

SA 1654. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

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SA 1656. Mr. CONRAD submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1657. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1658. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1659. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1660. Mr. CARDIN (for himself, Ms. MIKULSKI, Mr. WEBB, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1661. Mr. KERRY (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1662. Mr. DURBIN (for himself and Mr. NELSON, of Nebraska) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1663. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1664. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

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SA 1667. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1668. Mr. GREGG submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1669. Mrs. BOXER (for herself, Mr. BOND, Ms. LANDRIEU, Ms. MURKOWSKI, Mrs. LINCOLN, Mrs. GILLIBRAND, Mr. WYDEN, Mr. BURRIS, and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1670. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1671. Mr. KYL (for himself, Mr. DEMINT, Mr. INHOFE, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1672. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1673. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1674. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1675. Mr. FEINGOLD (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1676. Mr. BEGICH (for himself, Mr. SESSIONS, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1677. Mr. BEGICH (for himself, Mr. SESSIONS, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1678. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1679. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1680. Mr. VOINOVICH (for himself, Mr. LEAHY, Mr. BOND, Mr. BEGICH, Mr. BENNETT, Mr. BYRD, Mr. CASEY, Mr. COCHRAN, Mr. CRAPO, Mr. DORGAN, Mrs. LINCOLN, Ms. MURKOWSKI, Mr. RISCH, Mr. ROCKEFELLER, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1681. Mrs. LINCOLN (for herself, Ms. LANDRIEU, Mr. TESTER, and Mr. WYDEN) submitted an amendment intended to be proposed by her to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1682. Mr. CONRAD (for himself, Mr. ENZI, Mr. HATCH, Mr. TESTER, Mr. BENNETT, Mr. BAUCUS, Mr. BARRASSO, and Mr. DORGAN) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1683. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1684. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1685. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1686. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1687. Mr. MENENDEZ (for himself and Mr. CORKER) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1688. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1689. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 1390, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1647. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military con-

struction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 213, between lines 14 and 15, insert the following:

SEC. 706. SENSE OF THE SENATE ON HEALTH CARE BENEFITS AND COSTS FOR MEMBERS OF THE ARMED FORCES AND THEIR FAMILIES.

(a) FINDINGS.—The Senate makes the following findings:

(1) Career members of the Armed Forces and their families endure unique and extraordinary demands, and make extraordinary sacrifices, over the course of 20-year to 30-year careers in protecting freedom for all Americans.

(2) The nature and extent of these demands and sacrifices are never so evident as in wartime, not only during the current combat operations, but also during the wars of the last 60 years when current retired members of the Armed Forces were on continuous call to go in harm's way when and as needed.

(3) A primary benefit of enduring the extraordinary sacrifices inherent in a military career is a range of retirement benefits, including lifetime health benefits, that a grateful Nation provides for those who choose to subordinate their personal life to the national interest for so many years.

(4) Currently serving and retired members of the uniformed services and their families and survivors deserve benefits equal to their commitment and service to our Nation.

(5) Many employers are curtailing health benefits and shifting costs to their employees, which may result in retired members of the Armed Forces returning to the Department of Defense, and its TRICARE program, for health care benefits during retirement, and contribute to health care cost growth.

(6) Defense health costs also expand as a result of service-unique military readiness requirements, wartime requirements, and other necessary requirements that represent the "cost of business" for the Department of Defense.

(7) While the Department of Defense has made some efforts to contain increases in the cost of the TRICARE program, too many of those efforts have been devoted to shifting a larger share of the costs of benefits under that program to retired members of the Armed Forces who have earned health care benefits in return for a career of military service.

(8) In some cases health care providers refuse to accept TRICARE patients because that program pays less than other public and private payors and imposes unique administrative requirements.

(9) The Department of Defense records deposits to the Department of Defense Military Retiree Health Care Fund as discretionary costs to the Department in spite of legislation enacted in 2006 that requires such deposits to be made directly from the Treasury of the United States.

(10) As a result, annual payments for the future costs of servicemember health care continue to compete with other readiness needs of the Armed Forces.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the Department of Defense and the Nation have an obligation to provide health care benefits to retired members of the Armed Forces that equals the quality of their selfless service to our country;

(2) past proposals by the Department of Defense to impose substantial fee increases

on military beneficiaries have failed to acknowledge properly the findings addressed in subsection (a); and

(3) the Department of Defense has many additional options to constrain the growth of health care spending in ways that do not disadvantage retired members of the Armed Forces who participate or seek to participate in the TRICARE program, and should pursue any and all such options rather than seeking large increases for enrollment fees, deductibles, and copayments for such retirees, and their families or survivors, who do participate in that program.

SA 1648. Mrs. BOXER (for herself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by her to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PORT CHICAGO NAVAL MAGAZINE NATIONAL MEMORIAL.

(a) IN GENERAL.—Section 203 of the Port Chicago National Memorial Act of 1992 (16 U.S.C. 431 note; Public Law 102-562; 106 Stat. 4235) is amended—

(1) by redesignating subsection (c) as subsection (f);

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

“(c) ADMINISTRATION.—

“(1) IN GENERAL.—The Secretary of the Interior shall administer the Port Chicago Naval Magazine National Memorial as a unit of the National Park System in accordance with—

“(A) this Act; and

“(B) the laws generally applicable to units of the National Park System, including—

“(i) the National Park Service Organic Act (16 U.S.C. 1 et seq.); and

“(ii) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

“(2) ADMINISTERED LAND.—The land described in subsection (d)(2) shall be administered in accordance with this subsection.

“(d) TRANSFER OF LAND.—

“(1) IN GENERAL.—The Secretary of Defense shall enter into a memorandum of understanding with the Secretary of the Interior providing for the transfer, without reimbursement, of administrative jurisdiction to the Secretary of the Interior of the land described in paragraph (2), if the Secretary of Defense determines that the land is in excess of military needs.

“(2) DESCRIPTION OF LAND.—The land referred to in paragraph (1) is the parcel of approximately 5 acres of land, as depicted on the map entitled ‘Port Chicago Naval Magazine National Memorial, Proposed Boundary’, numbered 018/80.001, and dated August 2005.

“(e) AGREEMENT WITH CITY OF CONCORD AND EAST BAY REGIONAL PARK DISTRICT.—The Secretary of the Interior may enter into an agreement with the City of Concord, California, and the East Bay Regional Park District to establish and operate a facility for visitor orientation and parking, administrative offices, and curatorial storage for the Port Chicago Naval Magazine National Memorial.”; and

(3) in subsection (f), (as redesignated by paragraph (1)), by striking “Secretary of the Navy to provide public access to the Memorial” and inserting “Secretary of Defense to

provide the maximum practicable public access to the Memorial without interfering with military needs”.

(b) SENSE OF CONGRESS ON REMEDIATION AND REPAIR OF PORT CHICAGO NAVAL MAGAZINE NATIONAL MEMORIAL.—

(1) REMEDIATION.—It is the sense of Congress that, to facilitate the transfer of administrative jurisdiction described in subsection (d) of section 203 of the Port Chicago National Memorial Act of 1992 (16 U.S.C. 431 note; Public Law 102-562; 106 Stat. 4235)(as added by subsection (a)), the Secretary of Defense should promptly remediate any remaining environmental contamination relating to the land.

(2) REPAIR.—It is the sense of Congress that, in order to preserve the Port Chicago Naval Magazine National Memorial for future generations, the Secretary of Defense and the Secretary of the Interior should work together to—

(A) repair storm damage to the Port Chicago Naval Magazine National Memorial; and

(B) develop a process by which future repairs and necessary modifications to the Memorial can be achieved in as timely and cost-effective a manner as possible.

(c) EFFECT.—Nothing in this section or the amendments made by this section affects or limits the application of, or obligation to comply with, any environmental law, including section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

SA 1649. Ms. COLLINS (for herself and Mr. COBURN) submitted an amendment intended to be proposed by her to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 832 and insert the following:
SEC. 832. SMALL ARMS PRODUCTION INDUSTRIAL BASE.

Section 2473 of title 10, United States Code, is amended—

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

“(c) SMALL ARMS PRODUCTION INDUSTRIAL BASE.—In this section, the term ‘small arms production industrial base’ means the persons and organizations that are engaged in the production or maintenance of small arms within the United States.”; and

(2) in subsection (d), by adding at the end the following new paragraph:

“(6) Pistols.”.

SA 1650. Mr. LIEBERMAN (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 394, between lines 8 and 9, insert the following:

SEC. 1032. TRIAL BY MILITARY COMMISSION OF ALIEN UNPRIVILEGED BELLIGERENTS FOR VIOLATIONS OF THE LAW OF WAR.

(a) IN GENERAL.—Subchapter I of chapter 47A of title 10, United States Code, as amend-

ed by section 1031(a), is further amended by adding at the end the following new section:

“**§948e. Trial by military commission of alien unprivileged belligerents for violations of the law of war**

“(a) SENSE OF CONGRESS.—It is the sense of Congress that the preferred forum for the trial of alien unprivileged enemy belligerents subject to this chapter for violations of the law of war and other offenses made punishable by this chapter is trial by military commission under this chapter.

“(b) REPORTING REQUIREMENT.—For any alien unprivileged enemy belligerent subject to this chapter whom the United States Government decides to try in Federal district court rather than by military commission under this chapter, the Secretary of Defense and the Attorney General shall report to Congress, not later than 30 days after such decision is made, on—

“(1) the criteria used to decide to try such individual in Federal district court rather than by military commission;

“(2) an estimate of the total costs to the United States Government, including costs borne by the judicial branch, attributable to trying such individual in Federal district court; and

“(3) any other information that the Secretary of Defense and the Attorney General consider appropriate.”.

(b) CLERICAL AMENDMENT.—The table of sections of the beginning of such subchapter, as amended by section 1031(a), is further amended by adding after the item relating to section 948d the following new item:

“948e. Trial by military commission of alien unprivileged belligerents for violations of the law of war.”.

SA 1651. Mr. FEINGOLD (for himself, Ms. MURKOWSKI, Mrs. LINCOLN, and Mr. BURRIS) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

SEC. 652. CONTINUATION ON ACTIVE DUTY OF RESERVE COMPONENT MEMBERS DURING PHYSICAL EVALUATION BOARD PROCESS.

Section 1218 of title 10, United States Code, is amended by adding at the end the following new subsections:

“(d)(1) The Secretary of a military department shall give a member of a reserve component under the jurisdiction of the Secretary who is being evaluated by a physical evaluation board for separation or retirement for disability, incurred in the performance of military duties under this chapter or for placement on the temporary disability retired list or inactive status list under this chapter the option to remain on active duty during the physical evaluation board process until such time as the member—

“(A) is cleared by the board for continuation of active duty; or

“(B) is separated, retired, or placed on the temporary disability retired list or inactive status list.

“(2) A member may change the election under paragraph (1) at any point during the physical evaluation board process and be released from active duty.

“(3) The requirements in paragraph (1) shall expire on the date that is five years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2010.

“(e) A member contemplating the exercise of an option under subsection (d) may exercise such option only after being afforded an opportunity to consult with a member of the applicable judge advocate general’s corps.”.

SEC. 653. ENCOURAGEMENT OF USE OF LOCAL RESIDENCES FOR CERTAIN RESERVE COMPONENT MEMBERS.

Section 1222 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(d) ASSIGNMENT TO COMMUNITY BASED WARRIOR TRANSITION UNITS FOR CERTAIN RESERVE COMPONENT MEMBERS.—(1)(A) A member of a reserve component described by subparagraph (B) may be assigned to the community based warrior transition unit located nearest to the member’s permanent place of residence if residing at that location is—

“(i) medically feasible, as determined by a licensed military health care provider; and

“(ii) consistent with the needs of the armed forces.

“(B) A member of a reserve component described by this subparagraph is any member remaining on active duty under section 1218(d) of this title during the period the member is on active duty under such subsection.

“(2) Nothing in this subsection shall be construed as terminating, altering, or otherwise affecting the authority of the commander of a member described in paragraph (1)(B) to order the member to perform duties consistent with the member’s fitness for duty.

“(3) The Secretary concerned shall pay any reasonable expenses of transportation, lodging, and meals incurred by a member residing at the member’s permanent place of residence under this subsection in connection with travel from the member’s permanent place of residence to a medical facility during the period in which the member is covered by this subsection.”.

SEC. 654. ASSISTANCE WITH TRANSITIONAL BENEFITS.

(a) IN GENERAL.—Chapter 61 of title 10, United States Code, is amended by inserting after section 1218 the following new section:

“§ 1218a. Discharge or release from active duty: transition assistance

“The Secretary of a military department shall provide to a member of a reserve component under the jurisdiction of the Secretary who is injured while on active duty in the armed forces the following before such member is demobilized or separated from the armed forces:

“(1) Information on the availability of care and administrative processing through community based warrior transition units.

“(2) The location of the community based warrior transition unit located nearest to the member’s permanent place of residence.

“(3) An opportunity to consult with a member of the applicable judge advocate general’s corps regarding the member’s eligibility for compensation, disability, or other transitional benefits.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 61 of such title is amended by inserting after the item relating to section 1218 the following new item:

“1218a. Discharge or release from active duty: transition assistance.”.

SA 1652. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 429, between lines 8 and 9, insert the following:

SEC. 1073. REPORT ON INTERNATIONAL MILITARY EDUCATION AND TRAINING PROGRAM.

(a) FINDINGS.—Congress makes the following findings:

(1) Building foreign partner capacity is a fundamental cornerstone of the security strategy of the United States.

(2) Significant progress has been made in this area over the past several years, but the United States Government must continue to increase its efforts, including improving reliability of funding and late notifications of school availability for the International Military Education and Training (IMET) program.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the effectiveness and efficiency of the IMET program.

(2) CONTENT.—The report required under paragraph (1) shall include the following information broken out by year over the past 10 years:

(A) Number of courses in the IMET program available, accomplished, and cancelled and an explanation therefor.

(B) Number of students authorized and actual attendance for each course and an explanation for the difference.

(C) The total budget and actual budget executed for each course in the IMET program and an explanation for the difference.

(D) The process for selecting students for the IMET program, including a timeline.

(E) The process for distributing funding for each school, including a timeline.

(F) Lessons learned to ensure student attendance and course execution is maximized.

SA 1653. Mr. CORNYN (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1222. REPORT ON TAIWAN’S AIR FORCE.

(a) FINDINGS.—Congress makes the following findings:

(1) According to the Department of Defense’s (DoD) 2009 Annual Report on Military Power of the People’s Republic of China, the military balance in the Taiwan Strait has

been shifting in China’s favor since 2000, marked by the sustained deployment of advanced military equipment to the Chinese military regions opposite Taiwan.

(2) Although the DoD’s 2002 Report concluded that Taiwan “has enjoyed dominance of the airspace over the Taiwan Strait for many years,” the DoD’s 2009 Report states this conclusion no longer holds true.

(3) China has based 490 combat aircraft (330 fighters and 160 bombers) within unrefueled operational range of Taiwan, and has the airfield capacity to expand that number by hundreds. In contrast, Taiwan has 390 combat aircraft (all of which are fighters).

(4) Also according to the DoD’s 2009 Report, China has continued its build-up of conventional ballistic missiles since 2000, “building a nascent capacity for conventional short-range ballistic missile (SRBM) strikes against Taiwan into what has become one of China’s primary instruments of coercion.” At this time, China has expanded its SRBM force opposite Taiwan to seven brigades with a total of 1,050 through 1,150 missiles, and is augmenting these forces with conventional medium-range ballistic missiles systems and at least 2 land attack cruise missile variants capable of ground or air launch. Advanced fighters and bombers, combined with enhanced training for nighttime and overwater flights, provide China’s People’s Liberation Army (PLA) with additional capabilities for regional strike or maritime interdiction operations.

(5) Furthermore, the Report maintains, “the security situation in the Taiwan Strait is largely a function of dynamic interactions among Mainland China, Taiwan, and the United States. The PLA has developed and deployed military capability to coerce Taiwan or attempt an invasion if necessary. PLA improvements pose new challenges to Taiwan’s security, which has historically been based upon the PLA’s inability to project power across the 100 nautical-mile Taiwan Strait, natural geographic advantages of island defense, Taiwan’s armed forces’ technological superiority, and the possibility of U.S. intervention”.

(6) The Taiwan Relations Act of 1979 requires that, in furtherance of the principle of maintaining peace and stability in the Western Pacific region, the United States shall make available to Taiwan such defense articles and defense services in such quantity “as may be necessary to enable Taiwan to maintain a sufficient self-defense capability,” allowing that “the President and the Congress shall determine the nature and quantity of such defense articles and services based solely upon their judgment of the needs of Taiwan . . .”.

(b) REPORT TO CONGRESS ON TAIWAN’S CURRENT AIR FORCE AND FUTURE SELF-DEFENSE REQUIREMENTS.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to Congress a report, in both classified and unclassified form, containing the following:

(1) A thorough and complete assessment of the current state of Taiwan’s Air Force, including—

(A) the number and type of aircraft;

(B) the age of aircraft; and

(C) the capability of those aircraft.

(2) An assessment of the effectiveness of the aircraft in the face of a full-scale concerted missile and air campaign by China, in which China uses its most modern surface-to-air missiles currently deployed along its seacoast.

(3) An analysis of the specific weapons systems and platforms that Taiwan would need to provide for its self-defense and maintain control of its own air space.

(4) Options for the United States to assist Taiwan in achieving those capabilities.

(5) A 5-year plan for fulfilling the obligations of the United States under the Taiwan Relations Act to provide for Taiwan's self-defense and aid Taiwan in maintaining control of its own air space.

SA 1654. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . POSTHUMOUS BENEFITS FOR SURVIVING SPOUSE.

(a) **SHORT TITLE.**—This section may be cited as the "Military Widow and Surviving Spouse Protection Act".

(b) **AMENDMENT.**—Section 1703(a)(1) of title XVII of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136) is amended by inserting "or the citizen died while serving honorably in an active duty status in the military, air, or naval forces of the United States and such death occurred through no fault of the citizen," after "aggravated by combat."

SA 1655. Mr. CORNYN (for himself, Mr. INHOFE, and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1232. SENSE OF THE SENATE REGARDING COMMITMENT TO GLOBAL WAR ON TERROR.

(a) **FINDINGS.**—The Senate makes the following findings:

(1) The surge strategy executed in Iraq by General David H. Petraeus and General Raymond T. Odierno in 2007 and 2008 was highly successful in reducing levels of violence and enabling the Iraqi government and security forces to gain credibility and capability.

(2) President Obama articulated his general strategy for Iraq during a speech at Camp Lejeune, North Carolina, on February 27, 2009, stating that a central goal is to ensure that Iraq "is sovereign, stable, and self-reliant". During the speech, the President outlined the President's objective to "transition to full Iraqi responsibility" through the "responsible removal of our combat brigades from Iraq".

(3) As part of the President's Iraq strategy, the President also indicated the President's commitment to ensuring that "we preserve the gains we've made and protect our troops". Consequently, the United States and our allies have a continued interest in maintaining these hard-fought security gains, especially during the upcoming Iraqi provincial elections, while simultaneously protecting the United States military and civilian members still in Iraq.

(4) A key component of the President's plan for Iraq is to retain a transitional force there to carry out several distinct functions, including training, equipping, and advising

the Iraqi Security Forces, conducting targeted counterterrorism missions, and protecting our civilian and military forces within Iraq. In accordance with this policy, United States forces have largely withdrawn from Iraqi cities, but the President expects that the transitional force, to number between 35,000 and 50,000 United States military servicemembers, will remain in Iraq for the foreseeable future.

(5) President Obama articulated his emerging plan for Afghanistan in a speech on March 27, 2009, stating that the United States goal there is to "disrupt, dismantle, and defeat al Qaeda in Pakistan and Afghanistan, and to prevent their return to either country in the future". To this end, the current surge strategy in Afghanistan, spearheaded by General Petraeus and General Stanley A. McChrystal, the new commander of the NATO International Security Assistance Force, is critical to providing security for the Afghan populace, bolstering the Afghan security forces, and waging a successful campaign against Islamic extremists of al Qaeda, the Taliban, and affiliated groups.

(6) President Obama's laudable goals of disrupting terrorist networks in Afghanistan and Pakistan and developing increasingly self-reliant Afghan security forces necessitated the surge of 17,000 additional United States troops to increase the overall size of the NATO-led International Security Assistance Force. These more robust forces, focusing in the south and east portions of the country, will have an enhanced ability to protect the Afghan population against a resurgence of al Qaeda, the Taliban, and their allies, as well as to provide greater ability for the Afghan government to establish effective government control.

(b) **SENSE OF THE SENATE.**—It is the sense of the Senate that—

(1) the global war on terror represents a critical effort to protect the American people and ensure that future generations may continue to enjoy the precious freedoms we have today;

(2) the United States must remain committed to succeeding in the global war on terror and fighting the forces of Islamic extremism in Iraq and Afghanistan, including al Qaeda, the Taliban, and other groups, that are intent on the murder of innocent Americans, the destruction of the American way of life, and the global proliferation of radical and violent ideology;

(3) our military servicemembers and civilian United States personnel serving in harm's way in Iraq, Afghanistan, and other fronts in the global war on terror must be given any and all resources they need to accomplish the missions that have been asked of them, including the deployment of additional forces, should United States commanders on the ground deem that necessary;

(4) in Iraq, the hard-earned security gains won by our servicemembers must be preserved, and the long-term United States strategy there must continue to reflect that essential goal;

(5) the President's plan for Iraq is fundamentally sound and represents a responsible and carefully considered strategy that will help Iraq maintain sovereignty, stability, and self-reliance, achievements that were made possible largely through the extraordinary efforts and tremendous sacrifices of United States servicemembers and civilian personnel in Iraq;

(6) the President's plan for Afghanistan is clearly intended to improve the overall security situation there and enable the eventual drawdown and withdrawal of United States forces, and the President's near-term strategy to surge forces and provide improved security to the Afghan people by locating United States military personnel among the

population, in conjunction with the growing Afghan National Army and Afghan National Police, which the United States supports and trains, will increase the security of the Afghan population; and

(7) although gains in the global war on terror will not come without a cost, the American people and the Iraqi and Afghan people share a common enemy and a common goal to do whatever is necessary to defeat terrorists and those who support them, no matter the cost or duration.

SA 1656. Mr. CONRAD submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

SEC. 652. REPORT ON RECRUITMENT AND RETENTION OF MEMBERS OF THE AIR FORCE IN NUCLEAR CAREER FIELDS.

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on the efforts of the Air Force to attract and retain qualified individuals for service as members of the Air Force involved in the operation, maintenance, handling, and security of nuclear weapons.

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

(1) A description of current reenlistment rates, set forth by Air Force Specialty Code, of members of the Air Force serving in positions involving the operation, maintenance, handling, and security of nuclear weapons.

(2) A description of the current personnel fill rate for Air Force units involved in the operation, maintenance, handling, and security of nuclear weapons.

(3) An description of the steps the Air Force has taken, including the use of retention bonuses or assignment incentive pay, to improve recruiting and retention of officers and enlisted personnel by the Air Force for the positions described in paragraph (1).

(4) An assessment of the feasibility, advisability, utility, and cost effectiveness of establishing additional bonuses or incentive pay as a way to enhance the recruitment and retention by the Air Force of skilled personnel in the positions described in paragraph (1).

(5) An assessment of whether assignment incentive pay should be provided for members of the Air Force covered by the Personnel Reliability Program.

(6) An assessment of the long-term community management plan for recruitment and retention by the Air Force of skilled personnel in the positions described in paragraph (1).

(7) Such other matters as the Secretary considers appropriate.

SA 1657. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for the defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ NO MIRANDA WARNINGS FOR AL QAEDA TERRORISTS.

(a) **DEFINITIONS.**—In this section—

(1) the term “foreign national” means an individual who is not a citizen or national of the United States; and

(2) the term “prisoner of war”—

(A) has the same meaning that term has under the law of war; and

(B) includes a privileged belligerent and an unprivileged enemy belligerent, as those terms are defined in section 948a of title 10, United States Code, as amended by section 1031 of this Act.

(b) **NO MIRANDA WARNINGS.**—Absent an unappealable court order requiring the reading of such statements, no agency or department of the United States shall read to a foreign national who is captured or detained as a prisoner of war by the United States the statement required by *Miranda v. Arizona*, 384 U.S. 436 (1966), or otherwise inform such a prisoner of any rights that the prisoner may or may not have under the Constitution of the United States or under any Federal statute, regulation, or treaty. No Federal statute, regulation, or treaty shall be construed to require that a foreign national who is captured or detained as a prisoner of war by the United States be informed of any rights that the prisoner may or may not have. No statement that is made by a foreign national who is captured or detained as a prisoner of war by the United States may be excluded from any proceeding on the basis that the prisoner was not informed of a right that the prisoner may or may not have.

SA 1658. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 557. COMPTROLLER GENERAL REPORT ON CHILD CARE ASSISTANCE FOR DEPLOYED MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES.

(a) **IN GENERAL.**—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on financial assistance for child care provided by the Department of Defense, including through the Operation: Military Child Care and Military Child Care in Your Neighborhood programs, to members of the reserve components of the Armed Forces who are deployed in connection with a contingency operation.

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

(1) The types of financial assistance for child care made available by the Department of Defense to members of the reserve components of the Armed Forces who are deployed in connection with a contingency operation.

(2) The extent to which such members have taken advantage of such assistance since such assistance was first made available.

(3) The formulas used for calculating the amount of such assistance provided to such members.

(4) The funding allocated to such assistance.

(5) The remaining costs of child care to families of such members that are not covered by the Department of Defense.

(6) Any barriers to access to such assistance faced by such members and the families of such members.

(7) The different criteria used by different States with respect to the regulation of child care services and the potential impact differences in such criteria may have on the access of such members to such assistance.

(8) The different standards and criteria used by different programs of the Department of Defense for providing such assistance with respect to child care providers and the potential impact differences in such standards and criteria may have on the access of such members to such assistance.

(9) Any other matters the Comptroller General determines relevant to the improvement of financial assistance for child care made available by the Department of Defense to members of the reserve components of the Armed Forces who are deployed in connection with a contingency operation.

SA 1659. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 557. INCREASE IN FINANCIAL ASSISTANCE FOR CHILD CARE FOR CHILDREN OF DEPLOYED MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES.

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations to increase financial assistance provided under Operation: Military Child Care to cover not less than 75 percent of the costs of child care provided pursuant to Operation: Military Child Care.

(b) **OPERATION: MILITARY CHILD CARE DEFINED.**—In this section, the term “Operation: Military Child Care” refers to the program of the Department of Defense to provide financial assistance for child care to members of the reserve components of the Armed Forces who are deployed in connection with a contingency operation.

SA 1660. Mr. CARDIN (for himself, Ms. MIKULSKI, Mr. WEBB, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ CONSENT OF CONGRESS TO COMPACT AMENDMENTS.

(a) **CONSENT.**—Consent of Congress is given to the amendments of the State of Maryland, the amendments of the Commonwealth of Virginia, and the amendments of the District of Columbia to sections 5, 9 and 18 of title III

of the Washington Metropolitan Area Transit Regulation Compact.

(b) **AMENDMENTS.**—The amendments referred to in subsection (a) are substantially as follows:

(1) Section 5 is amended to read as follows:

“(a) The Authority shall be governed by a Board of eight Directors consisting of two Directors for each Signatory and two for the federal government (one of whom shall be a regular passenger and customer of the bus or rail service of the Authority). For Virginia, the Directors shall be appointed by the Northern Virginia Transportation Commission; for the District of Columbia, by the Council of the District of Columbia; for Maryland, by the Washington Suburban Transit Commission; and for the Federal Government, by the Administrator of General Services. For Virginia and Maryland, the Directors shall be appointed from among the members of the appointing body, except as otherwise provided herein, and shall serve for a term coincident with their term on the appointing body. A Director for a Signatory may be removed or suspended from office only as provided by the law of the Signatory from which he was appointed. The nonfederal appointing authorities shall also appoint an alternate for each Director. In addition, the Administrator of General Services shall also appoint two nonvoting members who shall serve as the alternates for the federal Directors. An alternate Director may act only in the absence of the Director for whom he has been appointed an alternate, except that, in the case of the District of Columbia where only one Director and his alternate are present, such alternate may act on behalf of the absent Director. Each alternate, including the federal nonvoting Directors, shall serve at the pleasure of the appointing authority. In the event of a vacancy in the Office of Director or alternate, it shall be filled in the same manner as an original appointment.

“(b) Before entering upon the duties of his office each Director and alternate Director shall take and subscribe to the following oath (or affirmation) of office or any such other oath or affirmation, if any, as the constitution or laws of the Government he represents shall provide: ‘I, hereby solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution and laws of the state or political jurisdiction from which I was appointed as a director (alternate director) of the Board of Washington Metropolitan Area Transit Authority and will faithfully discharge the duties of the office upon which I am about to enter.’”

(2) Subsection (a) of section 9 is amended to read as follows:

“(a) The officers of the Authority, none of whom shall be members of the Board, shall consist of a general manager, a secretary, a treasurer, a comptroller, an inspector general, and a general counsel and such other officers as the Board may provide. Except for the office of general manager, inspector general, and comptroller, the Board may consolidate any of such other offices in one person. All such officers shall be appointed and may be removed by the Board, shall serve at the pleasure of the Board and shall perform such duties and functions as the Board shall specify. The Board shall fix and determine the compensation to be paid to all officers and, except for the general manager who shall be a full-time employee, all other officers may be hired on a full-time or part-time basis and may be compensated on a salary or fee basis, as the Board may determine. All employees and such officers as the Board may designate shall be appointed and removed by the general manager under such rules of procedure and standards as the Board may determine.”

(3) Section 9 is further amended by inserting new subsection (d) to read as follows (and by renumbering all subsequent paragraphs of section 9):

“(d) The inspector general shall report to the Board and head the Office of the Inspector General, an independent and objective unit of the Authority that conducts and supervises audits, program evaluations, and investigations relating to Authority activities; promotes economy, efficiency, and effectiveness in Authority activities; detects and prevents fraud and abuse in Authority activities; and keeps the Board fully and currently informed about deficiencies in Authority activities as well as the necessity for and progress of corrective action.”.

(4) Section 18 is amended by adding a new section 18(d) to read as follows:

“(d)(1) All payments made by the local Signatory governments for the Authority for the purpose of matching federal funds appropriated in any given year as authorized under title VI, section 601, Public Law 110-432 regarding funding of capital and preventative maintenance projects of 1 the Authority shall be made from amounts derived from dedicated funding sources.

“(2) For the purposes of this paragraph (d), a ‘dedicated funding source’ means any source of funding that is earmarked or required under State or local law to be used to match Federal appropriations authorized under title VI, section 601, Public Law 110-432 for payments to the Authority.”.

(c) RIGHT TO ALTER, AMEND, OR REPEAL.—The right to alter, amend, or repeal this section is expressly reserved. The consent granted by this section shall not be construed as impairing or in any manner affecting any right or jurisdiction of the United States in and over the region that forms the subject of the compact.

(d) CONSTRUCTION AND SEVERABILITY.—It is intended that the provisions of this compact shall be reasonably and liberally construed to effectuate the purposes thereof. If any part or application of this compact, or legislation enabling the compact, is held invalid, the remainder of the compact or its application to other situations or persons shall not be affected.

(e) INCONSISTENCY OF LANGUAGE.—The validity of this compact shall not be affected by any insubstantial differences in its form or language as adopted by the State of Maryland, Commonwealth of Virginia and District of Columbia.

(f) EFFECTIVE DATE.—This section shall take effect on the date of enactment of this Act.

SA 1661. Mr. KERRY (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for the defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

SEC. 652. INCLUSION OF SERVICE AFTER SEPTEMBER 11, 2001, IN DETERMINATION OF REDUCED ELIGIBILITY AGE FOR RECEIPT OF NON-REGULAR SERVICE RETIRED PAY.

Section 12731(f)(2)(A) of title 10, United States Code, is amended—

(1) by striking “the date of the enactment of the National Defense Authorization Act for Fiscal Year 2008” and inserting “September 11, 2001”; and

(2) by striking “in any fiscal year after such date” and inserting “in any fiscal year after fiscal year 2001”.

SA 1662. Mr. DURBIN (for himself and Mr. NELSON of Nebraska) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for the defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 617 and insert the following:

SEC. 617. SPECIAL COMPENSATION FOR MEMBERS OF THE UNIFORMED SERVICES WITH SERIOUS INJURIES OR ILLNESSES REQUIRING ASSISTANCE IN EVERYDAY LIVING.

(a) IN GENERAL.—Chapter 7 of title 37, United States Code, is amended by adding at the end the following new section:

“§ 439. Special compensation: members of the uniformed services with serious injuries or illnesses requiring assistance in everyday living

“(a) MONTHLY COMPENSATION.—The Secretary concerned may pay to any member of the uniformed services described in subsection (b) monthly special compensation in an amount determined under subsection (c).

“(b) COVERED MEMBERS.—A member eligible for monthly special compensation authorized by subsection (a) is a member who—

“(1) has been certified by a licensed physician to be in need of assistance from another person to perform the personal functions required in everyday living;

“(2) has a serious injury, disorder, or disease of either a temporary or permanent nature that—

“(A) is incurred or aggravated in the line of duty; and

“(B) compromises the member’s ability to carry out one or more activities of daily living or requires the member to be constantly supervised to avoid physical harm to the member or to others; and

“(3) meets such other criteria, if any, as the Secretary of Defense (or the Secretary of Homeland Security, with respect to the Coast Guard) prescribes for purposes of this section.

“(c) AMOUNT.—(1) The amount of monthly special compensation payable to a member under subsection (a) shall be determined under criteria prescribed by the Secretary of Defense (or the Secretary of Homeland Security, with respect to the Coast Guard), but may not exceed the amount of aid and attendance allowance authorized by section 1114(r)(2) of title 38 for veterans in need of aid and attendance.

“(2) In determining the amount of monthly special compensation, the Secretary concerned shall consider the following:

“(A) The extent to which home health care and related services are being provided by the Government.

“(B) The extent to which aid and attendance services are being provided by family and friends who may be compensated with funds provided through the monthly special compensation.

“(d) PAYMENT UNTIL MEDICAL RETIREMENT.—Monthly special compensation is payable under this section to a member described in subsection (b) for any month that begins before the date on which the member is medically retired.

“(e) CONSTRUCTION WITH OTHER PAY AND ALLOWANCES.—Monthly special compensa-

tion payable to a member under this section is in addition to any other pay and allowances payable to the member by law.

“(f) BENEFIT INFORMATION.—The Secretary of Defense, in collaboration with the Secretary of Veterans Affairs, shall ensure that members of the uniformed services who may be eligible for compensation under this section are made aware of the availability of such compensation by including information about such compensation in written and online materials for such members and their families.

“(g) REGULATIONS.—The Secretary of Defense (or the Secretary of Homeland Security, with respect to the Coast Guard) shall prescribe regulations to carry out this section.”.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense (and the Secretary of Homeland Security, with respect to the Coast Guard) shall submit to Congress a report on the provision of compensation under section 439 of title 37, United States Code, as added by subsection (a) of this section.

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

(A) An estimate of the number of members of the uniformed services eligible for compensation under such section 439.

(B) The number of members of the uniformed services receiving compensation under such section.

(C) The average amount of compensation provided to members of the uniformed services receiving such compensation.

(D) The average amount of time required for a member of the uniformed services to receive such compensation after the member becomes eligible for the compensation.

(E) A summary of the types of injuries, disorders, and diseases of members of the uniformed services receiving such compensation that made such members eligible for such compensation.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of such title is amended by adding at the end the following new item:

“439. Special compensation: members of the uniformed services with serious injuries or illnesses requiring assistance in everyday living.”.

SA 1663. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for the defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VI, add the following:

SEC. 619. MONTHLY SPECIAL PAY FOR MEMBERS RETAINED IN THE ARMED FORCES UNDER STOP-LOSS AUTHORITIES FOR PRE-DEPLOYMENT AND RE-INTEGRATION DUTY.

(a) MONTHLY SPECIAL PAY REQUIRED.—The Secretary concerned shall pay to each member of the Armed Forces described in subsection (b) monthly special pay in the amount specified in subsection (c) for each month or portion of a month of pre-deployment and re-integration duty performed by such member on or after September 11, 2001, while described by subsection (b), regardless of whether or not such duty was performed by such member on active duty in the Armed Forces.

(b) COVERED MEMBERS.—A member of the Armed Forces described in this subsection is any member of the Armed Forces whose 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 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 (commonly referred to as a “stop-loss authority”).

(c) AMOUNT.—The amount of monthly special pay payable under subsection (a) for a month or portion of a month is \$500.

(d) CONSTRUCTION WITH OTHER MONTHLY SPECIAL PAY.—Monthly special pay may not be paid under both this section and section 8116 of the Department of Defense Appropriations Act, 2009 (division C of Public Law 110-329; 122 Stat. 3646) for any month or portion of a month.

SA 1664. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for the defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 214, between lines 20 and 21, insert the following:

(3) ASSESSMENTS OF MEMBERS DISCHARGED OR RELEASED UPON RETURN FROM DEPLOYMENT.—In the case of a member of the Armed Forces who is discharged or released from the Armed Forces upon the member’s return from deployment, the Secretary of Defense shall make available the opportunity for such member to participate in the mental health assessments required under subparagraph (C) of paragraph (1) together with the unit with which the member was previously deployed, without regard to the terms of such discharge or release.

SA 1665. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for the defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VII, insert the following:

SEC. ____ . FUNDING FOR MENTAL HEALTH CARE FOR MEMBERS OF THE NATIONAL GUARD.

(a) AVAILABILITY OF DEFENSE HEALTH PROGRAM FUNDS.—Subject to the provisions of appropriations Acts, amounts available for Defense Health Program shall be available for programs described in subsection (b) for members of the National Guard not on active duty in the Armed Forces who incurred a psychological or mental illness or injury on active duty in the Armed Forces as demonstrated by existing medical records or, in the absence of such records, by the opinion of a licensed medical provider in the State where the member resides.

(b) COVERED PROGRAMS.—The programs described in this subsection are programs as follows:

(1) Programs to assist members of the National Guard described in subsection (a) in case management in the receipt of non-clinical care for an illness or injury described in that subsection.

(2) Programs to advise members of the National Guard described in subsection (a) on the receipt of care and treatment for an illness or injury described in that subsection under the TRICARE program.

(3) Programs of psychological health treatment for members of the National Guard described in subsection (a) for an illness or injury described in that subsection.

(4) Programs supporting the efforts of the military departments to update and maintain military health electronic records systems.

(5) Such other treatment programs as may assist a member of the National Guard described in subsection (a) for an illness or injury described in that subsection, as determined by the State Surgeon General of the National Guard of the State in which the member reside, the Director of Psychological Health of the State in which the member resides, the mental health or equivalent agency of the State in which the member resides, or the Director of the Psychological Health Program of the National Guard Bureau.

(c) BUDGETING.—The Assistant Secretary of Defense for Health Affairs shall coordinate with the National Guard Bureau and other personnel and logistical elements of the National Guard in determining the budget requirements of the National Guard for the programs described in subsection (b).

SA 1666. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for the defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 218, after line 21, add the following:

(h) POST-DEPLOYMENT HEALTH ASSESSMENTS OF GUARD AND RESERVE MEMBERS.—

(1) IN GENERAL.—The Secretary concerned shall administer a Post-Deployment Health Assessment (PDHA) to each member of a reserve component of the armed forces returning to the member’s home station or county of residence from deployment in connection with a contingency operation within the following timeframes:

(A) In the case of a member of the Individual Ready Reserve, the assessment shall be administered by not later than the member’s release from active duty following such deployment or 10 days after the member’s return to such station or county, whichever occurs earlier.

(B) In the case of any other member of a reserve component of the armed forces returning from deployment, by not later than the member’s release from active duty following such deployment.

(2) PERFORMANCE BY TRAINED PRACTITIONERS.—

(A) IN GENERAL.—The Post-Deployment Health Assessment required under this subsection shall be performed by a practitioner trained and certified as qualified to participate in the performance of Post-Deployment Health Assessments or Post-Deployment Health Reassessments.

(B) REPORT ON AVAILABILITY OF TRAINED PERSONNEL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the con-

gressional defense committees a report on the availability of personnel described under subparagraph (A) to perform assessments pursuant to this subsection at the home stations or counties of residence of members of the reserve components of the Armed Forces. If such personnel are not available at such locations, the Secretary shall indicate the additional resources necessary to ensure such availability within one year after the date of the enactment of this Act.

SA 1667. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for the defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 214, line 12, insert “18 months,” after “12 months.”

SA 1668. Mr. GREGG submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for the defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 475, between lines 2 and 3, insert the following:

SEC. 1211. AUTHORITY TO TRANSFER DEFENSE ARTICLES AND EQUIPMENT TO ARMED FORCES OF LEBANON AND JORDAN.

Notwithstanding any other provision of law, the Secretary of Defense, in consultation with the congressional defense committees, may transfer defense articles and equipment used by the United States Armed Forces in Iraq as of the date of the enactment of this Act to the armed forces of the Governments of Lebanon and Jordan in a manner that is appropriate with the draw-down of forces in Iraq.

SA 1669. Mrs. BOXER (for herself, Mr. BOND, Ms. LANDRIEU, Ms. MURKOWSKI, Mrs. LINCOLN, Mrs. GILLIBRAND, Mr. WYDEN, Mr. BURRIS, and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for the defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, insert the following:

SEC. 713. REDUCTION OF MINIMUM DISTANCE OF TRAVEL FOR REIMBURSEMENT OF COVERED BENEFICIARIES OF THE MILITARY HEALTH CARE SYSTEM FOR TRAVEL FOR SPECIALTY HEALTH CARE.

(a) REDUCTION.—Section 1074i(a) of title 10, United States Code, is amended by striking “100 miles” and inserting “50 miles”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is 90 days after the date of the

enactment of this Act, and shall apply with respect to referrals for specialty health care made on or after such effective date.

(c) **OFFSET.**—The amount authorized to be appropriated by section 301(a)(4) for operation and maintenance for the Air Force is hereby decreased by \$25,000,000, with the amount of the decrease to be derived from amounts available for line item # 320 in the table in section 4301 for advertising.

SA 1670. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for the defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 435, between lines 14 and 15, insert the following:

SEC. 1083. PAYMENT BY SECRETARY OF VETERANS AFFAIRS OF PLOT ALLOWANCE FOR SPOUSES AND CHILDREN OF CERTAIN VETERANS WHO ARE BURIED IN STATE CEMETERIES.

(a) **PLOT ALLOWANCE.**—Section 2303 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(c)(1) In the case of an individual described in paragraph (2) who is buried in a cemetery that is owned by a State or by an agency or political subdivision of a State, the Secretary shall pay to such State, agency, or political subdivision the sum of \$300 as a plot or interment allowance for such individual.

“(2) An individual described in this paragraph is a spouse, surviving spouse (which for purposes of this chapter includes a surviving spouse who had a subsequent remarriage), minor child (which for purposes of this chapter includes a child under 21 years of age, or under 23 years of age if pursuing a course of instruction at an approved educational institution), or, in the discretion of the Secretary, unmarried adult child of any of person described in paragraph (1), (2), (3), (4), or (7) of section 2402 of this title.”

(b) **EFFECTIVE DATE.**—Subsection (c) of section 2303 of title 38, United States Code, as added by subsection (a), shall apply with respect to an individual who dies on or after the date of the enactment of this Act.

SA 1671. Mr. KYL (for himself, Mr. DEMINT, Mr. INHOFE, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for the defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:
SEC. 1232. SENSE OF THE SENATE ON NON-STRATEGIC NUCLEAR FORCES OF THE RUSSIAN FEDERATION.

(a) **FINDINGS.**—The Senate makes the following findings:

(1) The Congressional Commission on the Strategic Posture of the United States, chaired by former Secretaries of Defense William Perry and James Schlesinger, recently concluded that there is significant asymmetry between the tactical nuclear weapons arsenals of the Russian Federation and the United States.

(2) The Commission also determined that “[a]s part of its strategy to assure its allies, the United States should not abandon strategic equivalency with Russia. Overall equivalence is important to many U.S. allies in Europe. The United States should not cede to Russia a posture of superiority in the name of deemphasizing nuclear weapons in U.S. military strategy. There seems no near-term prospect of such a result in the balance of operationally deployed strategic nuclear weapons.”

(3) The Commission continued, “But that balance does not exist in non-strategic nuclear forces, where Russia enjoys a sizeable numerical advantage. As noted above, it stores thousands of these weapons in apparent support of possible military operations west of the Urals. The United States deploys a small fraction of that number in support of nuclear sharing agreements in NATO. Precise numbers for the U.S. deployments are classified but their total is only about five percent of the total at the height of the Cold War. Strict U.S.-Russian equivalence in NSNF numbers is unnecessary. But the current imbalance is stark and worrisome to some U.S. allies in Central Europe. If and as reductions continue in the number of operationally deployed strategic nuclear weapons, this imbalance will become more apparent and allies less assured.”

(4) The Commission stated, “Some U.S. allies located closer to Russia, however, are fearful of Russia and its tactical nuclear forces. The imbalance in non-strategic nuclear weapons, which greatly favors Russia, is of rising concern and an illustration of the new challenges of strategic stability as reductions in strategic weapons proceed.”

(5) The Commission also stated, “The combination of new warhead designs, the estimated production capability for new nuclear warheads, and precision delivery systems such as the Iskander short-range tactical ballistic missile (known as the SS-26 in the West), open up new possibilities for Russian efforts to threaten to use nuclear weapons to influence regional conflicts.”

(b) **SENSE OF THE SENATE.**—The Senate strongly urges the President—

(1) to make it a priority in all United States arms control negotiations with Russia to gain a verifiable accounting of the tactical nuclear weapons of Russia, including the types, current deployments, and security from theft of the same;

(2) to ensure that reductions in the tactical nuclear weapons of Russia are a top priority in any arms control negotiation with the Russian Federation; and

(3) to assure United States allies that they are protected from any use or threatened use of tactical nuclear weapons from Russia.

SA 1672. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 68, between lines 12 and 13, insert the following:

(6) A description of current and past sales, or contracts for the sale, by the Russian Federation of technology, materials, components, or services related to nuclear weapons or nuclear energy, ballistic missile or space launch capabilities, or advanced conventional weapons systems.

SA 1673. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 424, between lines 7 and 8, insert the following:

SEC. 1059. CERTIFICATION REQUIREMENT REGARDING THE REBURISHMENT, REUSE, OR REPLACEMENT OF THE UNITED STATES NUCLEAR WEAPONS STOCKPILE.

(a) **IN GENERAL.**—The Secretary of Defense may not carry out any program for the refurbishment, reuse, or replacement of the United States nuclear weapons stockpile unless the Director of the Sandia National Laboratory, the Director of the Los Alamos National Laboratory, the Director of the Lawrence Livermore National Laboratory, and JASON certify to the congressional defense committees that the program—

(1) may be carried out without the need for any testing;

(2) will preserve the core intellectual and technical competencies of the United States in nuclear weapons, including weapons design, system integration, manufacturing, security, use control, reliability assessment, and certification; and

(3) will provide for the long-term safety, security, reliability, and credibility of the United States nuclear deterrent and extended deterrent.

(b) **DEFINITIONS.**—In this section:

(1) The term “refurbishment” means a strategy of, or similar to, the lifetime extension program, whereby individual warhead components are replaced before they degrade with components of nearly identical design or that meet the same form, fit, and function.

(2) The term “reuse” means a strategy of using surplus pits or secondaries from other warhead types or, in certain cases, a strategy involving the new manufacture of these components.

(3) The term “replacement” means a strategy that permits replacing nuclear components with modern designs.

SA 1674. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, insert the following:

SEC. 1073. REPORT ON STATUS OF UNITED STATES NUCLEAR WEAPONS COMPLEX.

(a) **FINDINGS.**—Congress makes the following findings:

(1) The Commission on the Strategic Posture of the United States found that “the physical infrastructure” of the United States nuclear weapons complex “is in serious need of transformation.”

(2) The Commission on the Strategic Posture of the United States also found that “the intellectual infrastructure is also in serious trouble. A major cause is the recent (and projected) decline in resources.”

(3) The Commission on the Strategic Posture of the United States stated, "Once core capabilities are established, the Congress should require that annual NNSA budget submissions include an assessment of whether the budget as proposed will maintain these capabilities. To monitor progress, the NNSA and the White House Office of Management and Budget (OMB) should establish a formal mechanism for tracking funding sources for the weapons laboratories, without additional administrative burden on the laboratories."

(4) The Commission on the Strategic Posture of the United States recommended, "The NNSA should conduct a study of the core competencies needed in the weapons complex, and the Congress and Office of Management and Budget should use these as a tool for determining how to fund the NNSA."

(b) ANNUAL REPORT.—The Secretary of Defense shall, in consultation with the directors of the national nuclear weapons laboratories and nuclear weapons production facilities and as part of the budget justification materials submitted to Congress in support of the Department of Defense budget for each fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code), submit a report on the condition and status of the nuclear weapons complex of the United States. The report shall include the following elements:

(1) An assessment of whether the budget is sufficient to preserve the core intellectual and technical competencies of the United States in nuclear weapons, including weapons design, system integration, manufacturing, security, use control, reliability assessment, and certification.

(2) A description of the demographics and experience of the nuclear weapons workforce, including the number of individuals who have ever participated in an underground nuclear test.

(3) A plan for enabling the design laboratories to grow the required expertise and sustain it over the long term.

(4) An assessment of the condition and status of the national nuclear weapons laboratories and nuclear weapons production facilities.

(5) A plan to provide for the long-term safety, security, reliability, and credibility of the United States nuclear deterrent and extended deterrent.

(6) An assessment of the condition and status of the nuclear weapons production complex and the ability of the complex to sustain and modernize the nuclear deterrent.

(c) DEFINITIONS.—In this Act:

(1) The term "national nuclear weapons laboratories" includes Sandia National Laboratory, Los Alamos National Laboratory, and Lawrence Livermore National Laboratory.

(2) The term "nuclear weapons production facilities" means the Y-12 complex at Oak Ridge National Laboratory, the Savannah River Site, the Pantex Plant, the Nevada Test Site, and the Kansas City Plant.

SA 1675. Mr. FEINGOLD (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

SEC. 652. CONTINUATION ON ACTIVE DUTY OF RESERVE COMPONENT MEMBERS DURING PHYSICAL DISABILITY EVALUATION FOLLOWING MOBILIZATION AND DEPLOYMENT.

Section 1218 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(d)(1) The Secretary of a military department shall ensure that each member of a reserve component under the jurisdiction of the Secretary who is determined, after a mobilization and deployment to an area in which imminent danger pay is authorized under section 310 of title 37, to require evaluation for a physical or mental disability which could result in separation or retirement for disability under this chapter or placement on the temporary disability retired list or inactive status list under this chapter is retained on active duty during the disability evaluation process until such time as such member is—

"(A) cleared by appropriate authorities for continuation on active duty; or

"(B) separated, retired, or placed on the temporary disability retired list or inactive status list.

"(2)(A) A member described in paragraph (1) may request termination of active duty under such paragraph at any time during the demobilization or disability evaluation process of such member.

"(B) Upon a request under subparagraph (A), a member described in paragraph (1) shall only be released from active duty after the member receives counseling about the consequences of termination of active duty.

"(C) Each release from active duty under subparagraph (B) shall be thoroughly documented.

"(3) The requirements in paragraph (1) shall expire on the date that is five years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2010."

SEC. 653. USE OF LOCAL RESIDENCES FOR COMMUNITY-BASED CARE FOR CERTAIN RESERVE COMPONENT MEMBERS.

Section 1222 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(d) USE OF LOCAL RESIDENCES FOR CERTAIN RESERVE COMPONENT MEMBERS.—(1)(A) A member of a reserve component described by subparagraph (B) may be assigned to the community-based warrior transition unit located nearest to the member's permanent place of residence if residing at that location is—

"(i) medically feasible, as determined by a licensed military health care provider; and

"(ii) consistent with—

"(I) the needs of the armed forces; and

"(II) the optimal course of medical treatment of the member.

"(B) A member of a reserve component described by this subparagraph is any member remaining on active duty under section 1218(d) of this title during the period the member is on active duty under such subsection.

"(2) Nothing in this subsection shall be construed as terminating, altering, or otherwise affecting the authority of the commander of a member described in paragraph (1)(B) to order the member to perform duties consistent with the member's fitness for duty.

"(3) The Secretary concerned shall pay any reasonable expenses of transportation, lodging, and meals incurred by a member residing at the member's permanent place of residence under this subsection in connection with travel from the member's permanent place of residence to a medical facility during the period in which the member is covered by this subsection."

SEC. 654. ASSISTANCE WITH TRANSITIONAL BENEFITS.

(a) IN GENERAL.—Chapter 61 of title 10, United States Code, is amended by inserting after section 1218 the following new section: "**§ 1218a. Discharge or release from active duty: transition assistance**

"The Secretary of a military department shall provide to a member of a reserve component under the jurisdiction of the Secretary who is injured while on active duty in the armed forces the following before such member is demobilized or separated from the armed forces:

"(1) Information on the availability of care and administrative processing through community based warrior transition units.

"(2) The location of the community based warrior transition unit located nearest to the member's permanent place of residence.

"(3) An opportunity to consult with a member of the applicable judge advocate general's corps, or other qualified legal assistance attorney, regarding the member's eligibility for compensation, disability, or other transitional benefits."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 61 of such title is amended by inserting after the item relating to section 1218 the following new item:

"1218a. Discharge or release from active duty: transition assistance."

SA 1676. Mr. BEGICH (for himself, Mr. SESSIONS, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 66, between lines 19 and 20, insert the following:

(e) COMPTROLLER GENERAL REVIEW.—The Comptroller General of the United States shall—

(1) review the assessment required by subsection (b) and the plan required by subsection (c); and

(2) not later than 120 days after receiving the assessment and the plan, provide to the congressional defense committees the results of the review.

SA 1677. Mr. BEGICH (for himself, Mr. SESSIONS, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. 245. CONTINUED PRODUCTION OF GROUND-BASED INTERCEPTOR MISSILE AND OPERATION OF MISSILE FIELD 1 AT FORT GREELY, ALASKA.

(a) LIMITATION ON BREAK IN PRODUCTION.—The Secretary of Defense shall ensure that the Missile Defense Agency does not allow a break in production of the Ground-based Interceptor missile until the Department of Defense has—

(1) completed the Ballistic Missile Defense Review; and

(2) made a determination with respect to the number of Ground-based Interceptor missiles that will be necessary to support the service life of the Ground-based Midcourse Defense element of the Ballistic Missile Defense System.

(b) LIMITATION ON CERTAIN ACTIONS WITH RESPECT TO MISSILE FIELD 1 AND MISSILE FIELD 2 AT FORT GREELY, ALASKA.—

(1) LIMITATION ON DECOMMISSIONING OF MISSILE FIELD 1.—The Secretary of Defense shall ensure that Missile Field 1 at Fort Greely, Alaska, does not complete decommissioning until seven silos have been emplaced at Missile Field 2 at Fort Greely.

(2) LIMITATION WITH RESPECT TO DISPOSITION OF SILOS AT MISSILE FIELD 2.—The Secretary of Defense shall ensure that no irreversible decision is made with respect to the disposition of operational silos at Missile Field 2 at Fort Greely, Alaska, until that date that is 60 days after the date on which the reports required by subsections (b)(3) and (c)(3) of section 243 are submitted to the congressional defense committees.

SA 1678. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 321, strike line 18 and all that follows through page 394, line 8 and insert the following:

SEC. 1031. REPEAL OF MILITARY COMMISSIONS.

(a) REPEAL.—

(1) IN GENERAL.—Chapter 47A of title 10, United States Code, is repealed.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for title 10, United States Code, is amended by striking the item relating to chapter 47A.

(b) TRANSITION PROCEDURES.—

(1) DEFINITION.—In this subsection, the term “covered matter” means a matter—

(A) brought before a military commission convened under chapter 47A of title 10, United States Code, as in effect on the day before the date of enactment of this Act; and

(B) in which final judgment has not been entered, or the matter has not otherwise become final, on the date of enactment of this Act.

(2) DISMISSAL.—Any covered matter shall be dismissed without prejudice.

(3) STATUTE OF LIMITATIONS.—For any offense charged in a covered matter dismissed under paragraph (2), the running of the statute of limitations for that offense shall be tolled during the period beginning on the date on which charges relating to the offense were filed with a military commission convened under chapter 47A of title 10, United States Code, as in effect on the day before the date of enactment of this Act, and ending on the date of enactment of this Act.

SA 1679. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 435, between line 14 and 15, insert the following:

SEC. 1083. INVESTIGATIONS, AUDITS, INSPECTIONS, EVALUATIONS, AND REVIEWS CONDUCTED BY INSPECTORS GENERAL.

Section 3518(c) of title 44, United States Code, is amended—

(1) in paragraph (1), by striking “paragraph (2)” and inserting “paragraph (3)”;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

“(2) Notwithstanding paragraph (3), this subchapter shall not apply to the collection of information during the conduct of any investigation, audit, inspection, evaluation, or other review conducted by—

“(A) any Federal office of Inspector General, including—

“(i) any office of Inspector General of any establishment, Federal entity, or designated Federal entity as those terms are defined under sections 12(2), 8G(a)(1), and 8G(a)(2) of the Inspector General Act of 1978 (5 U.S.C. App.), respectively; or

“(ii) any office of Special Inspector General established by statute;

“(B) the Council of the Inspectors General on Integrity and Efficiency established under section 11 of the Inspector General Act of 1978 (5 U.S.C. App.); or

“(C) the Recovery Accountability and Transparency Board established under section 1521 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 289).”.

SA 1680. Mr. VOINOVICH (for himself, Mr. LEAHY, Mr. BOND, Mr. BEGICH, Mr. BENNETT, Mr. BYRD, Mr. CASEY, Mr. COCHRAN, Mr. CRAPO, Mr. DORGAN, Mrs. LINCOLN, Ms. MURKOWSKI, Mr. RISCH, Mr. ROCKEFELLER, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

SEC. 1211. AVAILABILITY OF APPROPRIATED FUNDS FOR THE STATE PARTNERSHIP PROGRAM.

(a) AVAILABILITY OF APPROPRIATED FUNDS.—The Secretary of Defense may, under regulations prescribed by the Secretary, use funds appropriated to the Department of Defense for fiscal year 2010 to pay the costs incurred by the National Guard (including the costs of pay and allowances of members of the National Guard) in conducting activities under the State Partnership Program—

(1) to support the objectives of the commander of the combatant command for the theater of operations in which such activities are conducted; or

(2) to build international civil-military partnerships and capacity on matters relating to defense and security.

(b) LIMITATIONS.—

(1) APPROVAL BY COMMANDER OF COMBATANT COMMAND AND CHIEF OF MISSION.—Funds shall not be available under subsection (a) for activities conducted under the State Partnership Program in a foreign country unless such activities are jointly approved by the commander of the combatant command concerned and the chief of mission concerned.

(2) PARTICIPATION BY MEMBERS.—Funds shall not be available under subsection (a) for the participation of a member of the National Guard in activities conducted under the State Partnership Program in a foreign country unless the member is on active duty in the Armed Forces at the time of such participation.

(c) REIMBURSEMENT.—In the event of the participation of personnel of a department or agency of the United States Government (other than the Department of Defense) in activities for which payment is made under subsection (a), the head of such department or agency shall reimburse the Secretary of Defense for the costs associated with the participation of such personnel in such activities. Amounts reimbursed the Department of Defense under this subsection shall be deposited in the appropriation or account from which amounts for the payment concerned were derived. Any amounts so deposited shall be merged with amounts in such appropriation or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such appropriation or account.

SA 1681. Mrs. LINCOLN (for herself, Ms. LANDRIEU, Mr. TESTER, and Mr. WYDEN) submitted an amendment intended to be proposed by her to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VI insert the following:

SEC. 635. TRAVEL AND TRANSPORTATION ALLOWANCES FOR MEMBERS OF THE RESERVE COMPONENTS FOR LONG DISTANCE AND CERTAIN OTHER TRAVEL TO INACTIVE DUTY TRAINING.

Section 408a(c) of title 37, United States Code, is amended by inserting after the first sentence the following: “The regulations may not, for purposes of subsection (a), define normal commuting distance as any distance greater than 100 miles.”.

SA 1682. Mr. CONRAD (for himself, Mr. ENZI, Mr. HATCH, Mr. TESTER, Mr. BENNETT, Mr. BAUCUS, Mr. BARRASSO, and Mr. DORGAN) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1083. SENSE OF CONGRESS ON THE STRATEGIC IMPORTANCE OF THE INTERCONTINENTAL BALLISTIC MISSILE.

(a) FINDINGS.—Congress makes the following findings:

(1) President Barack Obama stated in his speech on April 4, 2009, in Prague, Czech Republic, on working toward a world without nuclear weapons, “as long as these weapons exist, we will maintain a safe, secure and effective arsenal to deter any adversary, and guarantee that defense to our allies”.

(2) The Congressional Commission on the Strategic Posture of the United States

found, in the Commission's final report, that preserving the triad of strategic nuclear delivery systems is essential to ensuring the reliability and credibility of the nuclear force, and that the nuclear triad becomes even more important as the size of the nuclear force of the United States is reduced.

(3) The stabilizing, reliable, and cost-effective Minuteman III intercontinental ballistic missile is a critically important component of the nuclear triad, essential for the United States to deter its enemies, assure its allies, and dissuade potential future adversaries.

(4) The current 450-missile force, with its inherent broad dispersion, low warhead loading, and high readiness and reliability, makes a successful disarming attack nearly impossible and eliminates pressure to maintain a launch-on-warning posture.

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

(1) as the United States and Russia negotiate further reductions in strategic offensive arsenals, the United States must be certain that the long-term vitality of the triad of strategic nuclear delivery systems is not threatened;

(2) the land-based nuclear force is the most stabilizing portion of the nuclear arsenal of the United States and it becomes even more so as the total number of weapons in the arsenal shrinks; and

(3) a robust intercontinental ballistic missile force is an essential component of the nuclear triad and must be retained to advance the Nation's nuclear strategy of deterrence, assurance, and dissuasion.

SA 1683. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle I—Quadrennial Defense Review Matters

SEC. 1091. NATIONAL DEFENSE PANEL.

(a) ESTABLISHMENT.—There is established a bipartisan, independent panel to be known as the National Defense Panel (in this section referred to as the "Panel").

(b) MEMBERSHIP.—The Panel shall be composed of twelve members who are recognized experts in matters relating to the national security of the United States. The members shall be appointed as follows:

(1) Three by the chairman of the Committee on Armed Services of the House of Representatives.

(2) Three by the chairman of the Committee on Armed Services of the Senate.

(3) Three by the ranking member of the Committee on Armed Services of the House of Representatives.

(4) Three by the ranking member of the Committee on Armed Services of the Senate.

(c) CO-CHAIRS OF THE PANEL.—The chairman of the Committee on Armed Services of the House of Representatives and the chairman of the Committee of Armed Services of the Senate shall each designate one of their appointees under subsection (b) to serve as co-chair of the panel.

(d) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Panel. Any vacancy in the Panel shall be filled in the same manner as the original appointment.

(e) DUTIES.—The Panel shall—

(1) review the national defense strategy, the national military strategy, the Sec-

retary of Defense's terms of reference, and any other materials providing the basis for, or substantial inputs to, the work of the Department of Defense on the 2009 quadrennial defense review under section 118 of title 10, United States Code (in this subsection referred to as the "2009 QDR"), as well as the 2009 QDR itself;

(2) conduct an assessment of the assumptions, strategy, findings, costs, and risks in the report of the 2009 QDR under subsection (d) of such section, with particular attention paid to the risks described in that report;

(3) submit to the Committees on Armed Services of the Senate and House of Representatives and the Secretary an independent assessment of a variety of possible force structures of the Armed Forces, including the force structure identified in the report of the 2009 QDR, suitable to meet the requirements identified in the review required in paragraph (1);

(4) to the extent practicable, estimate the funding required by fiscal year, in constant fiscal year 2010 dollars, to organize, equip, and support the forces contemplated under the force structures included in the assessment under paragraph (3); and

(5) provide to the Committees on Armed Services of the Senate and House of Representatives and the Secretary of Defense, through the reports under subsection (g), any recommendations it considers appropriate for their consideration.

(f) FIRST MEETING.—The Panel shall hold its first meeting not later than 30 days after the date on which all appointments to the Panel under paragraphs (1), (2), (3), and (4) of subsection (b) have been made.

(g) REPORTS.—

(1) INTERIM REPORT OF PANEL.—Not later than February 15, 2010, the Panel shall submit an interim report on its findings to the Committees on Armed Services of the Senate and House of Representatives and to the Secretary of Defense.

(2) FINAL REPORT OF PANEL.—Not later than January 15, 2011, the Panel shall submit its final report, together with any recommendations, to the Committees on Armed Services of the Senate and House of Representatives and to the Secretary of Defense.

(3) REPORT OF SECRETARY OF DEFENSE.—Not later than February 15, 2011, the Secretary of Defense, after consultation with the Chairman of the Joint Chiefs of Staff, shall submit to the Committees on Armed Services of the Senate and House of Representatives the Secretary's comments on the Panel's final report under paragraph (2).

(h) INFORMATION FROM FEDERAL AGENCIES.—The Panel may secure directly from the Department of Defense and any of components of the Department such information as the Panel considers necessary to carry out its duties under this section. The Secretary of Defense and the head of the component concerned shall ensure that information requested by the Panel under this subsection is promptly provided.

(i) FFRDC SUPPORT.—Upon the request of the co-chairs of the Panel, the Secretary of Defense shall make available to the Panel the services of any federally funded research and development center that is covered by a sponsoring agreement of the Department of Defense.

(j) PERSONNEL MATTERS.—The Panel shall have the authorities provided in section 3161 of title 5, United States Code, and shall be subject to the conditions set forth in such section.

(k) PAYMENT OF PANEL EXPENSES.—Funds for activities of the Panel shall be provided from unobligated amounts available to the Department of Defense.

(l) TERMINATION.—The Panel shall terminate 45 days after the date on which the

Panel submits its final report under subsection (g)(2).

SEC. 1092. REPORTS ON STATUTORY COMPLIANCE OF THE REPORT ON THE 2009 QUADRENNIAL DEFENSE REVIEW.

(a) COMPTROLLER GENERAL REPORT.—Not later than 90 days after the Secretary of Defense submits the report required by subsection (d) of section 118 of title 10, United States Code, on the 2009 quadrennial defense review required by subsection (a) of that section, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and House of Representatives and to the Secretary of Defense a report on the degree to which the report on the 2009 quadrennial defense review complies with the requirements of such subsection (d).

(b) SECRETARY OF DEFENSE REPORT.—If the Comptroller General determines that the report on the 2009 quadrennial defense review deviates significantly from the requirements of subsection (d) of section 118 of title 10, United States Code, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report addressing the areas of deviation not later than 30 days after the submittal of the report by the Comptroller General required by subsection (a).

SEC. 1093. REPORT ON THE FORCE STRUCTURE FINDINGS OF THE 2009 QUADRENNIAL DEFENSE REVIEW.

(a) IN GENERAL.—Concurrent with the delivery of the report on the 2009 quadrennial defense review required by section 118(d) of title 10, United States Code, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report with a classified annex containing—

(1) the analyses used to determine and support the findings on force structure required by such section; and

(2) a description of any changes from the 2006 quadrennial defense review to the minimum military requirements for major military capabilities.

(b) MAJOR MILITARY CAPABILITIES DEFINED.—In this section, the term "major military capabilities" includes any capability the Secretary determines to be a major military capability, any capability discussed in the report of the 2006 quadrennial defense review, and any capability described in paragraph (9) or (10) of section 118(d) of title 10, United States Code.

SA 1684. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle I—Quadrennial Defense Review Matters

SEC. 1091. NATIONAL DEFENSE PANEL.

(a) ESTABLISHMENT.—There is established a bipartisan, independent panel to be known as the National Defense Panel (in this section referred to as the "Panel").

(b) MEMBERSHIP.—The Panel shall be composed of twelve members who are recognized experts in matters relating to the national security of the United States. The members shall be appointed as follows:

(1) Three by the chairman of the Committee on Armed Services of the House of Representatives.

(2) Three by the chairman of the Committee on Armed Services of the Senate.

(3) Three by the ranking member of the Committee on Armed Services of the House of Representatives.

(4) Three by the ranking member of the Committee on Armed Services of the Senate.

(c) CO-CHAIRS OF THE PANEL.—The chairman of the Committee on Armed Services of the House of Representatives and the chairman of the Committee of Armed Services of the Senate shall each designate one of their appointees under subsection (b) to serve as co-chair of the panel.

(d) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Panel. Any vacancy in the Panel shall be filled in the same manner as the original appointment.

(e) DUTIES.—The Panel shall—

(1) review the national defense strategy, the national military strategy, the Secretary of Defense's terms of reference, and any other materials providing the basis for, or substantial inputs to, the work of the Department of Defense on the 2009 quadrennial defense review under section 118 of title 10, United States Code (in this subsection referred to as the "2009 QDR"), as well as the 2009 QDR itself;

(2) conduct an assessment of the assumptions, strategy, findings, costs, and risks in the report of the 2009 QDR under subsection (d) of such section, with particular attention paid to the risks described in that report;

(3) submit to the Committees on Armed Services of the Senate and House of Representatives and the Secretary an independent assessment of a variety of possible force structures of the Armed Forces, including the force structure identified in the report of the 2009 QDR, suitable to meet the requirements identified in the review required in paragraph (1);

(4) to the extent practicable, estimate the funding required by fiscal year, in constant fiscal year 2010 dollars, to organize, equip, and support the forces contemplated under the force structures included in the assessment under paragraph (3); and

(5) provide to the Committees on Armed Services of the Senate and House of Representatives and the Secretary of Defense, through the reports under subsection (g), any recommendations it considers appropriate for their consideration.

(f) FIRST MEETING.—The Panel shall hold its first meeting not later than 30 days after the date on which all appointments to the Panel under paragraphs (1), (2), (3), and (4) of subsection (b) have been made.

(g) REPORTS.—

(1) INTERIM REPORT OF PANEL.—Not later than February 15, 2010, the Panel shall submit an interim report on its findings to the Committees on Armed Services of the Senate and House of Representatives and to the Secretary of Defense.

(2) FINAL REPORT OF PANEL.—Not later than January 15, 2011, the Panel shall submit its final report, together with any recommendations, to the Committees on Armed Services of the Senate and House of Representatives and to the Secretary of Defense.

(3) REPORT OF SECRETARY OF DEFENSE.—Not later than February 15, 2011, the Secretary of Defense, after consultation with the Chairman of the Joint Chiefs of Staff, shall submit to the Committees on Armed Services of the Senate and House of Representatives the Secretary's comments on the Panel's final report under paragraph (2).

(h) INFORMATION FROM FEDERAL AGENCIES.—The Panel may secure directly from the Department of Defense and any of components of the Department such information as the Panel considers necessary to carry out its duties under this section. The Secretary

of Defense and the head of the component concerned shall ensure that information requested by the Panel under this subsection is promptly provided.

(i) FFRDC SUPPORT.—Upon the request of the co-chairs of the Panel, the Secretary of Defense shall make available to the Panel the services of any federally funded research and development center that is covered by a sponsoring agreement of the Department of Defense.

(j) PERSONNEL MATTERS.—The Panel shall have the authorities provided in section 3161 of title 5, United States Code, and shall be subject to the conditions set forth in such section.

(k) PAYMENT OF PANEL EXPENSES.—Funds for activities of the Panel shall be provided from unobligated amounts available to the Department of Defense.

(l) TERMINATION.—The Panel shall terminate 45 days after the date on which the Panel submits its final report under subsection (g)(2).

SEC. 1092. REPORTS ON STATUTORY COMPLIANCE OF THE REPORT ON THE 2009 QUADRENNIAL DEFENSE REVIEW.

(a) COMPTROLLER GENERAL REPORT.—Not later than 90 days after the Secretary of Defense submits the report required by subsection (d) of section 118 of title 10, United States Code, on the 2009 quadrennial defense review required by subsection (a) of that section, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and House of Representatives and to the Secretary of Defense a report on the degree to which the report on the 2009 quadrennial defense review complies with the requirements of such subsection (d).

(b) SECRETARY OF DEFENSE REPORT.—If the Comptroller General determines that the report on the 2009 quadrennial defense review deviates significantly from the requirements of subsection (d) of section 118 of title 10, United States Code, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report addressing the areas of deviation not later than 30 days after the submittal of the report by the Comptroller General required by subsection (a).

SEC. 1093. REPORT ON THE FORCE STRUCTURE FINDINGS OF THE 2009 QUADRENNIAL DEFENSE REVIEW.

(a) IN GENERAL.—Concurrent with the delivery of the report on the 2009 quadrennial defense review required by section 118(d) of title 10, United States Code, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report with a classified annex containing—

(1) the analyses used to determine and support the findings on force structure required by such section; and

(2) a description of any changes from the 2006 quadrennial defense review to the minimum military requirements for major military capabilities.

(b) MAJOR MILITARY CAPABILITIES DEFINED.—In this section, the term "major military capabilities" includes any capability the Secretary determines to be a major military capability, any capability discussed in the report of the 2006 quadrennial defense review, and any capability described in paragraph (9) or (10) of section 118(d) of title 10, United States Code.

SA 1685. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . HATE CRIMES.

(a) FINDINGS.—Notwithstanding any other provision of this Act, any finding by Congress in division ____ of this Act relating to actual or perceived gender identity shall have no force or effect and shall be null and void.

(b) SUPPORT FOR CRIMINAL INVESTIGATIONS AND PROSECUTIONS.—Notwithstanding any other provision of this Act, the Attorney General may not provide assistance to a State, local, or tribal law enforcement agency under section ____04 of this Act based on actual or perceived gender identity.

(c) FEDERAL OFFENSE.—Notwithstanding any other provision of this Act, section 924 of title 18, United States Code, as added by section ____07 of this Act, is amended—

(1) in subsection (a)(2)—

(A) in the paragraph heading, by striking "GENDER IDENTITY,"; and

(B) in subparagraph (A), by striking "gender identity"; and

(2) in subsection (c)—

(A) in paragraph (2), by adding "and" at the end;

(B) in paragraph (3), by striking "; and" and inserting a period; and

(C) by striking paragraph (4).

(d) STATISTICS.—Notwithstanding any other provision of this Act, subsection (b)(1) of the first section of the Hate Crime Statistics Act (28 U.S.C. 534 note), as amended by section ____08 of this Act, is amended by striking "and gender identity".

(e) RULE OF CONSTRUCTION.—Notwithstanding any other provision of this Act, division ____ of this Act (relating to hate crimes), and the amendments made by that division, shall not apply to actual or perceived gender identity.

SA 1686. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . AUDIT REFORM AND TRANSPARENCY FOR THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

(a) IN GENERAL.—Subsection (b) of section 714 of title 31, United States Code, is amended by striking all after "shall audit an agency" and inserting a period.

(b) AUDIT.—Section 714 of title 31, United States Code, is amended by adding at the end the following new subsection:

"(e) AUDIT AND REPORT OF THE FEDERAL RESERVE SYSTEM.—

"(1) IN GENERAL.—The audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks under subsection (b) shall be completed before the end of 2010.

"(2) REPORT.—

"(A) REQUIRED.—A report on the audit referred to in paragraph (1) shall be submitted by the Comptroller General to the Congress before the end of the 90-day period beginning on the date on which such audit is completed

and made available to the Speaker of the House, the majority and minority leaders of the House of Representatives, the majority and minority leaders of the Senate, the Chairman and Ranking Member of the committee and each subcommittee of jurisdiction in the House of Representatives and the Senate, and any other Member of Congress who requests it.

“(B) CONTENTS.—The report under subparagraph (A) shall include a detailed description of the findings and conclusion of the Comptroller General with respect to the audit that is the subject of the report, together with such recommendations for legislative or administrative action as the Comptroller General may determine to be appropriate.”.

SA 1687. Mr. MENENDEZ (for himself and Mr. CORKER) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 475, between lines 2 and 3, insert the following:

SEC. 1211. CERTIFICATION REQUIREMENT FOR COALITION SUPPORT FUND REIMBURSEMENTS.

Section 1232(b) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 392), as amended by section 1217 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4634), is amended—

(1) in paragraph (1)(A), by striking “the Secretary of Defense shall submit” and inserting “the Secretary of Defense, after consultation with the Secretary of State, shall submit”; and

(2) in paragraph (2)—

(A) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively, and indenting each clause, as so redesignated, 6 ems from the left margin;

(B) by striking “shall include an itemized description” and inserting the following: “shall include the following:

“(A) An itemized description”; and

(C) by adding at the end the following new subparagraph:

“(B) A certification that the reimbursement—

“(i) is consistent with the national security interests of the United States; and

“(ii) will not adversely impact the balance of power in the region.”.

SA 1688. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1083. CONTRACTING IMPROVEMENTS.

(a) DEFINITIONS.—In this section—

(1) the terms “Administration” and “Administrator” mean the Small Business Administration and the Administrator thereof, respectively; and

(2) the terms “HUBZone small business concern”, “small business concern”, “small business concern owned and controlled by service-disabled veterans”, and “small business concern owned and controlled by women” have the same meanings as in section 3 of the Small Business Act (15 U.S.C. 632).

(b) CONTRACTING OPPORTUNITIES.—Section 31(b)(2)(B) of the Small Business Act (15 U.S.C. 657a(b)(2)(B)) is amended by striking “shall” and inserting “may”.

(c) CONTRACTING GOALS.—Section 15(g)(1) of the Small Business Act (15 U.S.C. 644(g)(1)) is amended in the fourth sentence by inserting “and subcontract” after “not less than 3 percent of the total value of all prime contract”.

(d) MENTOR-PROTEGE PROGRAMS.—The Administrator may establish mentor-protége programs for small business concerns owned and controlled by service-disabled veterans, small business concerns owned and controlled by women, and HUBZone small business concerns modeled on the mentor-protége program of the Administration for small business concerns participating in programs under section 8(a) of the Small Business Act (15 U.S.C. 637(a)).

SA 1689. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1073. REPORT ON DOCUMENTATION OF SUPPORT PROVIDED BY MEMBERS OF THE ARMED FORCES OUTSIDE THE REQUIREMENTS OF THEIR MILITARY OCCUPATIONS.

(a) IN GENERAL.—Not later than March 31, 2010, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the documentation of the support provided by members of the Armed Forces while deployed in support of contingency operations that is provided—

(1) as a result of operational requirements; and

(2) outside of the requirements of their military occupations.

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

(1) An assessment of the mechanisms used by the Secretary, if any, to document the support provided by members of the Armed Forces while deployed in support of contingency operations that is provided as a result of operational requirements and outside of the requirements of their military occupations, including documentation of participation in operational missions that involve combat experience.

(2) Recommendations for the improvement or creation of mechanisms described in paragraph (1).

(3) An assessment of the feasibility and advisability of creating and implementing an experience, service, or skill identifier to identify the support described in paragraph (1).

(4) An assessment of whether such identifier could be used effectively and efficiently for the provision of training and assignment matching.

(5) An assessment of whether the current chain of command construct allows members

described in paragraph (1) who provide support described in such paragraph sufficient opportunity to obtain recognition for their service.

(6) An identification of the differences between service in the reserve components of the Armed Forces and service in the regular components of the Armed Forces and how those differences affect the matters described in paragraphs (1) through (5).

(7) An assessment of how a mechanism described in paragraph (1) could be used to improve determinations of whether a member of the Armed Forces has, for purposes of establishing service-connection for a disease or injury under section 1154(b) of title 38, United States Code, engaged in combat with the enemy in active service with a military, naval, or air organization of the United States during a period of war, campaign, or expedition.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the Public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, July 28, 2009, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to consider the nominations of James J. Markowsky, to be an Assistant Secretary of Energy (Fossil Energy), Warren F. Miller, Jr., to be an Assistant Secretary of Energy (Nuclear Energy) and Director of the Office of Civilian Radioactive Waste, Anthony M. Babauta, to be an Assistant Secretary of the Interior (Insular Areas), and Jonathan B. Jarvis, to be the Director of the National Park Service.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to Amanda_kelly@energy.senate.gov.

For further information, please contact Sam Fowler at (202) 224-7571 or Amanda Kelly at (202) 224-6836.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a business meeting has been scheduled before Committee on Energy and Natural Resources. The business meeting will be held on Tuesday, July 28, 2009, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building, immediately preceding the hearing on other nominations.

The purpose of the business meeting is to consider pending nominations.

For further information, please contact Sam Fowler at (202) 224-7571 or Amanda Kelly at (202) 224-6836.