Source.

## AMENDMENT NO. 244

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Portable Mobile Emergency Broadband Systems.

## AMENDMENT NO. 245

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Portable Sensor for Toxic Gas Detection.

## AMENDMENT NO. 246

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Power Efficient Microdisplay Development for US Army Night Vision.

## AMENDMENT NO. 247

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Precision Guidance Kit Technology Development.

## AMENDMENT NO. 248

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Precision Guided Airdropped Equipment.

## AMENDMENT NO. 249

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Predictive Casting Modeling for Rapid Production of Critical Defense Components.

## AMENDMENT NO. 250

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Printed and Conformal Electronics for Military Applications.

## AMENDMENT NO. 251

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Protein Hydrogel for Surgical Repair of Battlefield Injuries.

## AMENDMENT NO. 252

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Qualification and Insertion of New High Temperature Domestic Sourced PES for Military Aircraft.

## AMENDMENT NO. 253

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Rapid Response Force Projection Systems.

## AMENDMENT NO. 254

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Rapid Wound Healing Cell Technology.

## AMENDMENT NO. 255

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Rare Earth Mining Separation and Metal Production.

## AMENDMENT NO. 256

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Reactive Materials.

## AMENDMENT NO. 257

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Recovery, Recycle, and Reuse of DOE Metals for DoD Applications.

## AMENDMENT NO. 258

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Reduced Manning Situational Awareness.

## AMENDMENT NO. 259

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Reducing First Responder Casualties with Physiological Monitoring.

## AMENDMENT NO. 260

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Remote Bio-Medical Detector.

## AMENDMENT NO. 261

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Scalable Efficient Power for Armament Systems and Vehicles Dual Use.

## AMENDMENT NO. 262

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Self Powered Prosthetic Limb Technology.

## AMENDMENT NO. 263

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Sensor Tape Physiological Monitoring.

## AMENDMENT NO. 264

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Shared Vision.

## AMENDMENT NO. 265

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a SHARK Precision Guided Artillery Round—105mm.

## AMENDMENT NO. 266

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Silent Watch, IB NPS 1160 Lithium-Ion Advanced Battery.

## AMENDMENT NO. 267

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Silver Fox and Manta Unmanned Aerial Systems.

## AMENDMENT NO. 268

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Smart Machine Platform Initiative.

## AMENDMENT NO. 269

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Smart Oil Sensor.

## AMENDMENT NO. 270

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Smart Wound Dressing for MRSA Infected Battlefield Wounds.

## AMENDMENT NO. 271

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Soldier Situational Awareness Wristband.

## AMENDMENT NO. 272

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Solid Oxide Fuel Cell Powered Tactical Charger.

## AMENDMENT NO. 273

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Solid State Process of Titanium Alloys for Advanced Material Armaments.

## AMENDMENT NO. 274

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Specialized Compact Automated Mechanical Clearance Platform.

## AMENDMENT NO. 275

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Standard Ground Station—Enhancement Program.

## AMENDMENT NO. 276

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Superlattice Semiconductors for Mobile SS Lighting and Solar Power Applications.

## AMENDMENT NO. 277

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Surveillance Augmentation Vehicle.

## AMENDMENT NO. 278

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Tactical Co-generation System.

## AMENDMENT NO. 279

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Tactical Metal Fabrication System (TacFab).

## AMENDMENT NO. 280

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Tamper Proof Organic Packaging as Applied to Remote Armament Systems.

## AMENDMENT NO. 281

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Technologies for Military Equipment Replenishment.

## AMENDMENT NO. 282

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Telepharmacy Robotic Medicine Device Unit.

## AMENDMENT NO. 283

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Testing of Microneedle Device for Multiple Applications.

## AMENDMENT NO. 284

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Tire to Track Transformer System for Light Vehicles.

## AMENDMENT NO. 285

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Treatment of Battlefield Spinal Cord and Burn Injuries.

## AMENDMENT NO. 286

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Tungsten



Heavy Alloy Penetrator and Warhead Development.

AMENDMENT NO. 287

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for UH-60 Transmission/Gearbox Galvanic Corrosion Reduction.

AMENDMENT NO. 288

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Ultra Light Metallic Armor.

AMENDMENT NO. 289

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Ultra Light Weight Transmissions.

AMENDMENT NO. 290

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Universal Control.

AMENDMENT NO. 291

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Unmanned Robotic System Utilizing a Hydrocarbon Fueled Solid Oxide Fuel Cell System.

AMENDMENT NO. 292

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Vanadium Safety Readiness.

AMENDMENT NO. 293

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Video Compression Technology.

AMENDMENT NO. 294

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Voice Recognition and Cross Platform Speech Interface Upgrades.

AMENDMENT NO. 295

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for VTOL Man-Rated UAV and UGV for Medical Multi-Missions and CASEVAC.

AMENDMENT NO. 296

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Waterside Wide Area Tactical Coverage and Homing.

AMENDMENT NO. 297

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Wireless HUMS for Condition Based Maintenance of Army Helicopters.

AMENDMENT NO. 298

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Wireless Medical Monitoring System.

AMENDMENT NO. 299

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for 3D Bias Woven Perform Development.

AMENDMENT NO. 300

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Advanced Propulsion Non-Tactical Vehicle.

AMENDMENT NO. 301

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Advanced Electromagnetic Location of IEDs Defeat System.

AMENDMENT NO. 302

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Advanced Deformable Mirrors for High Energy Laser Weapons.

AMENDMENT NO. 303

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Advanced Electronic Components for Sensor Arrays.

AMENDMENT NO. 304

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Advanced Lithium Battery Scale-up and Manufacturing.

AMENDMENT NO. 305

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Advanced

Modular Avionics for Operationally Responsive Satellite Use.

AMENDMENT NO. 306

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Advanced Vehicle Propulsion Center.

AMENDMENT NO. 307

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for ALC Logistics Integration Environment.

AMENDMENT NO. 308

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Algae-Derived Jet Fuel for Air Force Applications.

AMENDMENT NO. 309

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for AT-6B Demonstration for ANG.

AMENDMENT NO. 310

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for B-1 AESA Radar Operational Utility Evaluation.

AMENDMENT NO. 311

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for B-52 Tactical Data Link Capability.

AMENDMENT NO. 312

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Ballistic Missile Technology.

AMENDMENT NO. 313

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a BATMAV Program Miniature Digital Data Link.

AMENDMENT NO. 314

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Big Antennas Small Structures Efficient Tactical UAV.

AMENDMENT NO. 315

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Body Armor Improved Ballistic Protection, Research and Development.

## AMENDMENT NO. 316

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for the Command and Control Service Level Management (C2SLM) Program.

## AMENDMENT NO. 317

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for the Corrosion Detection and Visualization Program.

## AMENDMENT NO. 318

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for COTS Technology for Space Command and Control.

## AMENDMENT NO. 319

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Cyber Attack and Security Environment.

## AMENDMENT NO. 320

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Development and Testing of Advanced Hybrid Rockets for Space Applications.

## AMENDMENT NO. 321

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Distributed Mission Interoperability Toolkit (DMIT).

## AMENDMENT NO. 322

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Domestic Manufacturing of 45nm Electronics.

## AMENDMENT NO. 323

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for the Efficient Utilization of Transmission Hyperspace.

## AMENDMENT NO. 324

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for the Eglin AFB Range Operations Control Center.

## AMENDMENT NO. 325

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Transportable Renal Replacement Therapy for Battlefield Applications.

## AMENDMENT NO. 326

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for EMI Grid Fabrication Technology.

## AMENDMENT NO. 327

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for the Florida National Guard Total Force Integration.

## AMENDMENT NO. 328

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Gallium Nitride (GaN) Microelectronics and Materials.

## AMENDMENT NO. 329

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for GAPS/AWS Horizontal Integration.

## AMENDMENT NO. 330

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for the Hawaii Microalgae Biofuel Project.

## AMENDMENT NO. 331

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for High Bandwidth, High Energy Storage, Exawatt Laser Glass Development.

## AMENDMENT NO. 332

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for High Energy Li-Ion Technology for Aviation Batteries.

## AMENDMENT NO. 333

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a High Pressure Pure Air Generator System.

## AMENDMENT NO. 334

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Hybrid Bearings.

## AMENDMENT NO. 335

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Hybrid Nanoparticle-based Coolant Technology Development and Manufacturing.

## AMENDMENT NO. 336

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Integrated Engine Starter/Generator.

## AMENDMENT NO. 337

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Integrated Propulsion Analysis and Spacecraft Engineering Tools (IPAT/ISSET).

## AMENDMENT NO. 338

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Large Area, APVT Materials Development for High Power Devices.

## AMENDMENT NO. 339

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Laser Peening for Friction Stir Welded Aerospace Structures.

## AMENDMENT NO. 340

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Long-Loiter, Load Bearing Antenna Platform for Pervasive Airborne Intelligence.

## AMENDMENT NO. 341

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Low-Defect Density Gallium Nitride Materials for High-Performance Electronic Devices.

## AMENDMENT NO. 342

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Micro-machined Switches for Next Generation Modular Satellites.

## AMENDMENT NO. 343

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Multilingual Text Mining Platform for Intelligence Analysts.

## AMENDMENT NO. 344

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Multi-Mode Propulsion Phase IIA; High Performance Green Propellant.

## AMENDMENT NO. 345

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Multiple UAS Cooperative Concentrated Observation and Engagement Against a Common Ground Object.

## AMENDMENT NO. 346

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Open Source Research Centers.

## AMENDMENT NO. 347

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Planar Lightwave Circuit Development for High Power Military Laser Applications.

## AMENDMENT NO. 348

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Predator C.

## AMENDMENT NO. 349

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Production of Nanocomposites for Aerospace Applications.

## AMENDMENT NO. 350

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Reconfigurable Secure Computing.

## AMENDMENT NO. 351

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Rivet Joint Services Oriented Architecture.

## AMENDMENT NO. 352

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Senior Scout

Communications Intelligence (COMINT) Capability Upgrade.

## AMENDMENT NO. 353

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Small Turbofan Versatile Affordable Advanced Turbine Engine Program.

## AMENDMENT NO. 354

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Technical Order Modernization Environment.

## AMENDMENT NO. 355

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Watchkeeper.

## AMENDMENT NO. 356

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Wavelength Agile Spectral Harmonic Oxygen Sensor and Cell-Level Battery Controller.

## AMENDMENT NO. 357

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Wire Integrity Technology.

## AMENDMENT NO. 358

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Advanced Battery Technology.

## AMENDMENT NO. 359

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Advanced Decision Support System.

## AMENDMENT NO. 360

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Advanced Development of Antiviral Prophylactics and Therapeutics.

## AMENDMENT NO. 361

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Advanced Technologies Sensors and Payloads/Unattended SIGINT Node.

## AMENDMENT NO. 362

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for AELED IED/WMD Electronic Signature Detection.

## AMENDMENT NO. 363

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Affordable Miniature FOPEN Radar Special operations Craft—Riverine (SOC-R).

## AMENDMENT NO. 364

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Affordable Robust Mid-Sized Unmanned Ground Vehicle.

## AMENDMENT NO. 365

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for the AESA Technology Insertion Program.

## AMENDMENT NO. 366

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Autonomous Control and Video Sensing for Robots.

## AMENDMENT NO. 367

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Autonomous Machine Vision for Mapping and Investigation of Remote Sites.

## AMENDMENT NO. 368

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Battle-Proven Packbot.

## AMENDMENT NO. 369

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Biometric Optical Surveillance System.

## AMENDMENT NO. 370

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Botulinum Neurotoxin Research.

## AMENDMENT NO. 371

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Botulinum Toxin Treatment Therapy.

## AMENDMENT NO. 372

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Broad Spectrum Therapeutic Countermeasure to OP Nerve Agents.

## AMENDMENT NO. 373

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for California Enhanced Defense Small Manufacturing Suppliers Program.

## AMENDMENT NO. 374

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Carbon Nanotube Thin Film Near Infrared Detector.

## AMENDMENT NO. 375

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Chemical and Biological Resistance Clothing.

## AMENDMENT NO. 376

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Chemical and Biological Threat Reduction Coating.

## AMENDMENT NO. 377

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Copper-Base Casting Technology Applications.

## AMENDMENT NO. 378

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Corrosion Resistant Ultrahigh-Strength Steel for Landing Gear.

## AMENDMENT NO. 379

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Covert Waveform for Software Defined Radios.

## AMENDMENT NO. 380

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Distributed Network Switching and Security.

## AMENDMENT NO. 381

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for DLA VetBiz Initiative for National Sustainment.

## AMENDMENT NO. 382

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for End to End Semi Fab Alpha Tool.

## AMENDMENT NO. 383

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Enhancement of Geo-location Systems.

## AMENDMENT NO. 384

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Environmentally Friendly Nanometal Electroplating Processes for Cadmium and Chromium Replacement.

## AMENDMENT NO. 385

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Facility Security Using Tactical Surveys.

## AMENDMENT NO. 386

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Flashlight Soldier-to-Soldier Combat Identification System.

## AMENDMENT NO. 387

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a GMTI Radar for Class II UAVs.

## AMENDMENT NO. 388

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Hand-held, Lethal Small Unmanned Aircraft System.

## AMENDMENT NO. 389

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Gulf Range Mobile Instrumentation Capability.

## AMENDMENT NO. 390

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Hand-Held Ap-

paratus for Mobile Mapping and Expedited Reporting.

## AMENDMENT NO. 391

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for helicopter Cable Warning and Obstacle Avoidance.

## AMENDMENT NO. 392

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for High Accuracy Network Determination System—Intelligent Optical Networks.

## AMENDMENT NO. 393

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for High Speed Optical Interconnects for Next Generation Supercomputing.

## AMENDMENT NO. 394

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Hybrid Power Generating System.

## AMENDMENT NO. 395

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for HyperAcute Vaccine Development.

## AMENDMENT NO. 396

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Improving Support to the Warfighter.

## AMENDMENT NO. 397

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Integrated Analysis Environment.

## AMENDMENT NO. 398

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Integrated Rugged Checkpoint Container.

## AMENDMENT NO. 399

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Intelligence, Surveillance, and Reconnaissance Global Sensors Architecture (ISR-GSA).

## AMENDMENT NO. 400

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Joint Gulf Range Complex Test and Training.

## AMENDMENT NO. 401

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Joint Services Aircrew Mask Don/Doff Inflight Upgrade.

## AMENDMENT NO. 402

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Lifetime Power for Wireless Control Sensors.

## AMENDMENT NO. 403

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Low Cost Stabilized Turret.

## AMENDMENT NO. 404

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Material, Design and Fabrication Solutions for Advanced SEAL Delivery System External Structural Components.

## AMENDMENT NO. 405

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for MEMS Sensors for Real-Time Sensing of Weaponized Pathogens.

## AMENDMENT NO. 406

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Miniature Day Night Sight for Crew Served Weapons.

## AMENDMENT NO. 407

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Miniaturized Chemical Detector for Chemical Warfare Protection.

## AMENDMENT NO. 408

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Mismatch Repair Derived Antibody Medicines to Treat Staphylococcus-derived Bioweapons.

## AMENDMENT NO. 409

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Missile Activity and Characteristics—Releasable.

## AMENDMENT NO. 410

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Moldable Fabric Armor.

## AMENDMENT NO. 411

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Mosaic Camera Technology Transition.

## AMENDMENT NO. 412

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Multi-target Shipping Container Interrogation System Mobile Continuous Air Monitor.

## AMENDMENT NO. 413

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for National Radio Frequency Research, Development and Technology Transfer.

## AMENDMENT NO. 414

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Optical Surveillance Equipment.

## AMENDMENT NO. 415

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Portable Device for Latent Fingerprint Identification.

## AMENDMENT NO. 416

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Portable Rapid Bacterial Warfare Detection Unit.

## AMENDMENT NO. 417

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Potent Human Monoclonal Antibodies Against BoNT A, B and E Suited for Mass Production and Treatment of Large Populations.

## AMENDMENT NO. 418

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Protective Self-Decontaminating Surfaces.

## AMENDMENT NO. 419

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Radio Inter-Operability System.

## AMENDMENT NO. 420

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Reduced Cost Supply Readiness.

## AMENDMENT NO. 421

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Regenerative Filtration System for CBRN Defense.

## AMENDMENT NO. 422

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Remote VBIED Detection and Defeat System.

## AMENDMENT NO. 423

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Rigid Aeroshell Variable Bouyancy Air Vehicle.

## AMENDMENT NO. 424

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Science, Technology, Engineering and Mathematics (STEM) Initiative.

## AMENDMENT NO. 425

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Sea Catcher UAS Launch and Recovery System.

## AMENDMENT NO. 426

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Secure, Miniaturized, Hybrid, Free Space, Optical Communications.

## AMENDMENT NO. 427

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Self-decontaminating Polymer System for Chemical and Biological Warfare Agents.

## AMENDMENT NO. 428

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Tactical, Cargo, and Rotary Wing Aircraft Decon.

## AMENDMENT NO. 429

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Thermal Pointer/Illuminator for Force Protection.

## AMENDMENT NO. 430

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Total Perimeter Surveillance.

## AMENDMENT NO. 431

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for UAV Directed Energy Weapons Systems Payloads.

## AMENDMENT NO. 432

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Ultra Low Profile EARS Gunshot Localization System.

## AMENDMENT NO. 433

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Under-Vehicle Inspection System.

## AMENDMENT NO. 434

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Unified Management Infrastructure System.

## AMENDMENT NO. 435

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a United States Special Operations Command—USSOCOM/STAR—TEC Partnership Program.

## AMENDMENT NO. 436

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a United States Special Operations Command—SOC-RATES High Assurance Platform Program.

## AMENDMENT NO. 437

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an X-Band/W-Band Solid State Power Amplifier.

## AMENDMENT NO. 438

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a 76mm Swarbuster Capability.

## AMENDMENT NO. 439

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for AARGM Counter Air Defense Future Capabilities.

## AMENDMENT NO. 440

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Accelerating Fuel Cells Manufacturability.

## AMENDMENT NO. 441

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Advanced Battery System for Military Avionics Power Systems.

## AMENDMENT NO. 442

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Advanced Capacity Build 12 and 14.

## AMENDMENT NO. 443

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Advanced Composite Manufacturing for Composite High-Speed Boat Design.

## AMENDMENT NO. 444

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Advanced Fuel Filtration System.

## AMENDMENT NO. 445

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Advanced Logistics Fuel Reformer for Fuel Cells (Phase II).

## AMENDMENT NO. 446

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Advanced Manufacturing for Submarine Bow Domes and Rubber Boats.

## AMENDMENT NO. 447

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Aegis Research and Development.

## AMENDMENT NO. 448

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Air Readiness/Effectiveness Measurement Program.

## AMENDMENT NO. 449

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for AN/SLQ-25D Integration.

## AMENDMENT NO. 450

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Arc Fault Circuit Breaker with Arc Location.

## AMENDMENT NO. 451

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Automated Missile Tracking.

## AMENDMENT NO. 452

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Autonomous Anti-Submarine Warfare Vertical Beam Array Sonar.

## AMENDMENT NO. 453

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Autonomous UUV Delivery and Communication System Integration.

## AMENDMENT NO. 454

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Bow Lifting Body Project.

## AMENDMENT NO. 455

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Common Command and Control System Module.

## AMENDMENT NO. 456

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Common Digital Sensor Architecture.

## AMENDMENT NO. 457

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Common Safety System Controller.



## AMENDMENT NO. 458

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Continuous Active Sonar for Torpedo DCL Systems.

## AMENDMENT NO. 459

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Cooperative Engagement Capability.

## AMENDMENT NO. 460

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Countermine LIDAR UAV-Based Systems.

## AMENDMENT NO. 461

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Electronic Motion Actuation Systems.

## AMENDMENT NO. 462

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an EP-3E Requirements Capability Migration Systems Integration Lab.

## AMENDMENT NO. 463

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Floating Area Network Littoral Sensor Grid.

## AMENDMENT NO. 464

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Flow Path Analysis Tool.

## AMENDMENT NO. 465

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Gallium Nitride (GaN) Power Technology.

## AMENDMENT NO. 466

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an HBCU Applied Research Incubator.

## AMENDMENT NO. 467

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for High Density

Power Conversion and Distribution Equipment.

## AMENDMENT NO. 468

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a High Power Density Motor Drive.

## AMENDMENT NO. 469

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Highly Integrated Siloxane Optical Interconnect for Military Avionics.

## AMENDMENT NO. 470

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a High-Shock 100 Amp Current Limiting Circuit Breaker.

## AMENDMENT NO. 471

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a High-Temperature Superconductor Trap Field Magnet Motor.

## AMENDMENT NO. 472

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Hybrid Propulsion/Power Generation for Increased Fuel Efficiency for Surface Combatants.

## AMENDMENT NO. 473

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Image-Based Navigation and Precision Targeting.

## AMENDMENT NO. 474

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Improved Kinetic Energy Cargo Round.

## AMENDMENT NO. 475

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Infrared Materials Laboratory.

## AMENDMENT NO. 476

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Integrated Advanced Ship Control.

## AMENDMENT NO. 477

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Integrated Condition Assessment and Reliability Engineering.

## AMENDMENT NO. 478

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Integrated Power System Power Dense Harmonic Filter Design.

## AMENDMENT NO. 479

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Integrated Psycho-Social Healthcare Demonstration Project.

## AMENDMENT NO. 480

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Integration of Advanced Wide Field of View Sensor with Reusable, Reconfigureable Payload Processing Testbed System.

## AMENDMENT NO. 481

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Intelligent Retrieval of Imagery.

## AMENDMENT NO. 482

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an IP over Power Line Carrier Network Integration with ICAS.

## AMENDMENT NO. 483

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Joint Explosive Ordnance Disposal Diver Situational Awareness System.

## AMENDMENT NO. 484

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Joint Tactical Radio System Handheld Manpack Small Form Factor Radio System.

## AMENDMENT NO. 485

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Kinetic Hydropower System Turbine.

## AMENDMENT NO. 486

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Landing Craft Composite Lift Fan.

## AMENDMENT NO. 487

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Laser Optimization Remote Lighting System.

## AMENDMENT NO. 488

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Laser Phalanx.

## AMENDMENT NO. 489

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Lightweight Composite Structure Development for Aerospace Vehicles.

## AMENDMENT NO. 490

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Lithium Ion Storage Advancement for Aircraft Applications.

## AMENDMENT NO. 491

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Low Frequency Active Towed Sonar System Organic ASW Capability.

## AMENDMENT NO. 492

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Low Signature Defensive Weapon System for Surface Combatant Craft.

## AMENDMENT NO. 493

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Maintenance Free Operating Period.

## AMENDMENT NO. 494

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Maintenance Planning and Assessment Technology Insertion.

## AMENDMENT NO. 495

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Management of Lung Injury by Micronutrients.

## AMENDMENT NO. 496

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Marine Corps Cultural and Language Training Platform.

## AMENDMENT NO. 497

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Marine Mammal Awareness, Alert and Response Systems.

## AMENDMENT NO. 498

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Marine Mammal Detection System.

## AMENDMENT NO. 499

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Micro-Drive for Future HVAC Systems.

## AMENDMENT NO. 500

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Military Upset Recovery Training.

## AMENDMENT NO. 501

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Mobile, Oxygen, Ventilation and External (MOVES) System.

## AMENDMENT NO. 502

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Modular Advanced Vision System.

## AMENDMENT NO. 503

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Mold-in-Place Coating Development for the U.S. Submarine Fleet.

## AMENDMENT NO. 504

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Moving Target Indicator Scout Radar.

## AMENDMENT NO. 505

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Multi-Mission Unmanned Surface Vessel.

## AMENDMENT NO. 506

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a NAVAIR High Fidelity Oceanographic Library.

## AMENDMENT NO. 507

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Navy Advanced Threat Simulator.

## AMENDMENT NO. 508

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Next Generation Electronic Warfare Simulator.

## AMENDMENT NO. 509

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Next Generation Scalable Lean Manufacturing Initiative—Phase Two.

## AMENDMENT NO. 510

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Next Generation Shipboard Integrated Power—Fuel Efficiency and Advanced Capability Enhancer.

## AMENDMENT NO. 511

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Non Traditional Ballistic Fiber and Fabric Weaving Applications for Force Protection.

## AMENDMENT NO. 512

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Open Source Naval and Missile Database Reporting System.

## AMENDMENT NO. 513

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Out of Autoclave Composite Processing.

## AMENDMENT NO. 514

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Paragon (Frequency Extension).

## AMENDMENT NO. 515

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Passive RFID Development.

## AMENDMENT NO. 516

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Persistent Autonomous Maritime Surveillance.

## AMENDMENT NO. 517

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Persistent Surveillance Wave Powerbuoy System.

## AMENDMENT NO. 518

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Photovoltaic Rooftop Systems for Military Housing.

## AMENDMENT NO. 519

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Precision Engagement Technologies for Unmanned Systems.

## AMENDMENT NO. 520

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Pure Hydrogen Supply from Logistics Fuels.

## AMENDMENT NO. 521

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Quiet Drive Advanced Rotary Actuator.

## AMENDMENT NO. 522

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Regenerative Fuel Cell Back-up Power.

## AMENDMENT NO. 523

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Ship Model Testing.

## AMENDMENT NO. 524

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Shipboard Wireless Maintenance Assistant.

## AMENDMENT NO. 525

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Shipboard Wireless Network.

## AMENDMENT NO. 526

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Silicon Carbide Wafer Production—Process Development for Low Defect Power Electronics.

## AMENDMENT NO. 527

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for SSBN(X) Systems Development.

## AMENDMENT NO. 528

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Submarine Automated Test and Re-Test.

## AMENDMENT NO. 529

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Submarine Fatline Vector Sensor Towed Array.

## AMENDMENT NO. 530

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Submarine Navigation Decision Aids.

## AMENDMENT NO. 531

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Submarine Panoramic Awareness System.

## AMENDMENT NO. 532

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Submarine System Biometrics Access Control.

## AMENDMENT NO. 533

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Tactical High Speed Anti-Radiation Missile Propulsion Demonstration.

## AMENDMENT NO. 534

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Underwater

Explosion Modeling and Simulation for Ohio Class Replacement Composite Non-Pressure Hull Fairing.

## AMENDMENT NO. 535

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Underwater Explosion Modeling and Simulation for Voyage Repair Team Tool Management.

## AMENDMENT NO. 536

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Wide Area Sensor Force Protection Targeting.

## AMENDMENT NO. 537

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Workforce Requirements Planning—Team Enhancement.

## AMENDMENT NO. 538

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for X-49A Envelope Expansion Modifications.

## AMENDMENT NO. 539

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for Battlefield Sensor Netting.

## AMENDMENT NO. 540

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Enhanced Small Arms Protective Insert.

## AMENDMENT NO. 541

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Near Infrared Optical Augmentation System.

## AMENDMENT NO. 542

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for a Remote Aiming and Sighting Optical Retrofit.

## AMENDMENT NO. 543

At the end of the bill (before the short title), insert the following:

## TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in this Act shall be available for an Intelligent Graphics Torpedo Test Set Troubleshooting Maintainers Aid.

## AMENDMENT NO. 544

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS	Account	Project	Amount	Account	Project	Amount
SEC. _____. None of the funds provided in this Act shall be available for Lightweight Torpedo P5U Test Equipment Modernization.	AP,N .....	Crane Integrated Defense Electronic Countermeasures Depot Capability.	\$2,000,000	RDTE,A .....	Defense Support for Civil Authorities for Key Resource Protection.	\$1,000,000
AMENDMENT NO. 545				RDTE,A .....	Dermal Matrix Research.	\$2,000,000
At the end of the bill (before the short title), insert the following:	DPA .....	Low Cost Military Global Positioning System (GPS) Receiver.	\$4,000,000	RDTE,A .....	Effects Based Operations Decision Support Services.	\$2,000,000
TITLE X—ADDITIONAL GENERAL PROVISIONS	OM,A .....	TRANSIM Driver Training.	\$3,500,000	RDTE,A .....	Eye-Safe Standoff Fusion Detection of CBE Threats.	\$2,500,000
SEC. _____. None of the funds provided in this Act shall be available for Life Support for Trauma and Transport.	OM,AF .....	Joint Aircrew Combined System Tester (JCAST).	\$2,000,000	RDTE,A .....	Fire Shield .....	\$4,000,000
AMENDMENT NO. 546				RDTE,A .....	Fully Burdened Cost of Fuel and Alternative Energy Methodology and Conceptual Model.	\$3,500,000
At the end of the bill (before the short title), insert the following:	OM,ARNG .....	Multi-Jurisdictional Counter-Drug Task Force Training.	\$3,500,000			
TITLE X—ADDITIONAL GENERAL PROVISIONS	OM,N .....	Enhanced Navy Shore Readiness Integration.	\$5,000,000	RDTE,A .....	Heavy Fuel Engine Family for Unmanned Systems.	\$4,000,000
SEC. _____. None of the funds provided in this Act shall be available for RDT&E for the Family of Heavy Tactical Vehicles (FHTV).	OP,A .....	Ft. Bragg Range 74 Combined Arms Collective Training Facility.	\$1,000,000	RDTE,A .....	Highlander Electro-Optical Sensors.	\$2,000,000
AMENDMENT NO. 548				RDTE,A .....	Hostile Fire Indicator for Aircraft.	\$2,000,000
At the end of the bill (before the short title), insert the following:	OP,A .....	Laser Marksmanship Training System.	\$2,000,000	RDTE,A .....	Javelin Warhead Improvement Program.	\$5,000,000
TITLE X—ADDITIONAL GENERAL PROVISIONS	OP,A .....	Machine Gun Training System for the Pennsylvania National Guard.	\$3,000,000	RDTE,A .....	Joint Precision AirDrop Systems-Wind Profiling Portable Radar.	\$2,300,000
SEC. _____. None of the funds provided in this Act shall be available for Enhanced Driver Situational Awareness.	OP,A .....	Multi-Temperature Refrigerated Container System.	\$3,500,000	RDTE,A .....	Lightweight Metal Alloy Foam for Armor.	\$4,000,000
AMENDMENT NO. 549				RDTE,A .....	Mobile Integrated Diagnostic and Data Analysis.	\$2,000,000
At the end of the bill (before the short title), insert the following:	OP,A .....	Radio Personality Modules for SINGGARS Test Sets.	\$3,000,000	RDTE,A .....	Nanotechnology for Potable Water and Waste Treatment.	\$2,000,000
TITLE X—ADDITIONAL GENERAL PROVISIONS	P,MC .....	Portable Military Radio Communications Test Set.	\$1,500,000	RDTE,A .....	Rapid Response Force Projection Systems.	\$5,000,000
SEC. _____. None of the funds provided in this Act shall be available for Army/Joint STARS Surveillance and Control Data Link Technology Refresh.	PANMC .....	Enhanced Laser Guided Training Round.	\$4,500,000	RDTE,A .....	Reduced Manning Situational Awareness.	\$2,000,000
AMENDMENT NO. 552				RDTE,A .....	Remote Bio-Medical Detector.	\$3,500,000
At the end of the bill (before the short title), insert the following:	RDTE,A .....	Advanced Composite Armor for Force Protection.	\$2,000,000	RDTE,A .....	Universal Control.	\$2,500,000
TITLE X—ADDITIONAL GENERAL PROVISIONS	RDTE,A .....	Advanced Composite Research for Vehicles.	\$5,000,000	RDTE,AF .....	Advanced Modular Avionics for Operationally Responsive Satellite Use.	\$3,100,000
SEC. _____. None of the funds provided in this Act shall be available for the MacDill Air Force Base Online Technology Program.	RDTE,A .....	AN/ALQ 211 Networked EW Controller.	\$1,000,000			
AMENDMENT NO. 553				RDTE,AF .....	Cyber Attack and Security Environment.	\$4,000,000
At the end of the bill (before the short title), insert the following:	RDTE,A .....	Army Vehicle Condition Based Maintenance.	\$5,000,000			
TITLE X—ADDITIONAL GENERAL PROVISIONS						
SEC. _____. None of the funds provided in this Act shall be available for the following projects:						

Account	Project	Amount	Account	Project	Amount	Account	Project	Amount
RDTE,AF .....	Demonstration and Validation of Renewable Energy Technology.	\$1,000,000	RDTE,N .....	Autonomous Anti-Submarine Warfare Vertical Beam Array Sonar.	\$2,000,000	RDTE,N .....	Submarine Navigation Decision Aids.	\$5,000,000
RDTE,AF .....	Long-Loiter, Load Bearing Antenna Platform for Pervasive Airborne Intelligence.	\$5,000,000	RDTE,N .....	Common Command and Control System Module.	\$4,000,000	RDTE,N .....	Wide Area Sensor Force Protection Targeting.	\$2,000,000
RDTE,AF .....	Rivet Joint Services Oriented Architecture.	\$2,500,000	RDTE,N .....	EP-3E Requirements Capability Migration Systems Integration Lab.	\$6,250,000	RDTE,N(MC) ...	Global Supply Chain Management.	\$1,000,000
RDTE,AF .....	Senior Scout Communications Intelligence (COMINT) Capability Upgrade.	\$3,000,000	RDTE,N .....	High Density Power Conversion and Distribution Equipment.	\$1,500,000			
RDTE,DW .....	Gulf Range Mobile Instrumentation Capability.	\$3,000,000	RDTE,N .....	Hybrid Propulsion/Power Generation for Increased Fuel Efficiency for Surface Combatants.	\$2,000,000			
RDTE,DW .....	Hand-held, Lethal Small Unmanned Aircraft System.	\$1,000,000	RDTE,N .....	Integrated Advanced Ship Control.	\$1,500,000			
RDTE,DW .....	Low Cost Stabilized Turret.	\$1,000,000	RDTE,N .....	Integrated Condition Assessment and Reliability Engineering.	\$1,000,000			
RDTE,DW .....	Mosaic Camera Technology Transition.	\$2,000,000	RDTE,N .....	Joint Explosive Ordnance Disposal Diver Situational Awareness System.	\$2,000,000			
RDTE,DW .....	Ultra Low Profile EARS Gunshot Localization System.	\$1,500,000	RDTE,N .....	Joint Tactical Radio System Handheld Manpack Small Form Factor Radio System.	\$4,500,000			
RDTE,DW .....	United States Special Operations Command—USSOCOM / STAR-TEC Partnership Program.	\$2,000,000	RDTE,N .....	Management of Lung Injury by Micro-nutrients.	\$1,500,000			
RDTE,N .....	76mm Swarbuster Capability.	\$2,000,000	RDTE,N .....	Micro-Drive for Future HVAC Systems.	\$600,000			
RDTE,N .....	Advanced Battery System for Military Avionics Power Systems.	\$2,000,000	RDTE,N .....	Military Upset Recovery Training.	\$1,000,000			
RDTE,N .....	Advanced Capability Build 12 and 14.	\$2,000,000	RDTE,N .....	Modular Advanced Vision System.	\$2,000,000			
RDTE,N .....	Advanced Composite Manufacturing for Composite High-Speed Boat Design.	\$2,000,000	RDTE,N .....	Navy Advanced Threat Simulator.	\$2,000,000			
RDTE,N .....	Advanced Manufacturing for Submarine Bow Domes and Rubber Boots.	\$2,000,000	RDTE,N .....	Next Generation Electronic Warfare Simulator.	\$2,000,000			
RDTE,N .....	Air Readiness/Effectiveness Measurement Program.	\$2,000,000	RDTE,N .....	Paragon (Frequency Extension).	\$3,000,000			
RDTE,N .....	AN/SLQ-25D Integration.	\$8,000,000	RDTE,N .....	Persistent Surveillance Wave Powerbuoy System.	\$2,000,000			
			RDTE,N .....	Submarine Fatline Vector Sensor Towed Array.	\$2,000,000			

The Acting CHAIR. Pursuant to House Resolution 685, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. I thank the chairman.

As my colleagues are aware, I submitted 553 amendments to the Rules Committee, each seeking to strike an earmark that was listed by the sponsoring Member as going to a private for-profit earmark—553 amendments. Nearly half of these—I'm sorry. There are 1,102 earmarks representing \$2.7 billion. This is not chump change. This is a lot of money going out the door. I'm sorry. I said 553. 552 are listed as going to for-profit companies. If a dollar amount is attached to these earmarks, it's \$1.3 billion, comprising nearly half of the earmarked dollars in the bill. I simply do not believe, and I think the country agrees, that we should be doing no-bid contracts for private companies.

As much as the Members on the other side of the aisle, and this side aisle, as much of the members of the Appropriations Subcommittee will say that these are going to be competed out, we know that they won't be.

We had testimony from the Comptroller General's office in the Government Reform Committee. He said there is no automated database that provides insight into the extent of competition achieved on congressional earmarks. I have been trying for literally months to get some insight into this process. And we were told, as I mentioned, we were told we do compete these out, but then when I asked them to do a random sample of earmarks in a prior bill, they came back and confessed that with uncanny precision, these earmarks find their way to the intended recipients.

This process will not change because language has been submitted in this bill just saying they must now be competed. If the Members really believe that statement, then they would agree that if the Senate nullifies that language, that they would strike these no-bid contracts and say that the Defense Department should simply make them all open to competition.

□ 1230

But we know that they're not going to do that because the Members here know the Senate is not going to agree to that language. Even if they did, the Defense Department confesses here: There is no way to really track these,

but with uncanny precision, even though they've had a process that they claim subjects these earmarks to open competition, they aren't subjected to open competition. They know that unless they follow the guidelines in these conference reports that they may not get funding next year.

Mr. DICKS. Will the gentleman yield?

Mr. FLAKE. I yield to the gentleman from Washington.

Mr. DICKS. If, in fact, we do wind up competing these projects, which is the intent of our committee, wouldn't the gentleman say that that is a major step forward in correcting his concern, if they were, in fact, competed?

Mr. FLAKE. If they were, in fact, competed, we wouldn't need to earmark them. That's the point. An earmark is a way around competition. We've seen it in other appropriations bills, and it's no different here in defense. You earmark dollars because you want that company, either in your district or out, to be sure to receive that funding. That's why in the certification letters the Members say, This earmark is to go to this recipient at this address.

Mr. DICKS. Will the gentleman yield on that point?

Mr. FLAKE. I yield to the gentleman.

Mr. DICKS. Because, again, the gentleman may not understand the process. It is because that is the company that has made the request of the Member of Congress. The Member of Congress now realizes that it is going to be competed, that it isn't going to necessarily go to that company. I think that is a good reform. I supported it in the Appropriations Committee.

Also, by the way, for the gentleman's knowledge, all of these earmarks, every single earmark, was vetted with the Department of Defense before the committee staff and Members considered those amendments. They were looked at by the Department of Defense.

Mr. FLAKE. Reclaiming my time, I would submit that if it's going to be subjected to competition, there is no reason to name the recipient organization that's to get the earmark.

Mr. DICKS. They're the ones that made the request.

Mr. FLAKE. Excuse me. I have very limited time.

The Acting CHAIR. The gentleman from Arizona controls the time.

Mr. FLAKE. May I inquire as to the time remaining?

The Acting CHAIR. The gentleman from Arizona has 45 seconds remaining.

Mr. FLAKE. As I mentioned, I have very little time. I will say that if we believe in that language, then we would agree that if the Senate nullifies it, then we would take out these no-bid contracts. Would the gentleman agree to that?

Mr. DICKS. I think we ought to fight for that language in conference to do the very best we can to prevail and to keep that language.

Mr. FLAKE. I would submit that the gentleman knows full well that the Senate will not retain that language, that that bill will come back to the House without that language, and that we, unless we take a stand here—and we can with this amendment—and simply strike funding for those, if these companies are great—some of them are, I'm sure—then they'll win these contracts. If they're not, they won't. But the Member won't be earmarking and saying, This money needs to go to this company at this address. That is a no-bid contract. That's what the Member is seeking; and that, unfortunately, is what happens when it gets to the Defense Department.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, I know that the gentleman from Arizona, who is my friend, listened to the comments that I made when I read from the bill earlier and when others have read from the bill. But I don't think he heard. He listened, but he didn't hear. The intent of this legislation is that any money provided here will be competitively bid.

Now I've gone to the Senate in conference many, many times and have returned so frustrated many, many times. I don't know what the Senate will do on this language or anything else in this bill. But I know if I were a Senator and I was being accused on the floor today, I would be really offended by the fact that he is suggesting that the Senate doesn't want competition. I am not prepared to say that. I think the Senators believe in competition, just like the House.

Mr. FLAKE. Will the gentleman yield?

Mr. YOUNG of Florida. No, I won't. If I have the time, I might; but right now I don't have time.

As we participate in this debate, anyone listening might think that Congress is all a bunch of crooks and that American free enterprise is sneaking in the back door to make money and that the Congress and the Department of Defense are at odds all the time. Well, that's not true. Congress is full of good people. The Defense Department secures our Nation. But they don't have all of the knowledge, and they don't have all of the wisdom. Neither does the administration, neither does the Congress. That's why we work together. I think that's one reason that the drafters of the Constitution included article I, section 9 to say how appropriations should be handled. Now maybe you don't like the way the appropriations are handled. People can make that decision in the House every 2 years. Article I, section 9 says very simply, "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law." Now what that means is, Congress appropriates the people's money. The Con-

stitution—read it thoroughly—does not say that Congress can only appropriate money requested by the administration. It does say that the administration can only spend money that has been appropriated by the Congress. Now if you don't like that, offer a constitutional amendment. Amend the Constitution. But somebody's got to be responsible, and the Constitution makes Congress responsible.

I said that the Pentagon is not the fountain of all knowledge. I will give you a couple of examples of where Congress has insisted, over objection on the part of the Pentagon, for certain types of appropriations. With the leadership of Jerry Lewis who was the chairman of the subcommittee at the time, this subcommittee and the Congress insisted that we buy, produce and deploy unmanned aerial vehicles. We call it the Predator; and next to the American soldier on the ground, al Qaeda fears that Predator more than any other weapon that we have. The Pentagon didn't want it. It was not in any budget request. Congress insisted, and it has become one of the most effective weapons that we have in the war against terror in Iraq and in Afghanistan.

Then on another side of it—not taking out the enemy but saving our own people—without any support from the administration, Congress created something we refer to as the Bone Marrow Transplant Program. It is a life-saving program that has saved the lives of thousands of people. The administration didn't like it. They just thought we were wasting our time trying to do it, but we did it anyway. They told us we would never develop probably, maybe 50,000 people willing to donate their bone marrow to save the life of another human being, but we prevailed. Today there are over 7 million people in the registry that we created with an earmark that are saving lives every day not only in America but in many countries around the world. We have relationships with 13 other countries where we exchange patients and exchange bone marrow over the oceans to save people's lives, to give them a chance for life. That was a congressional earmark.

The Acting CHAIR. All time has expired.

The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

It is now in order to consider amendments printed in part C of House Report 111-233.



PART C AMENDMENT NO. 1 OFFERED BY MR. CAMPBELL

Mr. CAMPBELL. Mr. Chairman, I have at the desk Campbell amendment No. 1.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part C amendment No. 1 offered by Mr. CAMPBELL:

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in title II under the heading "Operation and Maintenance, Marine Corps" shall be available for the MGPTS Type III or Rapid Deployable Shelter project, and the amount otherwise provided under such heading is hereby reduced by \$3,000,000.

The Acting CHAIR. Pursuant to House Resolution 685, the gentleman from California (Mr. CAMPBELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CAMPBELL. Mr. Chairman, this amendment would strike the \$3 million earmark for the Rapid Deployable Shelter project, which money would go to Johnson Outdoors Inc. Mr. Chairman, during the debate on the previous earmark, there's been a lot of discussion on all the previous earmarks about how the earmarks say that they are to be competitively bid. I guess the question that I would have is: If, in fact, the earmarks are to be competitively bid, why did the author/sponsor of this earmark send in his certification letter to the ranking member and the chairman of the Appropriations Committee to say, "The entity to receive funding for this project is Johnson Outdoors Inc., 625 Conklin Road, Binghamton, New York, 13903."

So I would ask the question of the sponsor: If these are to be competitively bid, how do you reconcile that with the statement that "the entity to receive funding for this project is"?

Mr. DICKS. Will the gentleman yield?

Mr. CAMPBELL. I yield to the gentleman from Washington.

Mr. DICKS. I think it's a very simple answer. It's the company that made the request. But that doesn't mean that when there is a competition that this funding is going to necessarily go to that company. But if you want the people to certify that they don't have a financial interest, you've got to put down the name of the company that made the request.

Mr. CAMPBELL. If I can reclaim my time, and I understand—the gentleman from Washington and I have discussed this. Frankly, some day I hope—maybe after this, which is the last appropriations bill—we can sit down and see if we can figure something out here. Because this says, "The entity to receive the funding for the project is." If that's not dispositive, I don't know what is.

Mr. DICKS. We might want to change that language to "will compete for the project."

Mr. CAMPBELL. Well, then, don't list the entity. If somebody requested the money, and the expectation is that they're going to get it, then where is the competitive bidding? Shouldn't we just simply say, Here is a project. Here is what it is. There is no name. There is no indication. Let whoever wants to bid for this thing compete for it, and require that there be a minimum of three bidders or the earmark doesn't go out. Because sometimes these things are written to a specific product that perhaps only one company makes.

I understand the gentleman from Washington's point on this, but I hope you understand mine. Mr. Chairman, this is a stain on this House. I don't want to be doing this. We've all got better things to do. There happens to be a recession going on. There are a lot of people out of work. There happens to be a big and legitimate debate about how health care should go forward in this country. We have a lot of things to do. But this has been a stain on this House, these earmarks, particularly the ones on private companies. I don't do any earmarks; and arguably, if I were king, I don't think we should do any in this House at all. I understand the legitimate argument for them, but I absolutely reject any thought or idea that earmarks that go to private entities like this, with a direction to a private entity, are anything but a stain in this House.

Mr. Chairman, there are former Members of this body in jail today because of earmarks to private entities. I wish I could say that there will never be any more, but I don't know that. But the way we won't have any more is if we stop this practice, and we don't do this sort of thing again in the future. This really is about this House and the integrity of this House and the view of the integrity of this House to the outside world, to our constituents, and to the people of the United States.

I would ask a couple of more questions. I am almost out of time. But did the company submit for defense procurement and was turned down, is that why you have this earmark? How did you determine the price, that \$3 million is the right price? And will you, as other Members have, commit that you have not received and will not accept campaign contributions from company executives, employees, shareholders or lobbyists on this entity? Other Members on this floor have made that commitment.

With that, Mr. Chairman, I will yield back the balance of my time.

Mr. HINCHEY. Mr. Chairman, I oppose the amendment.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. HINCHEY. Mr. Chairman, I just want to make it clear that we're dealing with a situation here which is critically important to military personnel both here in the United States and in many places around the world.

□ 1245

I'm sure that the sponsor of this amendment doesn't realize what it's like not to have a roof over your head, but if you're in the military and you're stationed out in places that are difficult and hazardous to deal with, it's important to have these tents.

The particular entity with which we are focusing attention on in this particular earmark to provide these tents is a company that has done so over and over again in the context of bidding—and bidding successfully—for it. The Army and Marine Corps, just as an example, currently have unmet needs for shelters, and those unmet needs are growing.

This year, the tent and shelter industry was informed by the Marine Corps—just by the Marine Corps—of a need of 9,000 tents. Unfortunately, those real priorities are not resulting in production orders. And the main reason they're not resulting in production orders is due to the way in which the Department of Defense has focused on other things and not dealing with this particular aspect of the needs of military personnel in a number of places, here and in a lot of other places which are dangerous around the world, Iraq, Afghanistan, places like that, for example. So without this stop-gap funding for these shelter programs, our troops could literally be without that roof over their head.

The Defense Logistics Agency had stated that the tent and shelter industry is a critical part of the U.S. defense industrial base, and they did that in the context of a report to the Congress. So supporting this amendment by Mr. CAMPBELL will leave the United States military with a smaller, less competitive, and potentially foreign source of this essential material which is needed by our military personnel.

You're dealing with something that is fundamentally essentially important. And in the context of this particular situation, if we didn't deal with it in this particular way, perhaps these manufacturing operations would come from places outside the United States. There are a lot of people here, apparently, who are opposed to many of the things that we're doing, who are not opposed to having manufacturing activities in other parts of the world and not here.

So this is what we are intending to do, to make sure that the military gets the security, the safety that they need and, at the same time, to ensure in every way that we can that the manufacturing process is done here in the United States so that these jobs are going to be an important part of our dealing with this economic recession, which was put forward over the course of the previous 8 years and is now something that we are dealing with effectively.

So if you're opposed to this earmark, it really doesn't make any sense. If you're opposed to the amendment, that makes perfect sense. And that is exactly what we're doing, for all of the

good reasons that I have stipulated, and that's why this amendment should remain as an important part of this absolutely essential piece of legislation.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. CAMPBELL).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. CAMPBELL. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

PART C AMENDMENT NO. 8 OFFERED BY MR. CAMPBELL

Mr. CAMPBELL. Mr. Chairman, I have amendment No. 8 at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part C amendment No. 8 offered by Mr. CAMPBELL:

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_\_. None of the funds provided in title IV under the heading "Research, Development, Test and Evaluation, Army" shall be available for the Model for Green Laboratories and Clean Rooms project, and the amount otherwise provided under such heading is hereby reduced by \$1,500,000.

The Acting CHAIR. Pursuant to House Resolution 685, the gentleman from California (Mr. CAMPBELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CAMPBELL. Mr. Chairman, first, before I discuss this amendment, I would like to make a comment relative to the gentleman from New York's defense of his earmark before.

If, in fact, these shelters are necessary—and I'm not going to dispute that point with the gentleman, they may in fact be—then why do we not have a designation that the Defense Department shall procure 9,000, 90,000, whatever it is, items of shelter, and they should procure them from a U.S.-based source, and they should do it under competitive bidding and get at least three bids and pick that which is deemed to be the highest quality and the lowest cost? Wouldn't that be an appropriate way to do this?

And that's what I am saying, and I think the gentleman from Arizona before me is saying. We are not here—and certainly I am not here—to say that it is not Congress' right to appropriate funds. It is, in fact, the right, as you have all pointed out, as enumerated in the Constitution. However, there is a right way to do that and there is a wrong way to do that. And with these 552 no-bid, going-to-private-companies

earmarks, amounting to \$1.3 billion, which if the 18 minutes of debate in committee were spent entirely on the earmarks means that each earmark received 2 seconds of debate, this is not the proper way to do it.

This particular earmark, Mr. Chairman, would strike \$1.5 million designated for the Green Laboratories and Clean Rooms project and would reduce the overall funding of the bill by an equivalent amount, and this money is intended to go to Amethyst Technologies. And again, as we have discussed, if this is competitively bid, why does the sponsor's letter, which I have here, of certification of this earmark say, and I quote, "The contact name and address is Ms. Kimberly Brown, President, Amethyst Technologies, 1450 South Rolling Road, Suite 2041, Baltimore, Maryland, 21227?"

Mr. Chairman, again I would ask—and I don't think I see the author of the earmark—but let me ask someone over there, whoever is going to deal with this, why, again, is only one company listed if it is to be competitively bid?

If there is no response to that, then I guess I would ask, did this company submit this to the Defense Department for procurement? Did this company even try to go to the Defense Department and make their case with those in the military whose job it is to determine what is best for the military?

Mr. TAYLOR. Would the gentleman yield?

Mr. CAMPBELL. I will yield, yes.

Mr. TAYLOR. I want to thank the gentleman. You ask a great question. The reason is, in the 6 years that he was Secretary of Defense, Don Rumsfeld decimated the defense acquisition community, fired tens of thousands of people who would have drawn those drafts and would have put it out for bid. We are trying to reconstitute that community right now.

Mr. CAMPBELL. Reclaiming my time, Donald Rumsfeld is no longer Secretary of Defense, has not been for some time, and there is a different President. We are dealing with appropriations for a fiscal year that begins later this year and goes into 2010.

Look, if you think this is necessary, just don't say it's for this company, that it's \$1.5 million. Because another question I would have is, how do you determine the \$1.5 million is the right price? What are you getting for \$1.5 million, and how do you know you couldn't get the same thing somewhere else for half that?

And I will yield.

Mr. TAYLOR. You are exactly right. Because of the lack of trained professionals, there really isn't anyone in the DOD anymore who can say what something should cost. You don't learn that overnight. Now, we are trying to reconstitute that—

Mr. CAMPBELL. Just reclaiming my time, I'm happy to exchange, but if there's nobody, then isn't that something the Armed Services Committee should be dealing with?

And I would yield.

Mr. TAYLOR. And we are dealing with it.

The other part is, on those major programs, starting with the big ones, whenever we buy something here going forward, we are demanding that when we buy something, we own the technical data package, that from now on we will own the specifications so that—

Mr. CAMPBELL. Reclaiming my time—

Mr. TAYLOR. If we think the contractor is not being fair with us, we can put it out for bid for someone else.

Mr. CAMPBELL. Reclaiming my time, could I inquire as to how much time I have remaining, Mr. Chairman?

The Acting CHAIR. The gentleman from California has 30 seconds remaining.

Mr. CAMPBELL. I am going to reserve the balance of my time, and I would ask that the gentleman please continue his argument on his time.

Mr. MURTHA. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MURTHA. I reserve my time.

Mr. CAMPBELL. Mr. Chairman, one other question, one that didn't get answered on the last earmark, and I will ask it again on this particular earmark. I understand the sponsor is not here, but will the sponsor commit, as other people have done on this floor, that he has not received and will not accept campaign contributions from the company, its executives, its stockholders, employees, or lobbyists, or other people who can benefit directly from the earmark? Because, Mr. Chairman, if people won't do that, then as the gentleman from Arizona and others have suggested, that is where, perhaps, we can get in deeper trouble on these sorts of things in the future.

Mr. Chairman, I ask for an "aye" vote.

I yield back the balance of my time.

Mr. MURTHA. Mr. Chairman, let me read the policy of the committee. The full committee just brought me the policy which answers the gentleman's question.

Under the policies adopted by the great Appropriations Committee, "The use of Member earmarks awarded to for-profit entities as a functional equivalent of no-bid contracts is ended.

"In cases where the committee funds an earmark designated for a for-profit entity, the committee includes legislative language requiring the executive branch to nonetheless issue a request for proposal that gives other entities an opportunity to apply and requires the agency to evaluate all bids received and make a decision based on merit. The legislative language included in the bills requires 'full and open competition.'

"This gives the original designee an opportunity to be brought to the attention of the agency, but with the possibility that an alternative entity may be selected."

Now, let me read to the gentleman, Mr. Chairman: "With respect to the list of specific programs, projects and activities contained in the tables entitled 'Explanation of Project Level Adjustments' in the Report of the Committee on Appropriations of the House of Representatives, those which are considered congressional earmarks for purposes of Rule XXI"—this is on page 113 of the bill—"when awarded to a for-profit entity, shall be awarded under full and open competition."

In this particular case, they strike \$1.5 million from hospital maintenance and so forth. Nobody, there is no committee in the Congress—the authorizing committees work on different things. We work on making sure that the medical facilities are clean, making sure that they are taken care of. And Mr. BISHOP offers an amendment which wants to make sure that the funding would provide for development, renovation, maintenance, to test the environmental sustainable laboratories, hospitals, and clean rooms for drug development.

I ask for a "no" vote.

I yield to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR. Again, I would remind the gentleman; the gentleman makes the point that we have had a new administration for 6 months. Don Rumsfeld, the guy who said he knew the Iraqis had weapons of mass destruction and he knew they were going to use them, decimated the acquisition force. Unless you own the specs, you can't put it out for competition. We are in the process, in the Armed Services Committee, of getting the specifications of everything we buy from here on out—something Rumsfeld never did—so that we can have the kind of competition that the gentleman seeks. We are in the process of doing so, starting with the Littoral Combat Ship.

If the gentleman has a question, I would be more than happy to answer it. Mr. CAMPBELL. Would the gentleman yield?

Mr. TAYLOR. Sure.

Mr. CAMPBELL. Does the gentleman see a problem with doing these in the future without a company name?

Mr. TAYLOR. Again, there will be times when someone who has invented something comes to Congress and says, I have something that is bigger, faster, smaller, faster—whatever the deal is. And if that person says, and by the way, I own the unique rights to this, do you want to buy it from me or not? That first time it makes sense for the Nation to buy it. It also makes sense for the Nation to say, from here on out, when we buy your product, we are buying the specifications with it so we can get it from somebody else in the future.

Mr. CAMPBELL. Will the gentleman yield?

Mr. TAYLOR. Sure.

Mr. MURTHA. Mr. Chairman, I yield back the balance of my time and ask for a "no" vote.

The Acting CHAIR. The gentleman from Pennsylvania controls the time and he has yielded back his time.

The question is on the amendment offered by the gentleman from California (Mr. CAMPBELL).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CAMPBELL. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

#### ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 111-233 on which further proceedings were postponed, in the following order:

Amendment No. 1 printed in part A by Mr. MURTHA of Pennsylvania.

Amendment No. 3 printed in part A by Mr. FLAKE of Arizona.

Amendment No. 5 printed in part A by Mr. TIERNEY of Massachusetts.

Amendment No. 1 printed in part B by Mr. FLAKE of Arizona.

Amendment No. 258 printed in part B by Mr. FLAKE of Arizona.

Amendment No. 389 printed in part B by Mr. FLAKE of Arizona.

Amendment No. 432 printed in part B by Mr. FLAKE of Arizona.

Amendment No. 439 printed in part B by Mr. FLAKE of Arizona.

Amendment No. 449 printed in part B by Mr. FLAKE of Arizona.

Amendment No. 553 printed in part B by Mr. FLAKE of Arizona.

Amendments en bloc by Mr. FLAKE of Arizona.

Amendment No. 1 printed in part C by Mr. CAMPBELL of California.

Amendment No. 8 printed in part C by Mr. CAMPBELL of California.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

□ 1300

#### PART A AMENDMENT NO. 1 OFFERED BY MR. MURTHA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. MURTHA) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 269, noes 165, not voting 5, as follows:

[Roll No. 661]

#### AYES—269

Abercrombie	Gordon (TN)	Nye
Ackerman	Grayson	Oberstar
Altmire	Green, Al	Obey
Andrews	Green, Gene	Olver
Arcuri	Griffith	Ortiz
Baca	Grijalva	Pallone
Baird	Gutierrez	Pascarell
Baldwin	Halvorson	Pastor (AZ)
Barrow	Hare	Paul
Bean	Harman	Paulsen
Becerra	Hastings (FL)	Payne
Berkley	Heinrich	Perlmutter
Berman	Hensarling	Perriello
Berry	Herseth Sandlin	Peters
Bishop (GA)	Higgins	Peterson
Bishop (NY)	Hill	Petri
Bocciari	Himes	Pierluisi
Bordallo	Hinchey	Pingree (ME)
Boren	Hinojosa	Polis (CO)
Boswell	Hirono	Pomeroy
Boucher	Hodes	Price (NC)
Boyd	Holden	Quigley
Brady (PA)	Holt	Rahall
Braley (IA)	Honda	Rangel
Brown, Corrine	Hoyer	Reyes
Butterfield	Inslee	Richardson
Camp	Israel	Rodriguez
Campbell	Jackson (IL)	Rohrabacher
Capps	Jackson-Lee	Ross
Capuano	(TX)	Rothman (NJ)
Cardoza	Johnson (GA)	Roybal-Allard
Carnahan	Johnson (IL)	Ruppersberger
Carney	Johnson, E.B.	Rush
Carson (IN)	Jones	Ryan (OH)
Castle	Kagen	Ryan (WI)
Castor (FL)	Kanjorski	Sablan
Chandler	Kaptur	Salazar
Childers	Kennedy	Sánchez, Linda
Christensen	Kildee	T.
Chu	Kilpatrick (MI)	Sanchez, Loretta
Clarke	Kilroy	Sarbanes
Clay	Kind	Schakowsky
Cleaver	Kirkpatrick (AZ)	Schauer
Clyburn	Kissell	Schiff
Cohen	Klein (FL)	Schrader
Connolly (VA)	Kratovil	Scott (GA)
Conyers	Langevin	Scott (VA)
Cooper	Larsen (WA)	Sensenbrenner
Costa	Larson (CT)	Serrano
Costello	Levin	Sestak
Courtney	Lipinski	Shea-Porter
Crowley	Loebach	Sherman
Cuellar	Lofgren, Zoe	Shuler
Cummings	Lowe	Sires
Dahlkemper	Lujan	Skelton
Davis (AL)	Lynch	Slaughter
Davis (CA)	Maffei	Smith (WA)
Davis (IL)	Maloney	Snyder
Davis (TN)	Markey (CO)	Space
DeFazio	Markey (MA)	Speier
DeGette	Massa	Spratt
Delahunt	Matheson	Stearns
DeLauro	Matsui	Stupak
Dent	McCollum	Sutton
Dicks	McCotter	Tanner
Dingell	McDermott	Taylor
Doggett	McGovern	Thompson (CA)
Donnelly (IN)	McHugh	Thompson (MS)
Doyle	McIntyre	Tierney
Driehaus	McMahon	Titus
Duncan	McNerney	Tonko
Edwards (MD)	Meek (FL)	Towns
Edwards (TX)	Meeks (NY)	Tsongas
Ehlers	Melancon	Turner
Ellison	Michaud	Upton
Ellsworth	Miller (MI)	Van Hollen
Emerson	Miller (NC)	Visclosky
Engel	Miller, George	Walz
Eshoo	Mitchell	Wasserman
Etheridge	Mollohan	Schultz
Faleomavaega	Moore (KS)	Waters
Farr	Moore (WI)	Watson
Filner	Moran (VA)	Watt
Flake	Murphy (CT)	Waxman
Foster	Murphy (NY)	Weiner
Frank (MA)	Murphy, Patrick	Welch
Fudge	Murphy, Tim	Wexler
Garrett (NJ)	Murtha	Wilson (OH)
Gerlach	Nadler (NY)	Wu
Giffords	Napolitano	Yarmuth
Gonzalez	Neal (MA)	

#### NOES—165

Aderholt	Alexander	Bachus
Adler (NJ)	Austria	Barrett (SC)
Akin	Bachmann	Bartlett

Barton (TX)	Graves	Myrick
Biggert	Guthrie	Neugebauer
Bilbray	Hall (TX)	Nunes
Bilirakis	Harper	Olson
Bishop (UT)	Hastings (WA)	Pence
Blackburn	Heller	Pitts
Blumenauer	Hoyer	Platts
Blunt	Hoekstra	Poe (TX)
Boehner	Hunter	Posey
Bonner	Inglis	Price (GA)
Bono Mack	Issa	Putnam
Boozman	Jenkins	Radanovich
Boustany	Johnson, Sam	Rehberg
Brady (TX)	Jordan (OH)	Reichert
Bright	King (IA)	Roe (TN)
Broun (GA)	King (NY)	Rogers (AL)
Brown (SC)	Kingston	Rogers (KY)
Brown-Waite,	Kirk	Rogers (MI)
Ginny	Kline (MN)	Rooney
Buchanan	Kosmas	Ros-Lehtinen
Burgess	Kucinich	Roskam
Burton (IN)	Lamborn	Royce
Buyer	Lance	Scalise
Calvert	Latham	Schmidt
Cantor	LaTourette	Schock
Cao	Latta	Sessions
Capito	Lee (CA)	Shadegg
Carter	Lee (NY)	Shimkus
Cassidy	Lewis (CA)	Shuster
Chaffetz	Lewis (GA)	Simpson
Coble	Linder	Smith (NE)
Coffman (CO)	LoBiondo	Smith (NJ)
Cole	Lucas	Smith (TX)
Conaway	Luetkemeyer	Souder
Crenshaw	Lummis	Stark
Culberson	Lungren, Daniel	Sullivan
Davis (KY)	E.	Teague
Deal (GA)	Mack	Terry
Diaz-Balart, L.	Manzullo	Thompson (PA)
Diaz-Balart, M.	Marchant	Thornberry
Dreier	Marshall	Tiahrt
Fallin	McCarthy (CA)	Tiberi
Fleming	McCaul	Velázquez
Forbes	McClintock	Walden
Fortenberry	McHenry	Wamp
Fox	McKeon	Westmoreland
Franks (AZ)	McMorris	Whitfield
Frelinghuysen	Rodgers	Wilson (SC)
Gallegly	Mica	Wittman
Gingrey (GA)	Miller (FL)	Wolf
Gohmert	Miller, Gary	Woolsey
Goodlatte	Minnick	Young (AK)
Granger	Moran (KS)	Young (FL)

## NOT VOTING—5

Fattah	McCarthy (NY)	Schwartz
Hall (NY)	Norton	

□ 1324

Ms. LEE of California, Ms. KOSMAS and Messrs. GOHMERT and KUCINICH changed their vote from “aye” to “no.”

Ms. EDWARDS of Maryland and Mr. ROHRBACHER changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Ms. SCHWARTZ. Mr. Chair, on rollcall No. 661, had I been present, I would have voted “yea.”

Ms. NORTON. Mr. Chair, on rollcall No. 661, had I been present, I would have voted “aye.”

Stated against:

Mr. TURNER. Mr. Chair, on rollcall No. 661, inadvertently voted “aye”, intending to vote “no.”

## PARLIAMENTARY INQUIRY

Mr. JACKSON of Illinois. Mr. Chairman, I have a parliamentary inquiry.

The Acting CHAIR. The gentleman will state his parliamentary inquiry.

Mr. JACKSON of Illinois. Mr. Chairman, are these 2-minute votes or 5-minute votes, the series?

The Acting CHAIR. The remaining votes in this series are 2-minute votes.

## PART A AMENDMENT NO. 3 OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 48, noes 373, not voting 18, as follows:

[Roll No. 662]

## AYES—48

Bachmann	Foxx	Minnick
Bachus	Garrett (NJ)	Moran (KS)
Barrett (SC)	Halvorson	Myrick
Bartlett	Hensarling	Paul
Boustany	Herger	Petri
Burton (IN)	Inglis	Pitts
Campbell	Jenkins	Price (GA)
Cantor	Kind	Rohrabacher
Cassidy	Kline (MN)	Royce
Castle	Lamborn	Ryan (WI)
Coble	Linder	Scalise
Cooper	Lummis	Schmidt
Deal (GA)	Marchant	Sensenbrenner
Duncan	McClintock	Stark
Flake	McHenry	Westmoreland
Foster	Miller (FL)	Wilson (SC)

## NOES—373

Abercrombie	Calvert	Dingell
Ackerman	Camp	Doggett
Aderholt	Cao	Donnelly (IN)
Akin	Capito	Doyle
Alexander	Capps	Dreier
Altmire	Capuano	Driehaus
Andrews	Cardoza	Edwards (MD)
Arcuri	Carnahan	Edwards (TX)
Austria	Ehlers	Ehlers
Baca	Carson (IN)	Ellison
Baird	Carter	Ellsworth
Baldwin	Castor (FL)	Emerson
Barrow	Chaffetz	Engel
Barton (TX)	Chandler	Eshoo
Bean	Childers	Etheridge
Becerra	Christensen	Faleomavaega
Berman	Chu	Fallin
Berry	Clarke	Farr
Biggert	Clay	Fattah
Bilbray	Cleaver	Filner
Bilirakis	Clyburn	Fleming
Coffman (CO)	Cohen	Forbes
Bishop (UT)	Cole	Fortenberry
Blackburn	Conaway	Frank (MA)
Blumenauer	Connolly (VA)	Franks (AZ)
Blunt	Conyers	Frelinghuysen
Boccieri	Costa	Fudge
Boehner	Costello	Gallegly
Bonner	Courtney	Gerlach
Bono Mack	Crenshaw	Giffords
Boozman	Crowley	Gingrey (GA)
Bordallo	Cuellar	Gonzalez
Boren	Culberson	Goodlatte
Boswell	Cummings	Goodlatte
Boucher	Dahlkemper	Gordon (TN)
Boyd	Davis (AL)	Granger
Brady (PA)	Davis (CA)	Graves
Brady (TX)	Davis (IL)	Grayson
Braley (IA)	Davis (KY)	Green, Al
Bright	Davis (TN)	Green, Gene
Brown (SC)	DeFazio	Griffith
Brown, Corrine	DeGette	Grijalva
Brown-Waite,	Delahunt	Guthrie
Ginny	DeLauro	Gutierrez
Buchanan	Dent	Hall (TX)
Burgess	Diaz-Balart, L.	Hare
Butterfield	Diaz-Balart, M.	Harman
Buyer	Dicks	Harper
		Hastings (FL)
		Hastings (WA)

Heinrich	McHugh	Sánchez, Linda
Heller	McIntyre	T.
Hereth Sandlin	McKeon	Sanchez, Loretta
Higgins	McMahon	Sarbanes
Hill	McMorris	Schakowsky
Himes	Rodgers	Schauer
Hinojosa	McNerney	Schiff
Hirono	Meek (FL)	Schock
Hodes	Meeks (NY)	Schrader
Hoekstra	Melancon	Schwartz
Holden	Mica	Scott (GA)
Holt	Michaud	Scott (VA)
Honda	Miller (MI)	Serrano
Hoyer	Miller (NC)	Sessions
Hunter	Miller, Gary	Sestak
Inslee	Miller, George	Shea-Porter
Issa	Mitchell	Sherman
Jackson (IL)	Moore (KS)	Shimkus
Jackson-Lee	Moore (WI)	Shuler
(TX)	Moran (VA)	Shuster
Johnson (GA)	Murphy (CT)	Simpson
Johnson (IL)	Murphy (NY)	Sires
Johnson, E. B.	Murphy, Patrick	Skelton
Johnson, Sam	Murtha	Slaughter
Jones	Nadler (NY)	Smith (NJ)
Jordan (OH)	Napolitano	Smith (TX)
Kagen	Neal (MA)	Smith (WA)
Kanjorski	Neugebauer	Snyder
Kaptur	Norton	Souder
Kennedy	Nunes	Space
Kildee	Nye	Speier
Kilpatrick (MI)	Oberstar	Spratt
Kilroy	Obey	Stearns
King (IA)	Olson	Stupak
King (NY)	Ortiz	Sullivan
Kirk	Pallone	Sutton
Kirkpatrick (AZ)	Pascarell	Tanner
Kissell	Pastor (AZ)	Taylor
Klein (FL)	Paulsen	Teague
Kosmas	Payne	Terry
Kratovil	Perlmutter	Thompson (CA)
Kucinich	Perriello	Thompson (MS)
Lance	Peters	Thompson (PA)
Langevin	Peterson	Thornberry
Larsen (WA)	Pierluisi	Tiahrt
Larson (CT)	Pingree (ME)	Tiberi
Latham	Platts	Tierney
LaTourette	Poe (TX)	Titus
Latta	Polis (CO)	Tonko
Lee (CA)	Pomeroy	Towns
Lee (NY)	Posey	Tsongas
Levin	Price (NC)	Turner
Lewis (CA)	Putnam	Upton
Lewis (GA)	Quigley	Van Hollen
LoBiondo	Radanovich	Velázquez
Loeb sack	Rahall	Visclosky
Lofgren, Zoe	Rangel	Walden
Lucas	Rehberg	Walz
Luetkemeyer	Reichert	Wamp
Lujan	Reyes	Wasserman
Lungren, Daniel	Richardson	Schultz
E.	Rodriguez	Waters
Lynch	Roe (TN)	Watson
Mack	Rogers (AL)	Watt
Maffei	Rogers (KY)	Waxman
Maloney	Rogers (MI)	Weiner
Manzullo	Rooney	Welch
Markey (CO)	Ros-Lehtinen	Wexler
Markey (MA)	Roskam	Whitfield
Marshall	Ross	Wilson (OH)
Massa	Rothman (NJ)	Wittman
Matheson	Roybal-Allard	Wolf
Matsui	Ruppersberger	Woolsey
McCarthy (CA)	Rush	Wu
McCaul	Ryan (OH)	Yarmuth
McCollum	Sablan	Young (AK)
McCotter	Salazar	Young (FL)
McGovern		

## NOT VOTING—18

Berkley	Israel	Mollohan
Bishop (GA)	Kingston	Murphy, Tim
Broun (GA)	Lipinski	Olver
Gohmert	Lowe	Pence
Hall (NY)	McCarthy (NY)	Shadegg
Hinche	McDermott	Smith (NE)

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
One minute remains in this vote.

□ 1328

So the amendment was rejected.  
The result of the vote was announced as above recorded.

Stated against:  
Mr. TIM MURPHY of Pennsylvania. Mr. Chair, on rollcall No. 662 I was unavoidably

detained. Had I been present, I would have voted “no.”

Mr. SMITH of Nebraska. Mr. Chair, on rollcall No. 662 I was unavoidably detained. Had I been present, I would have voted “no.”

PART A AMENDMENT NO. 5 OFFERED BY MR.

TIERNEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. TIERNEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 124, noes 307, not voting 8, as follows:

[Roll No. 663]

AYES—124

Arcuri	Hoekstra	Perriello
Baldwin	Holt	Peters
Berman	Honda	Petri
Biggert	Hoyer	Pierluisi
Bishop (NY)	Inslee	Pingree (ME)
Blumenauer	Israel	Polis (CO)
Bordallo	Jenkins	Pomeroy
Boswell	Johnson (GA)	Price (NC)
Braley (IA)	Johnson (IL)	Quigley
Bright	Kagen	Roybal-Allard
Brown-Waite,	Kaptur	Sánchez, Linda
Ginny	Kilroy	T.
Capps	Kind	Sanchez, Loretta
Capuano	Langevin	Sarbanes
Carnahan	Larsen (WA)	Schakowsky
Castle	Lee (CA)	Schauer
Castor (FL)	Levin	Schiff
Chu	Lewis (GA)	Sensenbrenner
Coble	Loeb	Serrano
Crowley	Lofgren, Zoe	Sestak
Davis (CA)	Lynch	Shea-Porter
DeFazio	Maffei	Sherman
Delahunt	Markey (MA)	Skelton
Doggett	Matheson	Slaughter
Duncan	Matsui	Speier
Edwards (MD)	McCollum	Spratt
Ehlers	McGovern	Stark
Ellsworth	Michaud	Sutton
Eshoo	Miller (NC)	Thompson (CA)
Farr	Miller, George	Tierney
Filner	Mitchell	Tonko
Foster	Moore (WI)	Tsongas
Frank (MA)	Moran (VA)	Van Hollen
Goodlatte	Murphy (NY)	Velázquez
Gordon (TN)	Murphy, Patrick	Visclosky
Grijalva	Nadler (NY)	Walden
Gutierrez	Neal (MA)	Watt
Halvorson	Oberstar	Waxman
Hare	Obey	Weiner
Heinrich	Olver	Welch
Himes	Paul	Wu
Hodes	Payne	Yarmuth

NOES—307

Abercrombie	Bean	Boustany
Ackerman	Becerra	Boyd
Aderholt	Berkley	Brady (PA)
Adler (NJ)	Berry	Brady (TX)
Akin	Bilbray	Broun (GA)
Alexander	Bilirakis	Brown (SC)
Altmire	Bishop (GA)	Brown, Corrine
Andrews	Bishop (UT)	Buchanan
Austria	Blackburn	Burgess
Baca	Blunt	Burton (IN)
Bachmann	Bocchieri	Butterfield
Bachus	Boehner	Buyer
Baird	Bonner	Calvert
Barrett (SC)	Bono Mack	Camp
Barrow	Boozman	Campbell
Bartlett	Boren	Cantor
Barton (TX)	Boucher	Cao

Capito	Holden	Pastor (AZ)
Cardoza	Hunter	Paulsen
Carney	Inglis	Pence
Carson (IN)	Issa	Perlmutter
Carter	Jackson (IL)	Peterson
Cassidy	Jackson-Lee	Pitts
Chaffetz	(TX)	Platts
Chandler	Johnson, E. B.	Poe (TX)
Childers	Johnson, Sam	Posey
Christensen	Jones	Price (GA)
Clarke	Jordan (OH)	Putnam
Clay	Kanjorski	Radanovich
Cleaver	Kennedy	Rahall
Clyburn	Kildee	Rangel
Coffman (CO)	Kilpatrick (MI)	Rehberg
Cohen	King (IA)	Reichert
Conaway	King (NY)	Reyes
Connolly (VA)	Kingston	Richardson
Conyers	Kirk	Roe (TN)
Cooper	Kirkpatrick (AZ)	Rogers (AL)
Costa	Kissell	Rogers (KY)
Costello	Kline (MN)	Rogers (MI)
Courtney	Kosmas	Rohrabacher
Crenshaw	Kratovil	Rooney
Cuellar	Kucinich	Ros-Lehtinen
Culberson	Lamborn	Roskam
Cummings	Lance	Ross
Dahlkemper	Larson (CT)	Rothman (NJ)
Davis (AL)	Latham	Royce
Davis (IL)	LaTourette	Ruppersberger
Davis (KY)	Latta	Ryan (OH)
Davis (TN)	Lee (NY)	Ryan (WI)
Deal (GA)	Lewis (CA)	Sablan
DeGette	Linder	Salazar
DeLauro	Lipinski	Scalise
Dent	LoBiondo	Schmidt
Diaz-Balart, L.	Lowe	Schock
Diaz-Balart, M.	Lucas	Schrader
Dicks	Luetkemeyer	Schwartz
Dingell	Luján	Scott (GA)
Donnelly (IN)	Lummis	Scott (VA)
Doyle	Lungren, Daniel	Sessions
Dreier	E.	Shadegg
Driehaus	Mack	Shimkus
Edwards (TX)	Maloney	Shuler
Ellison	Manzullo	Shuster
Emerson	Marchant	Simpson
Engel	Markey (CO)	Sires
Etheridge	Marshall	Smith (NE)
Faleomavaega	Massa	Smith (NJ)
Fallin	McCarthy (CA)	Smith (TX)
Fattah	McCaul	Smith (WA)
Flake	McClintock	Snyder
Fleming	McCotter	Souder
Forbes	McDermott	Space
Fortenberry	McHenry	Stearns
Fox	McHugh	Stupak
Franks (AZ)	McIntyre	Sullivan
Frelinghuysen	McKeon	Tanner
Fudge	McMahon	Taylor
Galleghy	McMorris	Teague
Garrett (NJ)	Rodgers	Terry
Gerlach	McNerney	Thompson (MS)
Giffords	Meek (FL)	Thompson (PA)
Gingrey (GA)	Meeks (NY)	Thornberry
Gohmert	Melancon	Tiahrt
Gonzalez	Mica	Tiberi
Granger	Miller (FL)	Titus
Graves	Miller (MI)	Towns
Grayson	Miller, Gary	Turner
Green, Al	Minnick	Upton
Griffith	Mollohan	Walz
Guthrie	Moore (KS)	Wamp
Hall (TX)	Moran (KS)	Wasserman
Harman	Murphy (CT)	Schultz
Harper	Murphy, Tim	Waters
Hastings (FL)	Murtha	Westmoreland
Hastings (WA)	Myrick	Wexler
Heller	Napolitano	Whitfield
Hensarling	Neugebauer	Wilson (OH)
Herger	Norton	Wilson (SC)
Herseth Sandlin	Nunes	Wittman
Higgins	Nye	Wolf
Hill	Olson	Young (AK)
Hinchey	Ortiz	Young (FL)
Hinojosa	Pallone	
Hirono	Pascrell	

NOT VOTING—8

Cole	Klein (FL)	Rush
Green, Gene	McCarthy (NY)	Woolsey
Hall (NY)	Rodriguez	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1332

Mrs. MALONEY changed her vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. ELLISON. Mr. Chair, during rollcall vote No. 663 on H.R. 3326, I mistakenly recorded my vote as “no” when I should have voted “aye.”

I ask unanimous consent that my statement appear in the RECORD immediately following rollcall vote No. 663.

Stated against:

Mr. KLEIN of Florida. Mr. Chair. Today, July 30, 2009, I was unavoidably detained on rollcall No. 663.

Had I voted, I would have voted “no” on rollcall No. 663.

PART B AMENDMENT NO. 1 OFFERED BY MR.

FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 77, noes 347, answered “present” 10, not voting 5, as follows:

[Roll No. 664]

AYES—77

Bachmann	Graves	Nunes
Barton (TX)	Halvorson	Paul
Blackburn	Heller	Paulsen
Blumenauer	Hensarling	Pence
Boehner	Herger	Petri
Boustany	Hoekstra	Pitts
Broun (GA)	Inglis	Price (GA)
Burton (IN)	Issa	Roe (TN)
Campbell	Jenkins	Rohrabacher
Cantor	Johnson (IL)	Roskam
Cassidy	Jordan (OH)	Royce
Castle	Kind	Ryan (WI)
Chaffetz	Kirk	Scalise
Coble	Kirkpatrick (AZ)	Schmidt
Cooper	Kline (MN)	Sensenbrenner
Deal (GA)	Lamborn	Sessions
Duncan	Linder	Shadegg
Ehlers	Lummis	Shimkus
Flake	Manzullo	Smith (NE)
Forbes	Marchant	Speier
Foster	McCaul	Stark
Fox	McClintock	Stearns
Galleghy	McHenry	Wamp
Garrett (NJ)	Minnick	Westmoreland
Gohmert	Moran (KS)	Wittman
Goodlatte	Myrick	

NOES—347

Abercrombie	Baird	Bishop (GA)
Ackerman	Baldwin	Bishop (NY)
Aderholt	Barrow	Bishop (UT)
Adler (NJ)	Bartlett	Blunt
Akin	Bean	Bocchieri
Alexander	Becerra	Bono Mack
Altmire	Berkley	Boozman
Andrews	Berman	Bordallo
Arcuri	Berry	Boren
Austria	Biggert	Boswell
Baca	Bilbray	Boucher
Bachus	Bilirakis	Boyd

Brady (PA)	Hill	Neal (MA)	Visclosky	Watt	Wolf	Boyd	Hastings (FL)	Murphy, Tim
Brady (TX)	Himes	Neugebauer	Walden	Waxman	Woolsey	Brady (PA)	Hastings (WA)	Murtha
Braley (IA)	Hinchey	Norton	Walz	Weiner	Wu	Brady (TX)	Heinrich	Myrick
Bright	Hinojosa	Nye	Wasserman	Wexler	Yarmuth	Braley (IA)	Herseht Sandlin	Nadler (NY)
Brown (SC)	Hirono	Oberstar	Schultz	Whitfield	Young (AK)	Bright	Higgins	Napolitano
Brown, Corrine	Hodes	Obey	Waters	Wilson (OH)	Young (FL)	Brown (SC)	Hill	Neal (MA)
Brown-Waite,	Holden	Olson	Watson	Wilson (SC)		Brown, Corrine	Himes	Neugebauer
Ginny	Holt	Oliver				Brown-Waite,	Hinchey	Norton
Burgess	Honda	Ortiz				Ginny	Hinojosa	Nunes
Buyer	Hoyer	Pallone	Barrett (SC)	Chandler	Lofgren, Zoe	Buchanan	Hodes	Nye
Calvert	Hunter	Pascarell	Bonner	Conaway	Welch	Burgess	Holden	Oberstar
Camp	Inslee	Pastor (AZ)	Butterfield	Dent		Burton (IN)	Holt	Obey
Cao	Israel	Payne	Castor (FL)	Harper		Buyer	Honda	Olson
Capito	Jackson (IL)	Perlmutter				Calvert	Hoyer	Ortiz
Capps	Jackson-Lee	Perriello				Camp	Hunter	Pallone
Capuano	(TX)	Peters				Cantor	Inslee	Pascarell
Cardoza	Johnson (GA)	Peterson	Buchanan	Hall (NY)	McCarthy (NY)	Cao	Israel	Pastor (AZ)
Carnahan	Johnson, E. B.	Pierluisi	Edwards (TX)	Maloney		Capito	Jackson (IL)	Paul
Carney	Johnson, Sam	Pingree (ME)				Capps	Jackson-Lee	Paulsen
Carson (IN)	Jones	Platts				Capuano	(TX)	Payne
Carter	Kagen	Poe (TX)				Cardoza	Johnson, Sam	Perlmutter
Childers	Kanjorski	Polis (CO)				Carnahan	Jones	Perriello
Christensen	Kaptur	Pomeroy				Carney	Kagen	Peters
Chu	Kennedy	Posey				Carson (IN)	Kanjorski	Peterson
Clarke	Kildee	Price (NC)				Carter	Kaptur	Pierluisi
Clay	Kilpatrick (MI)	Putnam				Castle	Kennedy	Pingree (ME)
Cleaver	Kilroy	Quigley				Childers	Kildee	Platts
Clyburn	King (IA)	Radanovich				Christensen	Kilpatrick (MI)	Poe (TX)
Coffman (CO)	King (NY)	Rahall				Chu	Kilroy	Polis (CO)
Cohen	Kingston	Rangel				Clarke	King (NY)	Pomeroy
Cole	Kissell	Rehberg				Clay	Kingston	Posey
Connolly (VA)	Klein (FL)	Reichert				Cleaver	Kirk	Price (NC)
Conyers	Kosmas	Reyes				Clyburn	Kissell	Putnam
Costa	Kratovil	Richardson				Cohen	Klein (FL)	Quigley
Costello	Kucinich	Rodriguez				Cole	Kosmas	Radanovich
Courtney	Lance	Rogers (AL)				Connolly (VA)	Kratovil	Rahall
Crenshaw	Langevin	Rogers (KY)				Costa	Kucinich	Rangel
Crowley	Larsen (WA)	Rogers (MI)				Costello	Lance	Rehberg
Cuellar	Larson (CT)	Rooney				Courtney	Langevin	Reichert
Culberson	Latham	Ros-Lehtinen				Crenshaw	Larsen (WA)	Reyes
Cummings	LaTourette	Ross				Crowley	Larson (CT)	Richardson
Dahlkemper	Latta	Rothman (NJ)				Cuellar	Latham	Rogers (AL)
Davis (AL)	Lee (CA)	Roybal-Allard				Culberson	LaTourette	Rogers (KY)
Davis (CA)	Lee (NY)	Ruppersberger				Cummings	Latta	Rogers (MI)
Davis (IL)	Levin	Rush				Dahlkemper	Lee (CA)	Rooney
Davis (KY)	Lewis (CA)	Ryan (OH)				Davis (AL)	Lee (NY)	Ros-Lehtinen
Davis (TN)	Lewis (GA)	Sablan				Davis (CA)	Levin	Ross
DeFazio	Lipinski	Salazar				Davis (IL)	Lewis (CA)	Rothman (NJ)
DeGette	LoBiondo	Sánchez, Linda				Davis (KY)	Lewis (GA)	Roybal-Allard
Delahunt	Loeb sack	T.				Davis (TN)	Lipinski	Ruppersberger
DeLauro	Lowey	Sanchez, Loretta				DeFazio	LoBiondo	Ryan (OH)
Diaz-Balart, L.	Lucas	Sarbanes				DeGette	Loeb sack	Sablan
Diaz-Balart, M.	Luetkemeyer	Schakowsky				Delahunt	Lowey	Salazar
Dicks	Lujan	Schauer				DeLauro	Lucas	Sánchez, Linda
Dingell	Lungren, Daniel	Schiff				Diaz-Balart, L.	Luetkemeyer	T.
Doggett	E.	Schock				Diaz-Balart, M.	Lujan	Sanchez, Loretta
Donnelly (IN)	Lynch	Schrader				Dicks	Lungren, Daniel	Sarbanes
Doyle	Mack	Schwartz				Dingell	E.	Schakowsky
Dreier	Maffei	Scott (GA)				Donnelly (IN)	Lynch	Schauer
Driehaus	Markey (CO)	Scott (VA)				Doyle	Mack	Schiff
Edwards (MD)	Markey (MA)	Serrano				Dreier	Maffei	Schock
Ellison	Marshall	Sestak				Driehaus	Maloney	Schrader
Ellsworth	Massa	Shea-Porter				Edwards (MD)	Manzullo	Schwartz
Emerson	Matheson	Sherman				Edwards (TX)	Markey (CO)	Scott (GA)
Engel	Matsui	Shuler				Ellsworth	Markey (MA)	Scott (VA)
Eshoo	McCarthy (CA)	Shuster				Emerson	Marshall	Serrano
Etheridge	McCollum	Simpson				Engel	Massa	Sestak
Faleomavaega	McCotter	Sires				Eshoo	Matheson	Shea-Porter
Fallin	McDermott	Skelton				Etheridge	Matsui	Sherman
Farr	McGovern	Slaughter				Faleomavaega	McCarthy (CA)	Shuler
Fattah	McHugh	Smith (NJ)				Fallin	McCollum	Shuster
Filner	McIntyre	Smith (TX)				Farr	McCotter	Simpson
Fleming	McKeon	Smith (WA)				Fattah	McDermott	Sires
Fortenberry	McMahon	Snyder				Filner	McGovern	Skelton
Frank (MA)	McMorris	Souder				Fleming	McHugh	Slaughter
Franks (AZ)	Rodgers	Space				Fortenberry	McIntyre	Smith (NJ)
Frelinghuysen	McNerney	Spratt				Foster	McKeon	Smith (TX)
Fudge	Meek (FL)	Stupak				Frank (MA)	McMahon	Smith (WA)
Gerlach	Meeks (NY)	Sullivan				Franks (AZ)	McMorris	Snyder
Giffords	Melancon	Sutton				Frelinghuysen	Rodgers	Souder
Gingrey (GA)	Mica	Tanner				Fudge	McNerney	Space
Gonzalez	Michaud	Taylor				Gallegly	Meek (FL)	Spratt
Gordon (TN)	Miller (FL)	Teague				Gerlach	Meeks (NY)	Stearns
Granger	Miller (MI)	Terry				Giffords	Melancon	Stupak
Grayson	Miller (NC)	Thompson (CA)				Gingrey (GA)	Mica	Sullivan
Green, Al	Miller, Gary	Thompson (MS)				Gonzalez	Michaud	Sutton
Green, Gene	Miller, George	Thompson (PA)				Gordon (TN)	Miller (FL)	Tanner
Griffith	Mitchell	Thornberry				Granger	Miller (MI)	Taylor
Grijalva	Mollohan	Tiahrt				Graves	Miller (NC)	Thompson (CA)
Guthrie	Moore (KS)	Tiberi				Grayson	Miller, Gary	Thompson (MS)
Gutierrez	Moore (WI)	Tierney				Green, Al	Miller, George	Thompson (PA)
Hall (TX)	Moran (VA)	Titus				Green, Gene	Mitchell	Thornberry
Hare	Murphy (CT)	Tonko				Griffith	Mollohan	Tiahrt
Harman	Murphy (NY)	Towns				Grijalva	Moore (KS)	Tiberi
Hastings (FL)	Murphy, Patrick	Tsongas				Guthrie	Moore (WI)	Tierney
Hastings (WA)	Murphy, Tim	Turner				Gutierrez	Moran (VA)	Titus
Heinrich	Murtha	Upton				Hall (TX)	Murphy (CT)	Tonko
Herseht Sandlin	Nadler (NY)	Van Hollen				Hare	Murphy (NY)	Towns
Higgins	Napolitano	Velázquez				Harman	Murphy, Patrick	Tsongas

## ANSWERED “PRESENT”—10

Barrett (SC)	Chandler	Lofgren, Zoe
Bonner	Conaway	Welch
Butterfield	Dent	
Castor (FL)	Harper	

## NOT VOTING—5

Buchanan	Hall (NY)	McCarthy (NY)
Edwards (TX)	Maloney	

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining in this vote.

□ 1335

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

## PART B AMENDMENT NO. 258 OFFERED BY MR.

## FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 69, noes 351, answered “present” 10, not voting 9, as follows:

[Roll No. 665]

## AYES—69

Bachmann	Hensarling	Pence
Blackburn	Herger	Petri
Blumenauer	Hoekstra	Pitts
Boustany	Inglis	Price (GA)
Broun (GA)	Issa	Roe (TN)
Campbell	Jenkins	Rohrabacher
Cassidy	Johnson (GA)	Roskam
Chaffetz	Johnson (IL)	Royce
Coble	Jordan (OH)	Ryan (WI)
Coffman (CO)	Kind	Scalise
Cooper	King (IA)	Schmidt
Deal (GA)	Kirkpatrick (AZ)	Sensenbrenner
Doggett	Kline (MN)	Sessions
Duncan	Lamborn	Shadegg
Ehlers	Linder	Shimkus
Flake	Lummis	Smith (NE)
Forbes	Marchant	Speier
Foxx	McCauley	Stark
Garrett (NJ)	McClintock	Teague
Gohmert	McHenry	Terry
Goodlatte	Minnick	Walden
Halvorson	Moran (KS)	Westmoreland
Heller	Oliver	Wittman

## NOES—351

Abercrombie	Baird	Bishop (GA)
Ackerman	Baldwin	Bishop (NY)
Aderholt	Barrow	Bishop (UT)
Adler (NJ)	Bartlett	Blunt
Akin	Barton (TX)	Bocieri
Alexander	Bean	Boehner
Altmire	Becerra	Bono Mack
Andrews	Berkley	Boozman
Arcuri	Berman	Bordallo
Austria	Biggart	Boren
Baca	Bilbray	Boswell
Bachus	Bilirakis	Boucher

Turner	Waters	Wolf
Upton	Watson	Woolsey
Van Hollen	Watt	Wu
Velázquez	Waxman	Yarmuth
Visclosky	Weiner	Young (AK)
Walz	Wexler	Young (FL)
Wamp	Whitfield	
Wasserman	Wilson (OH)	
Schultz	Wilson (SC)	

## ANSWERED “PRESENT”—10

Barrett (SC)	Chandler	Lofgren, Zoe
Bonner	Conaway	Welch
Butterfield	Dent	
Castor (FL)	Harper	

## NOT VOTING—9

Berry	Hall (NY)	McCarthy (NY)
Conyers	Hirono	Rodriguez
Ellison	Johnson, E.B.	Rush

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining in this vote.

□ 1338

So the amendment was rejected.

The result of the vote was announced as above recorded.

PART B AMENDMENT NO. 389 OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 76, noes 350, answered “present” 10, not voting 3, as follows:

[Roll No. 666]

## AYES—76

Bachmann	Hensarling	Pence
Bishop (NY)	Herger	Perlmutter
Blackburn	Hoekstra	Peters
Boustany	Inglis	Petri
Broun (GA)	Issa	Pitts
Burton (IN)	Jenkins	Platts
Campbell	Johnson (IL)	Polis (CO)
Cassidy	Jordan (OH)	Price (GA)
Castle	Kagen	Roe (TN)
Chaffetz	Kind	Roskam
Coble	King (IA)	Royce
Coffman (CO)	Kirkpatrick (AZ)	Ryan (WI)
Connolly (VA)	Kline (MN)	Scalise
Cooper	Lamborn	Schmidt
Davis (KY)	Linder	Sensenbrenner
Deal (GA)	Lummis	Shadegg
Doggett	Manzullo	Smith (NE)
Driehaus	McCaul	Speier
Flake	McClintock	Terry
Foster	McHenry	Walden
Fox	McMahon	Wamp
Garrett (NJ)	Minnick	Westmoreland
Gerlach	Moran (KS)	Wittman
Gohmert	Nunes	
Halvorson	Nye	
Heller	Paulsen	

## NOES—350

Abercrombie	Altmire	Baird
Ackerman	Andrews	Baldwin
Aderholt	Arcuri	Barrow
Adler (NJ)	Austria	Bartlett
Akin	Baca	Barton (TX)
Alexander	Bachus	Bean

Becerra	Gallegly	McNerney
Berkley	Giffords	Meek (FL)
Berman	Gingrey (GA)	Meeks (NY)
Berry	Gonzalez	Melancon
Biggert	Goodlatte	Mica
Bilbray	Gordon (TN)	Michaud
Bilirakis	Granger	Miller (FL)
Bishop (GA)	Graves	Miller (MI)
Bishop (UT)	Grayson	Miller (NC)
Blumenauer	Green, Al	Miller, Gary
Blunt	Green, Gene	Miller, George
Bocieri	Griffith	Mitchell
Boehner	Grijalva	Mollohan
Bono Mack	Guthrie	Moore (KS)
Boozman	Gutierrez	Moore (WI)
Bordallo	Hall (TX)	Moran (VA)
Boren	Hare	Murphy (CT)
Boswell	Harman	Murphy (NY)
Boucher	Hastings (FL)	Murphy, Patrick
Boyd	Hastings (WA)	Murphy, Tim
Brady (PA)	Heinrich	Murtha
Brady (TX)	Herseht Sandlin	Myrick
Braley (IA)	Higgins	Nadler (NY)
Bright	Hill	Napolitano
Brown (SC)	Himes	Neal (MA)
Brown, Corrine	Hinche	Neugebauer
Brown-Waite,	Hinojosa	Norton
Ginny	Hirono	Oberstar
Buchanan	Hodes	Obey
Burgess	Holden	Olson
Buyer	Holt	Olver
Calvert	Honda	Ortiz
Camp	Hoyer	Pallone
Cantor	Hunter	Pascarell
Cao	Inslee	Pastor (AZ)
Capito	Israel	Paul
Capps	Jackson (IL)	Payne
Capuano	Jackson-Lee	Perriello
Cardoza	(TX)	Peterson
Carnahan	Johnson (GA)	Pierluisi
Carney	Johnson, E. B.	Pingree (ME)
Carson (IN)	Johnson, Sam	Poe (TX)
Carter	Jones	Pomeroy
Childers	Kanjorski	Posey
Christensen	Kaptur	Price (NC)
Chu	Kennedy	Putnam
Clarke	Kildee	Quigley
Clay	Kilpatrick (MI)	Radanovich
Cleaver	Kilroy	Rahall
Clyburn	King (NY)	Rangel
Cohen	Kingston	Rehberg
Cole	Kirk	Reichert
Conyers	Kissell	Reyes
Costa	Klein (FL)	Richardson
Costello	Kosmas	Rodriguez
Courtney	Kratovil	Rogers (AL)
Crenshaw	Kucinich	Rogers (KY)
Crowley	Lance	Rogers (MI)
Cuellar	Langevin	Rohrabacher
Culberson	Larsen (WA)	Rooney
Cummings	Larson (CT)	Ros-Lehtinen
Dahlkemper	Latham	Ross
Davis (AL)	LaTourette	Rothman (NJ)
Davis (CA)	Latta	Roybal-Allard
Davis (IL)	Lee (CA)	Ruppersberger
Davis (TN)	Lee (NY)	Rush
DeFazio	Levin	Ryan (OH)
DeGette	Lewis (CA)	Sablan
Delahunt	Lewis (GA)	Salazar
DeLauro	Lipinski	Sanchez, Linda
Diaz-Balart, L.	LoBiondo	T.
Dicks	Loeb	Sanchez, Loretta
Dingell	Lowesack	Sarbanes
Donnelly (IN)	Lucas	Schakowsky
Doyle	Luetkemeyer	Schauer
Dreier	Luján	Schiff
Duncan	Lungren, Daniel	Schock
Edwards (MD)	E.	Schrader
Edwards (TX)	Lynch	Schwartz
Ehlers	Mack	Scott (GA)
Ellison	Maffei	Scott (VA)
Ellsworth	Maloney	Serrano
Emerson	Marchant	Sestak
Engel	Markey (CO)	Shea-Porter
Eshoo	Markey (MA)	Sherman
Etheridge	Marshall	Shimkus
Faleomavaega	Massa	Shuler
Fallin	Matheson	Shuster
Farr	Matsui	Simpson
Fattah	McCarthy (CA)	Sires
Filner	McCollum	Skelton
Fleming	McCotter	Slaughter
Forbes	McDermott	Smith (NJ)
Fortenberry	McGovern	Smith (TX)
Frank (MA)	McHugh	Smith (WA)
Franks (AZ)	McIntyre	Snyder
Frelinghuysen	McKeon	Souder
Fudge	McMorris	Space
	Rodgers	Spratt

Stearns	Titus	Watt
Stupak	Tonko	Waxman
Sullivan	Towns	Weiner
Sutton	Tsongas	Wexler
Tanner	Turner	Whitfield
Taylor	Upton	Wilson (OH)
Teague	Van Hollen	Wilson (SC)
Thompson (CA)	Velázquez	Wolf
Thompson (MS)	Visclosky	Woolsey
Thompson (PA)	Walz	Wu
Thornberry	Wasserman	Yarmuth
Tiahrt	Schultz	Young (AK)
Tiberi	Waters	Young (FL)
Tierney	Watson	

## ANSWERED “PRESENT”—10

Barrett (SC)	Chandler	Lofgren, Zoe
Bonner	Conaway	Welch
Butterfield	Dent	
Castor (FL)	Harper	

## NOT VOTING—3

Hall (NY)	McCarthy (NY)	Stark
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## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining in this vote.

□ 1342

Mr. PLATTS changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

PART B AMENDMENT NO. 432 OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 82, noes 341, answered “present” 11, not voting 5, as follows:

[Roll No. 667]

## AYES—82

Bachmann	Halvorson	Myrick
Barton (TX)	Heller	Nunes
Blumenauer	Hensarling	Paulsen
Blunt	Herger	Pence
Boehner	Hoekstra	Petri
Boustany	Inglis	Pitts
Broun (GA)	Issa	Platts
Burgess	Jenkins	Price (GA)
Burton (IN)	Johnson (IL)	Roe (TN)
Campbell	Jordan (OH)	Roskam
Cantor	Kind	Royce
Cassidy	Kirk	Ryan (WI)
Castle	Kirkpatrick (AZ)	Scalise
Chaffetz	Kline (MN)	Schmidt
Coble	Lamborn	Sensenbrenner
Coffman (CO)	Linder	Sessions
Cooper	Lummis	Shadegg
Deal (GA)	Lungren, Daniel	Shimkus
Duncan	E.	Smith (NE)
Ehlers	Manzullo	Speier
Flake	Marchant	Stark
Fortenberry	McCarthy (CA)	Stearns
Foster	McCaul	Terry
Fox	McClintock	Upton
Garrett (NJ)	McHenry	Walden
Gerlach	McKeon	Wamp
Gohmert	Minnick	Westmoreland
Goodlatte	Moran (KS)	



## NOES—341

Abercrombie Engel Matsui  
Ackerman Eshoo McCollum  
Aderholt Etheridge McCotter  
Adler (NJ) Faleomavaega McDermott  
Akin Fallin McGovern  
Alexander Farr McHugh  
Altmire Fattah McIntyre  
Arcuri Filner McMahon  
Austria Fleming McMorris  
Baca Forbes Rodgers  
Bachus Frank (MA) McNeerney  
Baird Franks (AZ) Meek (FL)  
Baldwin Frelinghuysen Meeks (NY)  
Barrow Fudge Melancon  
Bartlett Gallegly Mica  
Bean Giffords Michaud  
Becerra Gingrey (GA) Miller (FL)  
Berkley Gonzalez Miller (MI)  
Berman Gordon (TN) Miller (NC)  
Berry Granger Miller, Gary  
Biggart Graves Miller, George  
Bilbray Grayson Mitchell  
Bilirakis Green, Al Mollohan  
Bishop (GA) Green, Gene Moore (KS)  
Bishop (NY) Griffith Moore (WI)  
Bishop (UT) Grijalva Moran (VA)  
Blackburn Guthrie Murphy (CT)  
Bocieri Gutierrez Murphy (NY)  
Bono Mack Hare Murphy, Patrick  
Boozman Harman Murphy, Tim  
Bordallo Hastings (FL) Murtha  
Boren Hastings (WA) Nadler (NY)  
Boswell Heinrich Napolitano  
Boucher Herseth Sandlin Neal (MA)  
Boyd Higgins Neugebauer  
Brady (PA) Hill Norton  
Brady (TX) Himes Nye  
Braley (IA) Hinchey Oberstar  
Bright Hinojosa Obey  
Brown (SC) Hirono Olson  
Brown, Corrine Hodes Olver  
Brown-Waite, Holden Ortiz  
Ginny Holt Pallone  
Buchanan Honda Pascrell  
Buyer Hoyer Pastor (AZ)  
Calvert Hunter Paul  
Camp Inslee Payne  
Cao Israel Perlmutter  
Capito Jackson (IL) Perriello  
Capps Jackson-Lee Peters  
Capuano (TX) Peterson  
Cardoza Johnson (GA) Pierluisi  
Carnahan Johnson, E. B. Pingree (ME)  
Carney Johnson, Sam Poe (TX)  
Carson (IN) Jones Polis (CO)  
Carter Kagen Pomeroy  
Childers Kanjorski Posey  
Christensen Kaptur Price (NC)  
Chu Kennedy Putnam  
Clarke Kildee Quigley  
Clay Kilpatrick (MI) Radanovich  
Cleaver Kilroy Rahall  
Clyburn King (IA) Rangel  
Cohen King (NY) Rehberg  
Cole Kingston Reichert  
Connolly (VA) Kissell Reyes  
Conyers Klein (FL) Richardson  
Costa Kosmas Rodriguez  
Costello Kratovil Rogers (AL)  
Courtney Kucinich Rogers (KY)  
Crenshaw Lance Rogers (MI)  
Crowley Langevin Rohrabacher  
Cuellar Larsen (WA) Rooney  
Culberson Larson (CT) Ros-Lehtinen  
Cummings Latham Ross  
Dahlkemper LaTourette Rothman (NJ)  
Davis (AL) Latta Roybal-Allard  
Davis (CA) Lee (CA) Ruppertsberger  
Davis (IL) Lee (NY) Rush  
Davis (KY) Levin Ryan (OH)  
Davis (TN) Lewis (CA) Sablan  
DeFazio Lewis (GA) Salazar  
DeGette Lipinski Sánchez, Linda  
Delahunt LoBiondo T.  
DeLauro Loeb sack Sanchez, Loretta  
Diaz-Balart, L. Lowey Sarbanes  
Diaz-Balart, M. Lucas Schakowsky  
Dicks Luetkemeyer Schauer  
Dingell Luján Schiff  
Doggett Lynch Schock  
Donnelly (IN) Mack Schrader  
Doyle Maffei Schwartz  
Dreier Maloney Scott (GA)  
Driehaus Markey (CO) Scott (VA)  
Edwards (MD) Markey (MA) Serrano  
Ellison Marshall Sestak  
Ellsworth Massa Shea-Porter  
Emerson Matheson Sherman

Shuler  
Shuster  
Simpson  
Sires  
Skelton  
Slaughter  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Souder  
Space  
Spratt  
Stupak  
Sullivan  
Sutton  
Tanner  
Taylor  
Teague  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiahrt  
Tiberi  
Tierney  
Titus  
Tonko  
Townes  
Tsongas  
Turner  
Van Hollen  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Wexler  
Whitfield  
Wilson (OH)  
Wilson (SC)  
Wolf  
Woolsey  
Wu  
Yarmuth  
Young (AK)  
Young (FL)

Pitts  
Platts  
Price (GA)  
Roe (TN)  
Roskam  
Royce  
Ryan (WI)  
Scalise  
Schmidt  
Sensenbrenner  
Sessions  
Shadegg  
Shimkus  
Smith (NE)

Speier  
Stark  
Terry  
Walden  
Wamp  
Westmoreland  
Wittman

## NOES—348

Abercrombie Doyle Lewis (CA)  
Ackerman Dreier Lewis (GA)  
Aderholt Driehaus Lipinski  
Adler (NJ) Edwards (MD) LoBiondo  
Akin Edwards (TX) Loeb sack  
Alexander Ellison Lowey  
Altmire Ellsworth Lucas  
Andrews Emerson Luetkemeyer  
Arcuri Engel Luján  
Austria Eshoo Lungren, Daniel  
Baca Etheridge E.  
Bachus Faleomavaega Lynch  
Baird Fallon Mack  
Baldwin Farr Maffei  
Barrow Fattah Maloney  
Bartlett Filner Markey (CO)  
Bean Fleming Markey (MA)  
Becerra Foster Marshall  
Berkley Frank (MA) Massa  
Berman Franks (AZ) Matheson  
Berry Frelinghuysen Matsui  
Biggart Fudge McCarthy (CA)  
Bilbray Gallegly McCollum  
Bilirakis Giffords McCotter  
Bishop (GA) Gonzalez McDermott  
Bishop (NY) Gordon (TN) McGovern  
Bishop (UT) Granger McHugh  
Blunt Graves McIntyre  
Bocieri Grayson McKeon  
Bono Mack Green, Al McMahon  
Bordallo Green, Gene McMorris  
Boren Griffith Rodgers  
Boswell Grijalva McNeerney  
Boucher Guthrie Meek (FL)  
Boyd Gutierrez Meeks (NY)  
Brady (PA) Hall (NY) Melancon  
Braley (IA) Hall (TX) Mica  
Bright Hare Michaud  
Brown (SC) Harman Miller (FL)  
Brown, Corrine Hastings (FL) Miller (MI)  
Brown-Waite, Hastings (WA) Miller (NC)  
Ginny Heinrich Miller, Gary  
Buchanan Herseth Sandlin Miller, George  
Buyer Higgins Mitchell  
Calvert Hill Mollohan  
Camp Himes Moore (KS)  
Cao Hinchey Moore (WI)  
Capito Hinojosa Moran (VA)  
Capps Hirono Murphy (CT)  
Capuano Hodes Murphy (NY)  
Cardoza Holden Murphy, Patrick  
Carnahan Holt Murphy, Tim  
Carney Honda Murtha  
Carson (IN) Hoyer Nadler (NY)  
Carter Hunter Napolitano  
Childers Inslee Neal (MA)  
Christensen Israel Neugebauer  
Chu Jackson (IL) Norton  
Clarke Jackson-Lee Nye  
Clay (TX) Oberstar  
Cleaver Johnson (GA) Obey  
Clyburn Johnson, E. B. Olson  
Cohen Johnson, Sam Olver  
Cole Jones Ortiz  
Connolly (VA) Kagen Pallone  
Conyers Kanjorski Pascrell  
Costa Kaptur Pastor (AZ)  
Costello Kennedy Paul  
Courtney Kildee Paulsen  
Crenshaw Kilpatrick (MI) Payne  
Crowley Kilroy Perlmutter  
Cuellar King (NY) Perriello  
Culberson Kingston Peters  
Cummings Kirk Peterson  
Dahlkemper Kirkpatrick (AZ) Pierluisi  
Davis (AL) Kissell Pingree (ME)  
Davis (CA) Klein (FL) Poe (TX)  
Davis (IL) Kosmas Polis (CO)  
Davis (KY) Kratovil Pomeroy  
Davis (TN) Kucinich Posey  
DeFazio Lance Price (NC)  
DeGette Langevin Putnam  
Delahunt Larsen (WA) Quigley  
DeLauro Larson (CT) Radanovich  
Diaz-Balart, L. Latham Rahall  
Diaz-Balart, M. LaTourette Rangel  
Dicks Latta Rehberg  
Dingell Lee (CA) Reichert  
Doggett Lee (NY) Reyes  
Donnelly (IN) Levin Richardson

## ANSWERED “PRESENT”—11

Barrett (SC) Chandler Lofgren, Zoe  
Bonner Conaway Welch  
Butterfield Dent Wittman  
Castor (FL) Harper

## NOT VOTING—5

Andrews Hall (NY) McCarthy (NY)  
Edwards (TX) Hall (TX)

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining in this vote.

□ 1345

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

## PERSONAL EXPLANATION

Mr. HALL of New York. Mr. Chair, I missed  
rollcall votes 661 through 667.

Had I been present, I would have voted  
“aye” on 661, and “no” on 662–667.

## PART B AMENDMENT NO. 439 OFFERED BY MR.

## FLAKE

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Arizona (Mr. FLAKE)  
on which further proceedings were  
postponed and on which the noes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 78, noes 348,  
answered “present” 10, not voting 3, as  
follows:

[Roll No. 668]

## AYES—78

Bachmann Duncan Johnson (IL)  
Blackburn Jordan (OH)  
Blumenauer Flake Kind  
Boehner Forbes King (IA)  
Boozman Fortenberry Kline (MN)  
Boustany Foe Lamborn  
Brady (TX) Garrett (NJ) Linder  
Broun (GA) Gerlach Lummis  
Burgess Gingrey (GA) Manzullo  
Burton (IN) Gohmert Marchant  
Campbell Goodlatte McCaul  
Cantor Halvorson McClintock  
Cassidy Heller McHenry  
Castle Hensarling Minnick  
Chaffetz Herger Moran (KS)  
Coble Hoekstra Myrick  
Coffman (CO) Inglis Nunes  
Cooper Issa Pence  
Deal (GA) Jenkins Petri

Rogers (AL) Shea-Porter  
 Rogers (KY) Sherman  
 Rogers (MI) Shuler  
 Rohrabacher Shuster  
 Rooney Simpson  
 Ros-Lehtinen Sires  
 Ross Skelton  
 Rothman (NJ) Slaughter  
 Roybal-Allard Smith (NJ)  
 Ruppertsberger Smith (TX)  
 Rush Smith (WA)  
 Ryan (OH) Snyder  
 Sablan Souder  
 Salazar Space  
 Sanchez, Linda Spratt  
 T. Stearns  
 Sanchez, Loretta Stupak  
 Sarbanes Sullivan  
 Schakowsky Sutton  
 Schauer Tanner  
 Schiff Taylor  
 Schock Teague  
 Schrader Thompson (CA)  
 Schwartz Thompson (MS)  
 Scott (GA) Thompson (PA)  
 Scott (VA) Thornberry  
 Serrano Tiahrt  
 Sestak Tiberi

Tierney  
 Titus  
 Tonko  
 Towns  
 Tsongas  
 Turner  
 Upton  
 Van Hollen  
 Velázquez  
 Visclosky  
 Walz  
 Wasserman  
 Schultz  
 Waters  
 Watson  
 Watt  
 Waxman  
 Weiner  
 Wexler  
 Whitfield  
 Wilson (OH)  
 Wilson (SC)  
 Wolf  
 Woolsey  
 Wu  
 Yarmuth  
 Young (AK)  
 Young (FL)

McCarthy (CA)  
 McCaul  
 McClintock  
 McHenry  
 Minnick  
 Moran (KS)  
 Myrick  
 Nunes  
 Pence  
 Petri  
 Pitts

Poe (TX)  
 Price (GA)  
 Roe (TN)  
 Roskam  
 Royce  
 Ryan (WI)  
 Scalise  
 Schmidt  
 Schock  
 Sensenbrenner  
 Sessions

Shadegg  
 Shimkus  
 Smith (NE)  
 Speier  
 Stark  
 Terry  
 Walden  
 Wamp  
 Westmoreland  
 Wittman  
 Wolf

Reichert  
 Reyes  
 Richardson  
 Rodriguez  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Rooney  
 Ros-Lehtinen  
 Ross  
 Rothman (NJ)  
 Roybal-Allard  
 Ruppertsberger  
 Rush  
 Ryan (OH)  
 Sablan  
 Salazar  
 Sanchez, Linda  
 T.  
 Sanchez, Loretta  
 Sarbanes  
 Schakowsky  
 Schauer  
 Schiff  
 Schrader  
 Schwartz  
 Scott (GA)  
 Scott (VA)

Serrano  
 Sestak  
 Shea-Porter  
 Sherman  
 Shuler  
 Shuster  
 Simpson  
 Sires  
 Skelton  
 Slaughter  
 Smith (NJ)  
 Smith (TX)  
 Smith (WA)  
 Snyder  
 Souder  
 Space  
 Spratt  
 Stearns  
 Stupak  
 Sullivan  
 Tanner  
 Taylor  
 Teague  
 Thompson (CA)  
 Thompson (MS)  
 Thompson (PA)  
 Thornberry  
 Tiahrt  
 Tiberi

Tierney  
 Titus  
 Tonko  
 Towns  
 Tsongas  
 Turner  
 Upton  
 Van Hollen  
 Velázquez  
 Visclosky  
 Walz  
 Wasserman  
 Schultz  
 Waters  
 Watson  
 Watt  
 Waxman  
 Weiner  
 Wexler  
 Whitfield  
 Wilson (OH)  
 Wilson (SC)  
 Woolsey  
 Wu  
 Yarmuth  
 Young (AK)  
 Young (FL)

## NOES—338

Barrett (SC) Chandler  
 Bonner Conaway  
 Butterfield Dent  
 Castor (FL) Harper

## ANSWERED “PRESENT”—10

## NOT VOTING—3

Barton (TX) McCarthy (NY) Rodriguez

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
 There is 1 minute remaining in this vote.

□ 1348

So the amendment was rejected.

The result of the vote was announced as above recorded.

PART B AMENDMENT NO. 449 OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 83, noes 338, answered “present” 11, not voting 7, as follows:

[Roll No. 669]

## AYES—83

Bachmann  
 Blackburn  
 Blunt  
 Boehner  
 Boozman  
 Boustany  
 Brady (TX)  
 Broun (GA)  
 Burgess  
 Burton (IN)  
 Campbell  
 Cantor  
 Cassidy  
 Castle  
 Chaffetz  
 Coble  
 Coffman (CO)

Cooper  
 Deal (GA)  
 Duncan  
 Ehlers  
 Flake  
 Forbes  
 Fortenberry  
 Foster  
 Foxx  
 Garrett (NJ)  
 Gingrey (GA)  
 Goodlatte  
 Halvorson  
 Heller  
 Hensarling  
 Herger  
 Hoekstra

Inglis  
 Issa  
 Jenkins  
 Johnson (IL)  
 Jordan (OH)  
 King (IA)  
 Kirk  
 Kirkpatrick (AZ)  
 Kline (MN)  
 Lamborn  
 Linder  
 Lummis  
 Lungren, Daniel  
 E.  
 Manzullo  
 Marchant

Abercrombie  
 Ackerman  
 Adler (NJ)  
 Akin  
 Alexander  
 Altmire  
 Andrews  
 Arcuri  
 Austria  
 Baca  
 Bachus  
 Baird  
 Baldwin  
 Barrow  
 Bartlett  
 Barton (TX)  
 Bean  
 Becerra  
 Berkley  
 Berman  
 Berry  
 Biggert  
 Bilbray  
 Bilirakis  
 Bishop (GA)  
 Bishop (NY)  
 Bishop (UT)  
 Blumenauer  
 Boccieri  
 Bono Mack  
 Bordallo  
 Boren  
 Boswell  
 Boucher  
 Boyd  
 Brady (PA)  
 Braley (IA)  
 Bright  
 Brown (SC)  
 Brown, Corrine  
 Brown-Waite,  
 Ginny  
 Buchanan  
 Buyer  
 Calvert  
 Camp  
 Cao  
 Capito  
 Capps  
 Capuano  
 Cardoza  
 Carnahan  
 Carney  
 Carson (IN)  
 Carter  
 Childers  
 Christensen  
 Chu  
 Clarke  
 Clay  
 Jackson-  
 Lee  
 Cleaver  
 Clyburn  
 Cohen  
 Connolly (VA)  
 Costa  
 Costello  
 Courtney  
 Crenshaw  
 Crowley  
 Cuellar  
 Culberson  
 Cummings  
 Dahlkemper  
 Davis (AL)  
 Davis (CA)  
 Davis (IL)  
 Davis (KY)  
 Davis (TN)  
 DeFazio  
 DeGette  
 Delahunt  
 DeLauro  
 Diaz-Balart, M.  
 Dicks  
 Dingell  
 Doggett

Donnelly (IN)  
 Doyle  
 Dreier  
 Driehaus  
 Edwards (MD)  
 Edwards (TX)  
 Ellison  
 Ellsworth  
 Emerson  
 Engel  
 Eshoo  
 Etheridge  
 Faleomavaega  
 Fallin  
 Farr  
 Fattah  
 Filner  
 Fleming  
 Frank (MA)  
 Franks (AZ)  
 Frelinghuysen  
 Fudge  
 Gallegly  
 Gerlach  
 Giffords  
 Gonzalez  
 Gordon (TN)  
 Granger  
 Graves  
 Grayson  
 Green, Al  
 Green, Gene  
 Griffith  
 Grijalva  
 Guthrie  
 Gutierrez  
 Hall (NY)  
 Hall (TX)  
 Hare  
 Harman  
 Hastings (FL)  
 Hastings (WA)  
 Heinrich  
 Herseth Sandlin  
 Higgins  
 Hill  
 Himes  
 Hinchey  
 Hinojosa  
 Hirono  
 Hodes  
 Holden  
 Holt  
 Honda  
 Hoyer  
 Hunter  
 Inslee  
 Israel  
 Jackson (IL)  
 Jackson-  
 Lee  
 Johnson (GA)  
 Johnson, E. B.  
 Johnson, Sam  
 Jones  
 Kagen  
 Kanjorski  
 Kaptur  
 Kennedy  
 Kildee  
 Kilpatrick (MI)  
 Kilroy  
 King (NY)  
 Kingston  
 Kissell  
 Klein (FL)  
 Kosmas  
 Kratovil  
 Kucinich  
 Lance  
 Langevin  
 Larsen (WA)  
 Larson (CT)  
 Latham  
 LaTourette  
 Latta

Lee (CA)  
 Lee (NY)  
 Levin  
 Lewis (CA)  
 Lewis (GA)  
 Lipinski  
 LoBiondo  
 Loeb sack  
 Lowey  
 Lucas  
 Luetkemeyer  
 Luján  
 Lynch  
 Mack  
 Maffei  
 Maloney  
 Markey (CO)  
 Markey (MA)  
 Marshall  
 Massa  
 Matheson  
 Matsui  
 McCollum  
 McCotter  
 McDermott  
 McGovern  
 McHugh  
 McIntyre  
 McKeon  
 McMahon  
 McMorris  
 Rodgers  
 McNERNEY  
 Meek (FL)  
 Meeks (NY)  
 Melancon  
 Mica  
 Michaud  
 Miller (FL)  
 Miller (MI)  
 Miller (NC)  
 Miller, Gary  
 Miller, George  
 Mitchell  
 Mollohan  
 Moore (KS)  
 Moore (WI)  
 Moran (VA)  
 Murphy (CT)  
 Murphy (NY)  
 Murphy, Patrick  
 Murphy, Tim  
 Murtha  
 Nadler (NY)  
 Napolitano  
 Neal (MA)  
 Neugebauer  
 Norton  
 Nye  
 Oberstar  
 Obey  
 Olson  
 Oliver  
 Ortiz  
 Pallone  
 Pascrell  
 Pastor (AZ)  
 Paul  
 Paulsen  
 Perlmutter  
 Perriello  
 Peters  
 Peterson  
 Pierluisi  
 Pingree (ME)  
 Platts  
 Polis (CO)  
 Pomeroy  
 Posey  
 Price (NC)  
 Putnam  
 Quigley  
 Radanovich  
 Rahall  
 Rangel  
 Rehberg

## ANSWERED “PRESENT”—11

Barrett (SC) Chandler  
 Bonner Conaway  
 Butterfield Dent  
 Castor (FL) Diaz-Balart, L.

## NOT VOTING—7

Aderholt  
 Cole  
 Conyers

Gohmert  
 McCarthy (NY)  
 Payne

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
 There is 1 minute remaining in this vote.

□ 1351

So the amendment was rejected.

The result of the vote was announced as above recorded.

PART B AMENDMENT NO. 553 OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 118, noes 304, answered “present” 11, not voting 6, as follows:

[Roll No. 670]

## AYES—118

Austria  
 Bachmann  
 Barton (TX)  
 Bean  
 Bilirakis  
 Bishop (UT)  
 Blackburn  
 Boehner  
 Bono Mack  
 Boozman  
 Boustany  
 Brady (TX)  
 Broun (GA)

Brown-Waite,  
 Ginny  
 Burgess  
 Burton (IN)  
 Buyer  
 Camp  
 Campbell  
 Cantor  
 Cao  
 Cassidy  
 Castle  
 Chaffetz  
 Coffman (CO)  
 Cooper

Deal (GA)  
 Doggett  
 Duncan  
 Ehlers  
 Flake  
 Forbes  
 Fortenberry  
 Foster  
 Foxx  
 Gallegly  
 Garrett (NJ)  
 Gerlach  
 Giffords  
 Gingrey (GA)

Gohmert  
Goodlatte  
Hall (TX)  
Halvorson  
Heller  
Hensarling  
Himes  
Hodes  
Hoekstra  
Inglis  
Issa  
Jenkins  
Johnson (IL)  
Jones  
Jordan (OH)  
Kind  
Kirk  
Kirkpatrick (AZ)  
Kline (MN)  
Lamborn  
Latta  
Linder  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack

## NOES—304

Abercrombie  
Ackerman  
Aderholt  
Adler (NJ)  
Akin  
Alexander  
Altmire  
Andrews  
Arcuri  
Baca  
Bachus  
Baird  
Baldwin  
Barrow  
Bartlett  
Becerra  
Berkley  
Berman  
Berry  
Biggert  
Bilbray  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Blunt  
Bocieri  
Bordallo  
Boren  
Boswell  
Boucher  
Boyd  
Brady (PA)  
Braley (IA)  
Bright  
Brown (SC)  
Brown, Corrine  
Buchanan  
Calvert  
Capito  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Carter  
Childers  
Christensen  
Chu  
Clarke  
Clyburn  
Coble  
Cohen  
Cole  
Connolly (VA)  
Conyers  
Costa  
Costello  
Courtney  
Crenshaw  
Crowley  
Cuellar  
Culberson  
Cummings  
Dahlkemper  
Davis (AL)  
Davis (CA)  
Davis (KY)

Manzullo  
Marchant  
Markey (CO)  
McCaull  
McClintock  
McCotter  
McHenry  
McKeon  
McMahon  
McMorris  
Rodgers  
Miller (MI)  
Miller, Gary  
Minnick  
Mitchell  
Moran (KS)  
Myrick  
Nunes  
Pence  
Perriello  
Petri  
Pitts  
Platts  
Poe (TX)  
Posey  
Price (GA)  
Quigley

Roe (TN)  
Rogers (MI)  
Rohrabacher  
Rooney  
Roskam  
Royce  
Ryan (WI)  
Scalise  
Schmidt  
Sensenbrenner  
Sessions  
Shadegg  
Shimkus  
Smith (NE)  
Smith (TX)  
Speier  
Stark  
Stearns  
Teague  
Terry  
Tiberi  
Upton  
Walden  
Wamp  
Westmoreland  
Wittman

King (IA)  
King (NY)  
Kingston  
Kissell  
Klein (FL)  
Kosmas  
Kratovil  
Kucinich  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Lee (CA)  
Lee (NY)  
Levin  
Lewis (CA)  
Lewis (GA)  
Lipinski  
LoBiondo  
Loeb sack  
Lowey  
Lucas  
Lujan  
Lynch  
Maffei  
Maloney  
Markey (MA)  
Marshall  
Massa  
Matheson  
Matsui  
McCarthy (CA)  
McCollum  
McDermott  
McGovern  
McHugh  
McIntyre  
McNerney  
Meek (FL)  
Meeks (NY)  
Melancon  
Mica  
Michaud  
Miller (FL)  
Miller (NC)  
Miller, George  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (VA)  
Murphy (CT)  
Murphy (NY)  
Murphy, Patrick  
Murphy, Tim  
Murtha  
Nadler (NY)  
Napolitano  
Neal (MA)  
Neugebauer  
Norton  
Nye  
Oberstar  
Obey  
Olson  
Olver  
Ortiz  
Pallone  
Pascrell

Pastor (AZ)  
Paul  
Paulsen  
Payne  
Perlmutter  
Peters  
Peterson  
Pierluisi  
Pingree (ME)  
Polis (CO)  
Pomeroy  
Price (NC)  
Putnam  
Radanovich  
Rahall  
Rangel  
Rehberg  
Reichert  
Reyes  
Richardson  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Ros-Lehtinen  
Ross  
Rothman (NJ)  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Sablan  
Salazar

Barrett (SC)  
Bonner  
Butterfield  
Castor (FL)  
Chandler  
Conaway  
Dent  
Diaz-Balart, L.

Davis (IL)  
Edwards (TX)

Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schauer  
Schiff  
Schock  
Schrader  
Schwartz  
Scott (GA)  
Scott (VA)  
Serrano  
Sestak  
Shea-Porter  
Sherman  
Shuler  
Shuster  
Simpson  
Sires  
Skelton  
Slaughter  
Smith (NJ)  
Smith (WA)  
Snyder  
Souder  
Space  
Spratt  
Stupak  
Sullivan  
Sutton  
Tanner  
Taylor

## ANSWERED “PRESENT”—11

## NOT VOTING—6

Franks (AZ)  
Graves  
Harper  
Lofgren, Zoe  
Welch  
Herger  
McCarthy (NY)

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining in this vote.

□ 1354

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FRANKS of Arizona. Mr. Chair, on roll-call No. 670, I was unavoidably detained. Had I been present I would have voted “aye.”

EN BLOC AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 82, noes 342, answered “present” 11, not voting 4, as follows:

[Roll No. 671]

## AYES—82

Bachmann  
Blackburn  
Boustany  
Broun (GA)  
Burgess  
Burton (IN)  
Campbell

Cantor  
Cassidy  
Chaffetz  
Coffman (CO)  
Cooper  
Deal (GA)  
Doggett

Duncan  
Ehlers  
Emerson  
Flake  
Fleming  
Forbes  
Fortenberry

Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiahrt  
Tierney  
Titus  
Tonko  
Towns  
Tsongas  
Turner  
Van Hollen  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Wexler  
Whitfield  
Wilson (OH)  
Wilson (SC)  
Wolf  
Woolsey  
Wu  
Yarmuth  
Young (AK)  
Young (FL)

Abercrombie  
Ackerman  
Aderholt  
Adler (NJ)  
Akin  
Alexander  
Altmire  
Andrews  
Arcuri  
Austria  
Baca  
Bachus  
Baird  
Baldwin  
Barrow  
Bartlett  
Barton (TX)  
Bean  
Becerra  
Berkley  
Berman  
Berry  
Biggert  
Bilbray  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Blumenauer  
Blunt  
Bocieri  
Boehner  
Bono Mack  
Boozman  
Bordallo  
Boren  
Boswell  
Boucher  
Boyd  
Brady (PA)  
Brady (TX)  
Braley (IA)  
Bright  
Brown (SC)  
Brown, Corrine  
Brown-Waite,  
Ginny  
Buchanan  
Buyer  
Calvert  
Camp  
Cao  
Capito  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Carter  
Castle  
Childers  
Christensen  
Chu  
Clarke  
Clay  
Cleaver  
Clyburn  
Coble  
Cohen  
Cole  
Connolly (VA)  
Conyers  
Costa  
Costello  
Courtney

Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Marchant  
McCaull  
McClintock  
McCotter  
McHenry  
McMorris  
Rodgers  
Miller (MI)  
Minnick  
Moran (KS)  
Myrick  
Neugebauer  
Nunes  
Pence  
Petri  
Pitts  
Price (GA)

## NOES—342

Crenshaw  
Crowley  
Cuellar  
Culberson  
Cummings  
Dahlkemper  
Davis (AL)  
Davis (CA)  
Davis (IL)  
Davis (KY)  
Davis (TN)  
DeFazio  
DeGette  
DeLauro  
Diaz-Balart, M.  
Dicks  
Dingell  
Donnelly (IN)  
Doyle  
Dreier  
Drieaus  
Edwards (TX)  
Ellison  
Ellsworth  
Engel  
Eshoo  
Etheridge  
Faleomavaega  
Fallin  
Farr  
Fattah  
Filner  
Fleming  
Frank (MA)  
Frank (AZ)  
Frelinghuysen  
Fudge  
Gallegly  
Gerlach  
Giffords  
Gingrey (GA)  
Gonzalez  
Gordon (TN)  
Granger  
Graves  
Grayson  
Green, Al  
Green, Gene  
Griffith  
Grijalva  
Guthrie  
Gutierrez  
Hall (NY)  
Hare  
Harman  
Hastings (FL)  
Hastings (WA)  
Heinrich  
Herseeth Sandlin  
Higgins  
Hill  
Hinchey  
Hinojosa  
Hirono  
Hodes  
Holden  
Holt  
Honda  
Hoyer  
Hunter  
Inglis  
Inslee  
Israel  
Jackson (IL)

Quigley  
Roe (TN)  
Rohrabacher  
Roskam  
Royce  
Ryan (WI)  
Scalise  
Schmidt  
Sensenbrenner  
Sessions  
Shadegg  
Shimkus  
Smith (NE)  
Speier  
Stark  
Stearns  
Tiberi  
Walden  
Wamp  
Westmoreland  
Wittman

Jackson-Lee  
(TX)  
Johnson (GA)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Jordan (OH)  
Kagen  
Kanjorski  
Kaptur  
Kennedy  
Kildee  
Kilpatrick (MI)  
Kilroy  
King (NY)  
Kingston  
Kirkpatrick (AZ)  
Kissell  
Klein (FL)  
Kosmas  
Kratovil  
Kucinich  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Lee (CA)  
Lee (NY)  
Levin  
Lewis (CA)  
Lewis (GA)  
Lipinski  
LoBiondo  
Loeb sack  
Lowey  
Lucas  
Lujan  
Lynch  
Mack  
Maffei  
Maloney  
Manzullo  
Markey (CO)  
Markey (MA)  
Marshall  
Massa  
Matheson  
Matsui  
McCarthy (CA)  
McCollum  
McDermott  
McGovern  
McHugh  
McIntyre  
McKeon  
McMahon  
McNerney  
Meek (FL)  
Meeks (NY)  
Melancon  
Mica  
Michaud  
Miller (FL)  
Miller (NC)  
Miller, Gary  
Miller, George  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (VA)  
Murphy (CT)  
Murphy (NY)  
Murphy, Patrick

Murphy, Tim	Rogers (KY)	Spratt	Cassidy	Johnson (IL)	Petri	Melancon	Quigley	Snyder
Murtha	Rogers (MI)	Stupak	Chaffetz	Jordan (OH)	Pitts	Mica	Radanovich	Souder
Nadler (NY)	Rooney	Sullivan	Coble	King (IA)	Price (GA)	Michaud	Rahall	Space
Napolitano	Ros-Lehtinen	Sutton	Coffman (CO)	Kirk	Roe (TN)	Miller (FL)	Rangel	Spratt
Neal (MA)	Ross	Tanner	Cooper	Kline (MN)	Rogers (MI)	Miller (MI)	Rehberg	Stark
Norton	Rothman (NJ)	Taylor	Deal (GA)	Lamborn	Rohrabacher	Miller (NC)	Reichert	Stupak
Nye	Roybal-Allard	Teague	Duncan	Linder	Roskam	Miller, Gary	Reyes	Sullivan
Oberstar	Ruppersberger	Terry	Ehlers	Lummis	Royce	Miller, George	Richardson	Tanner
Obey	Rush	Thompson (CA)	Flake	Manzullo	Ryan (WI)	Mitchell	Rodriguez	Taylor
Olson	Ryan (OH)	Thompson (MS)	Forbes	Marchant	Scalise	Mollohan	Rogers (AL)	Teague
Olver	Sablan	Thompson (PA)	Fox	McCarthy (CA)	Schmidt	Moore (KS)	Rogers (KY)	Terry
Ortiz	Salazar	Thornberry	Franks (AZ)	McCaul	Sensenbrenner	Moore (WI)	Rooney	Thompson (CA)
Pallone	Sánchez, Linda	Tiahrt	Garrett (NJ)	McClintock	Sessions	Moran (VA)	Ros-Lehtinen	Thompson (MS)
Pascarell	T.	Tierney	Gohmert	McHenry	Shadegg	Murphy (CT)	Ross	Thompson (PA)
Pastor (AZ)	Sanchez, Loretta	Titus	Goodlatte	McMorris	Shimkus	Murphy (NY)	Rothman (NJ)	Thornberry
Paul	Sarbanes	Towns	Halvorson	Rodgers	Smith (NE)	Murphy, Patrick	Roybal-Allard	Tiahrt
Paulsen	Schakowsky	Tsongas	Heller	Minnick	Speier	Murphy, Tim	Ruppersberger	Tiberi
Payne	Schauer	Turner	Hensarling	Moran (KS)	Stearns	Murtha	Rush	Tierney
Perlmutter	Schiff	Upton	Herger	Merrick	Walden	Nadler (NY)	Ryan (OH)	Titus
Perriello	Schock	Van Hollen	Hoekstra	Nunes	Wamp	Napolitano	Salazar	Tonko
Peters	Schrader	Velázquez	Inglis	Paul	Westmoreland	Neal (MA)	Sánchez, Linda	Towns
Peterson	Schwartz	Walz	Issa	Paulsen	Wittman	Neugebauer	T.	Tsongas
Pierluisi	Scott (GA)	Wasserman	Jenkins	Pence		Norton	Sanchez, Loretta	Turner
Pingree (ME)	Scott (VA)	Schultz				Nye	Sarbanes	Upton
Platts	Serrano	Watson				Oberstar	Schakowsky	Van Hollen
Poe (TX)	Sestak	Watt	Abercrombie	Crenshaw	Hodes	Obey	Schauer	Velázquez
Polis (CO)	Shea-Porter	Waxman	Ackerman	Crowley	Holden	Olson	Schiff	Visclosky
Pomeroy	Sherman	Weiner	Aderholt	Cuellar	Holt	Olver	Schock	Walz
Posey	Shuster	Wexler	Adler (NJ)	Culberson	Honda	Ortiz	Schrader	Wasserman
Price (NC)	Simpson	Whitfield	Akin	Cummings	Hoyer	Pallone	Schwartz	Schultz
Putnam	Sires	Wilson (OH)	Alexander	Dahlkemper	Hunter	Pascarell	Scott (GA)	Watson
Radanovich	Skelton	Wilson (SC)	Altmore	Davis (AL)	Inslee	Pastor (AZ)	Scott (VA)	Watt
Rahall	Slaughter	Wolf	Andrews	Davis (CA)	Israel	Payne	Serrano	Waxman
Rangel	Smith (NJ)	Woolsey	Arcuri	Davis (IL)	Jackson (IL)	Perlmutter	Sestak	Weiner
Rehberg	Smith (TX)	Wu	Austria	Davis (KY)	Jackson-Lee	Perriello	Shea-Porter	Welch
Reichert	Smith (WA)	Yarmuth	Baca	Davis (TN)	(TX)	Peters	Sherman	Wexler
Reyes	Snyder	Young (AK)	Bachus	DeFazio	Johnson (GA)	Peterson	Shuler	Whitfield
Richardson	Souder	Young (FL)	Baird	DeGette	Johnson, E. B.	Pierluisi	Shuster	Wilson (OH)
Rodriguez	Space		Baldwin	DeLauro	Johnson, Sam	Platts	Simpson	Wilson (SC)
Rogers (AL)			Barrow	Dent	Jones	Poe (TX)	Sires	Wolf
			Bartlett	Diaz-Balart, L.	Kagen	Polis (CO)	Skelton	Woolsey
			Barton (TX)	Dicks	Kanjorski	Pomeroy	Slaughter	Wu
			Bean	Dingell	Kaptur	Posey	Smith (NJ)	Yarmuth
			Becerra	Doggett	Kennedy	Price (NC)	Smith (TX)	Young (AK)
			Berkley	Donnelly (IN)	Kildee	Putnam	Smith (WA)	Young (FL)
			Berman	Doyle	Kilpatrick (MI)			
			Berry	Dreier	Kilroy			
			Biggett	Driehehaus	Kind			
			Bilbray	Edwards (MD)	King (NY)			
			Bilirakis	Edwards (TX)	Kingston			
			Bishop (GA)	Ellison	Kirkpatrick (AZ)			
			Bishop (NY)	Ellsworth	Kissel			
			Bishop (UT)	Emerson	Klein (FL)			
			Blumenauer	Engel	Kosmas			
			Boccieri	Eshoo	Kratovil			
			Bonner	Etheridge	Kucinich			
			Bono Mack	Faleomavaega	Lance			
			Bordallo	Fallin	Langevin			
			Boren	Farr	Larsen (WA)			
			Boswell	Fattah	Larson (CT)			
			Boucher	Filner	Latham			
			Boyd	Fleming	LaTourette			
			Brady (PA)	Fortenberry	Latta			
			Brady (TX)	Foster	Lee (CA)			
			Braley (IA)	Frank (MA)	Lee (NY)			
			Bright	Frelinghuysen	Levin			
			Brown (SC)	Fudge	Lewis (CA)			
			Brown, Corrine	Gallegly	Lewis (GA)			
			Buchanan	Gerlach	Lipinski			
			Butterfield	Giffords	LoBiondo			
			Calvert	Gingrey (GA)	Loeback			
			Camp	Gonzalez	Loftgren, Zoe			
			Cao	Gordon (TN)	Lowey			
			Capito	Granger	Lucas			
			Capps	Graves	Luetkemeyer			
			Capuano	Grayson	Lujan			
			Cardoza	Green, Al	Lungren, Daniel			
			Carnahan	Green, Gene	E.			
			Carney	Griffith	Lynch			
			Carson (IN)	Grijalva	Mack			
			Carter	Guthrie	Maffei			
			Castle	Gutierrez	Maloney			
			Castor (FL)	Hall (NY)	Markey (CO)			
			Chandler	Hall (TX)	Markey (MA)			
			Childers	Hare	Marshall			
			Christensen	Harman	Massa			
			Chu	Harper	Matheson			
			Clarke	Hastings (FL)	Matsui			
			Clay	Hastings (WA)	McCollum			
			Cleaver	Heinrich	McCotter			
			Clyburn	Herseth Sandlin	McDermott			
			Cohen	Higgins	McGovern			
			Cole	Hill	McHugh			
			Conaway	Himes	McIntyre			
			Connolly (VA)	Hinche	McKeon			
			Conyers	Hinojosa	McMahon			
			Costa	Hirono	McNerney			
			Costello		Meek (FL)			
			Courtney		Meeks (NY)			

## NOES—353

## ANSWERED “PRESENT”—11

Barrett (SC)	Chandler	Harper
Bonner	Conaway	Loftgren, Zoe
Butterfield	Dent	Welch
Castor (FL)	Diaz-Balart, L.	

## NOT VOTING—4

Edwards (MD)	Tonko
McCarthy (NY)	Waters

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1357

So the amendment was rejected.

The result of the vote was announced as above recorded.

## PART C AMENDMENT NO. 1 OFFERED BY MR.

## CAMPBELL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. CAMPBELL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 81, noes 353, not voting 5, as follows:

[Roll No. 672]

## AYES—81

Bachmann	Boozman	Burgess
Barrett (SC)	Boustany	Burton (IN)
Blackburn	Brown (GA)	Buyer
Blunt	Brown-Waite,	Campbell
Boehner	Ginny	Cantor

## NOT VOTING—5

McCarthy (NY)	Sablan	Waters
Pingree (ME)	Sutton	

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1400

So the amendment was rejected.

The result of the vote was announced as above recorded.

## PART C AMENDMENT NO. 8 OFFERED BY MR.

## CAMPBELL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. CAMPBELL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 99, noes 338, not voting 2, as follows:

[Roll No. 673]

## AYES—99

Austria	Boehner	Burton (IN)
Bachmann	Boozman	Campbell
Barrett (SC)	Boustany	Cantor
Bean	Brady (TX)	Cassidy
Blackburn	Brown (GA)	Castle
Blunt	Burgess	Chaffetz

Coble Johnson (IL)  
Coffman (CO) Jones  
Cooper Jordan (OH)  
Deal (GA) Kind  
Dent King (IA)  
Duncan Kirk  
Ehlers Kline (MN)  
Flake Lamborn  
Fleming Linder  
Forbes Luetkemeyer  
Foxy Lummis  
Franks (AZ) Lungren, Daniel  
Gallegly E.  
Garrett (NJ) Manzullo  
Gerlach McCarthy (CA)  
Gohmert McCaul  
Goodlatte McClintock  
Graves McHenry  
Hall (TX) McKeon  
Halvorson McMorris  
Heller Rodgers  
Hensarling Miller, Gary  
Herger Minnick  
Hoekstra Moran (KS)  
Hunter Myrick  
Inglis Nunes  
Issa Paul  
Jenkins Paulsen

## NOES—338

Abercrombie Conyers  
Ackerman Costa  
Aderholt Costello  
Adler (NJ) Courtney  
Akin Crenshaw  
Alexander Crowley  
Altmire Cuellar  
Andrews Culberson  
Arcuri Cummings  
Baca Dahlkemper  
Bachus Davis (AL)  
Baird Davis (CA)  
Baldwin Davis (IL)  
Barrow Davis (KY)  
Bartlett Davis (TN)  
Barton (TX) DeFazio  
Becerra DeGette  
Berkley Delahunt  
Berman DeLauro  
Berry Diaz-Balart, L.  
Biggert Diaz-Balart, M.  
Billbray Dicks  
Bilirakis Dingell  
Bishop (GA) Doggett  
Bishop (NY) Donnelly (IN)  
Bishop (UT) Doyle  
Blumenauer Dreier  
Boccheri Driehaus  
Bonner Edwards (MD)  
Bono Mack Edwards (TX)  
Bordallo Ellison  
Boren Ellsworth  
Boswell Emerson  
Boucher Engel  
Boyd Eshoo  
Brady (PA) Etheridge  
Braley (IA) Faleomavaega  
Bright Fallin  
Brown (SC) Farr  
Brown, Corrine Fattah  
Brown-Waite, Filner  
Ginny Fortenberry  
Buchanan Foster  
Butterfield Frank (MA)  
Buyer Frelinghuysen  
Calvert Fudge  
Camp Giffords  
Cao Gingrey (GA)  
Capito Gonzalez  
Capps Gordon (TN)  
Capuano Granger  
Cardoza Grayson  
Carnahan Green, Al  
Carney Green, Gene  
Carson (IN) Griffith  
Carter Grijalva  
Castor (FL) Guthrie  
Chandler Gutierrez  
Childers Hall (NY)  
Christensen Hare  
Chu Harman  
Clarke Harper  
Clay Hastings (FL)  
Cleaver Hastings (WA)  
Clyburn Heinrich  
Cohen Herseth Sandlin  
Cole Higgins  
Conaway Hill  
Connolly (VA) Himes

Pence  
Petri  
Pitts  
Platts  
Poe (TX)  
Price (GA)  
Roe (TN)  
Rohrabacher  
Rooney  
Roskam  
Royce  
Ryan (WI)  
Scalise  
Schmidt  
Sensenbrenner  
Sessions  
Shadegg  
Shimkus  
Smith (NE)  
Speier  
Stearns  
Terry  
Upton  
Walden  
Wamp  
Westmoreland  
Wittman

Meek (FL)  
Meeks (NY)  
Melancon  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, George  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (VA)  
Murphy (CT)  
Murphy (NY)  
Murphy, Patrick  
Murphy, Tim  
Murtha  
Nadler (NY)  
Napolitano  
Neal (MA)  
Neugebauer  
Norton  
Nye  
Oberstar  
Obey  
Olson  
Oliver  
Ortiz  
Pallone  
Pascrell  
Pastor (AZ)  
Payne  
Perlmutter  
Perriello  
Peters  
Peterson  
Pierluisi  
Pingree (ME)  
Polis (CO)  
Pomeroy  
Posey  
Price (NC)  
Putnam

Quigley  
Radanovich  
Rahall  
Rangel  
Rehberg  
Reichert  
Reyes  
Richardson  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Ros-Lehtinen  
Ross  
Rothman (NJ)  
Roybal-Allard  
Ruppersberger  
Ryan (OH)  
Sablan  
Salazar  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schauer  
Schiff  
Schock  
Schrader  
Schwartz  
Scott (GA)  
Scott (VA)  
Serrano  
Sestak  
Shea-Porter  
Sherman  
Shuler  
Shuster  
Simpson  
Sires  
Skelton  
Slaughter  
Smith (NJ)  
Smith (TX)  
Smith (WA)

Snyder  
Souder  
Space  
Spratt  
Stark  
Stupak  
Sullivan  
Sutton  
Tanner  
Taylor  
Teague  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiahrt  
Tiberi  
Tierney  
Titus  
Tonko  
Towns  
Tsongas  
Turner  
Van Hollen  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Welch  
Wexler  
Whitfield  
Wilson (OH)  
Wilson (SC)  
Wolf  
Woolsey  
Wu  
Yarmuth  
Young (AK)  
Young (FL)

## NOT VOTING—2

McCarthy (NY) Rush

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1404

Mr. HALL of Texas changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the “Department of Defense Appropriations Act, 2010”.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ALTMIRE) having assumed the chair, Mr. HOLDEN, Acting Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3326) making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes, pursuant to House Resolution 685, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Pursuant to House Resolution 685, the question on adoption of the amendments will be put en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

## MOTION TO RECOMMIT

Mr. FRELINGHUYSEN. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. FRELINGHUYSEN. In its present form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Frelinghuysen moves to recommit the bill H.R. 3326 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendments:

Page 2, line 22, after the dollar amount, insert “(increased by \$100,000,000)”

Page 26, line 9, after the dollar amount, insert “(increased by \$304,800,000)”

Page 29, line 21, after the dollar amount, insert “(reduced by \$404,800,000)”

In section 8120, strike “None of the funds appropriated” and all that follows through “\$368,800,000 of the funds” and insert “Funds”.

In section 8120, strike paragraph (1) (and redesignate subsequent paragraphs accordingly):

Mr. FRELINGHUYSEN (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered read.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The SPEAKER pro tempore. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. The motion to recommit would restore funding originally included in the bill as reported by the Appropriations Committee for advanced procurement for 12 F-22 aircraft and allow the program to move forward. It would also provide an additional \$100 million for the Army military personnel accounts. These increases are offset by cutting \$400 million in unrequested funds for the Presidential helicopter, a troubled program that the President himself has proposed to eliminate.

My motion to recommit is consistent with the recently passed Defense authorization bill which recognized the continued vital need for the F-22 by authorizing an additional F-22 aircraft and, at the same time, did not authorize additional funding for the President's helicopter.

Mr. Speaker, while much is made of the President's threatened veto of this bill over the F-22, the fact of the matter is the President has also threatened a veto over funding for the Presidential helicopter. While I appreciate the President has a role in this process, it is Congress, not the President, that has the power of the purse. I do not believe that we should simply take the President's budget proposal and rubber-stamp it.

In addition, my motion to recommit begins to fill a known funding shortfall in the Army military and personnel accounts that resulted from Secretary Gates' recent decision to increase the total Army end strength by 22,000 troops to support the administration's Afghanistan policy.

My motion would also leave intact the additional funds added in the Murtha amendment for four of the Air Force's unfunded priorities.

I urge my colleagues to support this motion to recommit.

I yield to the gentleman from Utah (Mr. BISHOP), a member of the Armed Services Committee, for the remaining time.

Mr. BISHOP of Utah. Mr. Speaker, we all know that to maintain air superiority, which we have had since the Korean War, requires two elements: one is the technological ability, which we know the F-22 provides, but the other is the numerical superiority that we have to have, which is why, when this program was originally started, it was supposed to be 750 planes.

Even as late as last year, the military was telling us 381 maintains the status quo and 243 is the absolute minimum, a number still maintained by Air Combat Command, by the Air National Guard, by 30 of the military studies over the last 15 years. Even the Chief of Staff admitted the 243 is what they needed.

The only person that said 187 is the Secretary of Defense. There is no study to verify that number. That number is a political number, not a military number.

As we go into the future where the Russians are building a new generation fighter with 200 to 300 extra planes to sell to countries like Iran and Venezuela, when we then couple that by cutting 250 legacy planes already in the Air Force and stopping the F-22 and having an F-35 which will not be available under the best of circumstances until 2014, maybe even 2016 as we are talking about it, what we are doing is putting ourselves in danger 10 and 15 years out of being on the wrong side of history. We cannot do that.

This amendment mirrors what the House voted on the Defense authorization bill by putting back procurement money for 12 F-22s and adding \$100 million for military personnel to help the anticipated shortfall in the upgrade in what we are doing in Afghanistan.

This is the right thing to do. This is what the military needs. We should not simply make a political decision, because I hate to say this in this crass of a way, but when we can authorize \$5 billion for groups like ACORN but \$2 billion to keep 18,000 jobs going and provide planes for another year that this country needs, we have something to do to look at our priorities. The \$2 billion is for the defense of this country into the future. The military needs this plane.

Mr. FRELINGHUYSEN. Please support the motion to recommit.

I yield back.

Mr. MURTHA. I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MURTHA. I've said over and over again, I have been for the F-22. The point is we'd need 292 votes here in order to pass the F-22. We'd need 66 votes in the Senate. The Senate voted 58-40 against it. So we have no alternative.

Now, what I've done is try to robustly fund the program as it is. In other words, they have 187. Let's make sure it's funded adequately. Let's make sure they have what they need. They have a lot of maintenance questions about the F-22. There is no question about it, and so we need to make sure it's robustly funded.

The Presidential helicopter, \$3.2 billion we spent on this thing. We ought to get something out of it. One of the Secretaries said to me the other day that they are going to spend another \$2 billion if you get it right. I said, Wait a minute; how much do you think you will spend if you have to do another one?

I'm trying to work something out with the White House on that and other issues.

It took a little more time than I expected in this bill today, but I'd appreciate a "no" vote on this vote to recommit.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

#### RECORDED VOTE

Mr. FRELINGHUYSEN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 169, noes 261, not voting 3, as follows:

[Roll No. 674]

AYES—169

Aderholt  
Adler (NJ)  
Akin  
Alexander  
Austria  
Bachmann  
Bachus  
Barrett (SC)  
Barrow  
Bartlett  
Barton (TX)  
Bilbray  
Bilirakis  
Bishop (UT)  
Blackburn  
Blunt  
Boehner  
Bonner  
Bono Mack

Boozman  
Boustany  
Boyd  
Brady (TX)  
Bright  
Broun (GA)  
Brown (SC)  
Brown-Waite,  
Ginny  
Buchanan  
Burgess  
Burton (IN)  
Buyer  
Calvert  
Cantor  
Cao  
Capito  
Carter  
Cassidy

Chaffetz  
Coffman (CO)  
Coley  
Conaway  
Crenshaw  
Culberson  
Davis (AL)  
Davis (KY)  
Deal (GA)  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dreier  
Duncan  
Edwards (TX)  
Fallin  
Fleming  
Forbes  
Fortenberry  
Foxy

Franks (AZ)  
Frelinghuysen  
Gallegly  
Giffords  
Gingrey (GA)  
Gohmert  
Goodlatte  
Granger  
Graves  
Guthrie  
Hall (TX)  
Harper  
Hastings (WA)  
Heller  
Hensarling  
Herger  
Hoekstra  
Hunter  
Inglis  
Issa  
Jenkins  
Johnson (IL)  
Johnson, Sam  
Jordan (OH)  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kirkpatrick (AZ)  
Kline (MN)  
Kosmas  
Kratovil  
Lamborn  
Lance  
Latham  
LaTourette  
Latta  
Lee (NY)  
Lewis (CA)

Linder  
LoBiondo  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marshall  
McCarthy (CA)  
McCauley  
McClintock  
McCotter  
McHenry  
McKeon  
McMorris  
Rodgers  
Mica  
Miller (FL)  
Miller, Gary  
Minnick  
Moran (KS)  
Myrick  
Neugebauer  
Nunes  
Olson  
Pence  
Perriello  
Pitts  
Platts  
Poe (TX)  
Posey  
Price (GA)  
Putnam  
Radanovich  
Rehberg  
Reichert

Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rooney  
Ros-Lehtinen  
Roskam  
Royce  
Scalise  
Schmidt  
Schock  
Scott (GA)  
Sessions  
Shadegg  
Shimkus  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Souder  
Stearns  
Sullivan  
Teague  
Terry  
Thompson (PA)  
Thornberry  
Tiahrt  
Turner  
Walden  
Wamp  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Young (AK)  
Young (FL)

#### NOES—261

Abercrombie  
Ackerman  
Altmire  
Andrews  
Arcuri  
Baca  
Baird  
Baldwin  
Bean  
Becerra  
Berkley  
Berman  
Berry  
Biggert  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Boccieri  
Boren  
Boswell  
Boucher  
Brady (PA)  
Braley (IA)  
Brown, Corrine  
Butterfield  
Camp  
Campbell  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Castle  
Castor (FL)  
Chandler  
Childers  
Chu  
Clarke  
Clay  
Cleaver  
Clyburn  
Coble  
Cohen  
Connolly (VA)  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Crowley  
Cuellar  
Cummings  
Dahlkemper  
Davis (CA)  
Davis (IL)  
Davis (TN)  
DeFazio

DeGette  
Delahunt  
DeLauro  
Dent  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle  
Driehaus  
Edwards (MD)  
Ehlers  
Ellison  
Ellsworth  
Emerson  
Engel  
Eshoo  
Etheridge  
Farr  
Fattah  
Filner  
Flake  
Foster  
Frank (MA)  
Fudge  
Garrett (NJ)  
Gerlach  
Gonzalez  
Gordon (TN)  
Grayson  
Green, Al  
Green, Gene  
Griffith  
Grijalva  
Gutierrez  
Hall (NY)  
Halvorson  
Hare  
Harman  
Hastings (FL)  
Heinrich  
Herseth Sandlin  
Higgins  
Hill  
Himes  
Hinchey  
Hinojosa  
Hirono  
Hodes  
Holden  
Holt  
Honda  
Hoyer  
Inslee  
Israel  
Jackson (IL)  
Jackson-Lee  
(TX)

Johnson (GA)  
Johnson, E. B.  
Jones  
Kagen  
Kanjorski  
Kaptur  
Kennedy  
Kildee  
Kilpatrick (MI)  
Kilroy  
Kind  
Kissell  
Klein (FL)  
Kucinich  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
Loebbeck  
Lofgren, Zoe  
Lowey  
Lujan  
Lynch  
Maffei  
Maloney  
Markey (CO)  
Markey (MA)  
Massa  
Matheson  
Matsui  
McCollum  
McDermott  
McGovern  
McIntyre  
McMahon  
McNerney  
Meek (FL)  
Meeks (NY)  
Melancon  
Michaud  
Miller (MI)  
Miller (NC)  
Miller, George  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (VA)  
Murphy (CT)  
Murphy (NY)  
Murphy, Patrick  
Murphy, Tim  
Murtha  
Nadler (NY)  
Napolitano

Neal (MA) Ruppertsberger Stupak  
 Nye Rush Sutton  
 Oberstar Ryan (OH) Tanner  
 Obey Ryan (WI) Taylor  
 Oliver Salazar Thompson (CA)  
 Ortiz Sánchez, Linda Thompson (MS)  
 Pallone T. Tiberi  
 Pascrell Sanchez, Loretta Tierney  
 Pastor (AZ) Sarbanes Titus  
 Paul Schakowsky Tonko  
 Paulsen Schauer Towns  
 Payne Schiff Tsongas  
 Perlmutter Schrader Upton  
 Peters Schwartz Van Hollen  
 Peterson Scott (VA) Velázquez  
 Petri Sensenbrenner Visclosky  
 Pingree (ME) Serrano Walz  
 Polis (CO) Sestak Wasserman  
 Pomeroy Shea-Porter Schultz  
 Price (NC) Sherman Waters  
 Quigley Shuler Watson  
 Rahall Sires Watt  
 Rangel Skelton Waxman  
 Reyes Slaughter Weiner  
 Richardson Smith (WA) Welch  
 Rodriguez Snyder Wexler  
 Rohrabacher Space Wilson (OH)  
 Ross Speier Woolsey  
 Rothman (NJ) Spratt Wu  
 Roybal-Allard Stark Yarmuth

## NOT VOTING—3

McCarthy (NY) McHugh Shuster

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1432

Ms. BALDWIN changed her vote from “aye” to “no.”

Mr. BURGESS and Mrs. KIRKPATRICK of Arizona changed their vote from “no” to “aye.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 400, nays 30, not voting 3, as follows:

[Roll No. 675]

## YEAS—400

Abercrombie Bonner Carter  
 Ackerman Bono Mack Cassidy  
 Aderholt Boozman Castle  
 Adler (NJ) Boren Castor (FL)  
 Akin Boswell Chaffetz  
 Alexander Boucher Chandler  
 Altmire Boustany Childers  
 Andrews Boyd Chu  
 Arcuri Brady (PA) Clarke  
 Austria Brady (TX) Clay  
 Baca Braley (IA) Cleaver  
 Bachmann Bright Clyburn  
 Bachus Broun (GA) Coble  
 Baird Brown (SC) Coffman (CO)  
 Barrett (SC) Brown, Corrine Cohen  
 Barrow Brown-Waite, Cole  
 Bartlett Ginny Conaway  
 Barton (TX) Buchanan Connolly (VA)  
 Bean Burgess Conyers  
 Becerra Burton (IN) Cooper  
 Berkley Butterfield Costa  
 Berman Buyer Costello  
 Berry Calvert Courtney  
 Biggert Camp Crenshaw  
 Bilbray Cantor Crowley  
 Bilirakis Cao Cuellar  
 Bishop (GA) Capito Culberson  
 Bishop (NY) Capps Cummings  
 Bishop (UT) Capuano Kennedy  
 Blackburn Cardoza Kildee  
 Blunt Carnahan Kilpatrick (MI)  
 Bocieri Carney Davis (IL)  
 Boehner Carson (IN) Davis (KY)

Davis (TN) King (IA)  
 Deal (GA) King (NY)  
 DeFazio Kingston  
 DeGette Kirk  
 DeLauro Kirkpatrick (AZ)  
 Kissell  
 Dent Klein (FL)  
 Diaz-Balart, L. Kline (MN)  
 Diaz-Balart, M. Kosmas  
 Dicks Kratochvil  
 Dingell Lamborn  
 Doggett Lance  
 Donnelly (IN) Langevin  
 Doyle Larsen (WA)  
 Dreier Larson (CT)  
 Driehaus Latham  
 Edwards (MD) LaTourette  
 Edwards (TX) Latta  
 Ehlers Lee (NY)  
 Ellsworth Levin  
 Emerson Lewis (CA)  
 Engel Linder  
 Eshoo Lipinski  
 Etheridge LoBiondo  
 Fallin Loeb sack  
 Farr Lowey  
 Fattah Lucas  
 Fleming Luetkemeyer  
 Forbes Luján  
 Fortenberry Lummis  
 Foster Lungren, Daniel  
 E.  
 Franks (AZ) Lynch  
 Frelinghuysen Mack  
 Fudge Maffei  
 Gallegly Maloney  
 Garrett (NJ) Manzullo  
 Gerlach Marchant  
 Giffords Markey (CO)  
 Gingrey (GA) Markey (MA)  
 Gohmert Marshall  
 Gonzalez Massa  
 Goodlatte Matheson  
 Gordon (TN) Matsui  
 Granger McCarthy (CA)  
 Graves McCaul  
 Grayson McClintock  
 Green, Al McCollum  
 Green, Gene McCotter  
 Grijalva McGovern  
 Guthrie McHenry  
 Gutierrez McHugh  
 Hall (NY) McIntyre  
 Hall (TX) McKeon  
 Halvorson McMahan  
 Hare McMorris  
 Harman Rodgers  
 Harper McNeerney  
 Hastings (FL) Meek (FL)  
 Hastings (WA) Meeks (NY)  
 Heinrich Melancon  
 Heller Mica  
 Hensarling Michaud  
 Herger Miller (FL)  
 Herseht Sandlin Miller (MI)  
 Higgins Miller (NC)  
 Hill Miller, Gary  
 Himes Minnick  
 Hinchey Mitchell  
 Hinojosa Mollohan  
 Hirono Moore (KS)  
 Hodes Moran (KS)  
 Hoekstra Moran (VA)  
 Holden Murphy (CT)  
 Holt Murphy (NY)  
 Honda Murphy, Patrick  
 Hoyer Murtha  
 Hunter Myrick  
 Inglis Nadler (NY)  
 Inslee Napolitano  
 Israel Neal (MA)  
 Issa Neugebauer  
 Jackson (IL) Nunes  
 Jackson-Lee Jackson-Lee (TX)  
 Nye  
 Oberstar  
 Obey  
 Olson  
 Oliver  
 Ortiz  
 Pallone  
 Pascrell  
 Pastor (AZ)  
 Paulsen  
 Pence  
 Perlmutter  
 Perriello  
 Peters  
 Peterson  
 Petri

Pingree (ME) Whitfield  
 Pitts Wilson (OH)  
 Platts Wilson (SC)  
 Poe (TX) Wittman  
 Polis (CO)  
 Pomeroy  
 Posey  
 Price (GA)  
 Price (NC)  
 Putnam  
 Quigley  
 Radanovich  
 Rahall  
 Rangel  
 Rehberg  
 Reichert  
 Reyes  
 Richardson  
 Rodriguez  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Rooney  
 Ros-Lehtinen  
 Roskam  
 Ross  
 Rothman (NJ)  
 Roybal-Allard  
 Ruppertsberger  
 Rush  
 Ryan (OH)  
 Ryan (WI)  
 Salazar  
 Sánchez, Linda  
 T.  
 Sanchez, Loretta  
 Sarbanes  
 Scalise  
 Schauer  
 Schiff  
 Schmitt  
 Schock  
 Schrader  
 Schwartz  
 Scott (GA)  
 Scott (VA)  
 Sessions  
 Sestak  
 Shadegg  
 Shea-Porter  
 Sherman  
 Shimkus  
 Shuler  
 Shuster  
 Simpson  
 Sires  
 Skelton  
 Slaughter  
 Smith (NE)  
 Smith (NJ)  
 Smith (TX)  
 Smith (WA)  
 Snyder  
 Souder  
 Space  
 Stearns  
 Stupak  
 Sullivan  
 Sutton  
 Tanner  
 Taylor  
 Teague  
 Terry  
 Thompson (CA)  
 Thompson (MS)  
 Thompson (PA)  
 Thornberry  
 Tiahrt  
 Tiberi  
 Titus  
 Tonko  
 Tsongas  
 Turner  
 Upton  
 Van Hollen  
 Velázquez  
 Visclosky  
 Walden  
 Walz  
 Wamp  
 Wasserman  
 Schultz  
 Watson  
 Waxman  
 Weiner  
 Westmoreland  
 Wexler

## NAYS—30

Baldwin Kucinich Schakowsky  
 Blumenauer Lee (CA) Sensenbrenner  
 Campbell Lewis (GA) Serrano  
 Duncan Lofgren, Zoe Speier  
 Ellison McDermott Stark  
 Filner Miller, George Tierney  
 Flake Moore (WI) Towns  
 Frank (MA) Paul Waters  
 Griffith Payne Watt  
 Johnson (IL) Royce Welch

## NOT VOTING—3

McCarthy (NY) Murphy, Tim Spratt

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining in the vote.

□ 1440

Mr. GRIFFITH changed his vote from “yea” to “nay.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. CONYERS. Madam Speaker, on July 30, 2009, I inadvertently cast a “yea” vote for H.R. 3326. I intended to vote “nay.”

## PERSONAL EXPLANATION

Ms. WOOLSEY. Mr. Speaker, I request that the RECORD note that for rollcall No. 661, Murtha of Pennsylvania Part A Amendment No. 1, I voted “no”, but would like the RECORD to reflect, I intended to vote “aye.”

I request that the RECORD note that for rollcall No. 675, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, I voted “yea”, but would like the RECORD to reflect, I intended to vote “nay.”

## PERSONAL EXPLANATION

Mr. KUCINICH. Mr. Speaker, on rollcall No. 663 I inadvertently voted “no.” I intended to vote “yes.”

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces a correction to an earlier vote tally. On rollcall vote No. 666, the ayes were 76 and the noes were 350.

## PROVIDING FOR CONSIDERATION OF H.R. 2749, FOOD SAFETY ENHANCEMENT ACT OF 2009

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 691 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 691

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2749) to amend the Federal Food, Drug, and Cosmetic Act to improve the safety of food in the global market, and for other purposes. The first reading