

**SA 1906.** Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3357, to restore sums to the Highway Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and replace:

**SECTION 1. FUNDING OF THE HIGHWAY TRUST FUND.**

Subsection (f) of section 9503 of the Internal Revenue Code of 1986 (relating to determination of trust fund balances after September 30, 1998) is amended—

(1) by striking paragraph (2), and  
(2) by adding at the end the following new “(2) INCREASE IN FUND BALANCE.—Out of money in the Treasury not otherwise appropriated, there is hereby appropriated (without fiscal year limitation) to the Highway Trust Fund \$7,000,000,000.”

**SEC. 2. ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS.**

The item relating to “Department of Labor—Employment and Training Administration—Advances to the Unemployment Trust Fund and Other Funds” in title I of division F of the Omnibus Appropriations Act, 2009 (Public Law 111-8; 123 Stat. 754) is amended by striking “to remain available through September 30, 2010” and all that follows (before the heading for the following item) and inserting “such sums as may be necessary”.

**SEC. 3. FHA MORTGAGE INSURANCE COMMITMENT AUTHORITY.**

The item relating to “Federal Housing Administration—Mutual Mortgage Insurance Program Account” in title II of division I of the Omnibus Appropriations Act, 2009 (Public Law 111-8; 123 Stat. 966) is amended by striking “\$315,000,000,000” and inserting “\$400,000,000,000”.

**SEC. 4. GNMA MORTGAGE-BACKED SECURITIES GUARANTEE COMMITMENT AUTHORITY.**

The item relating to “Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account” in title II of division I of the Omnibus Appropriations Act, 2009 (Public Law 111-8; 123 Stat. 967) is amended by striking “\$300,000,000,000” and inserting “\$400,000,000,000”.

**SEC. 5. USE OF STIMULUS FUNDS TO OFFSET APPROPRIATION OF FUNDS.**

The unobligated balance of each amount appropriated or made available under the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) is rescinded pro rata such that the aggregate amount of such rescissions equals the aggregate amount appropriated under the amendments made by this Act. The Director of the Office of Management and Budget shall report to each congressional committee the amounts so rescinded within the jurisdiction of such committee.

**SA 1907.** Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 3357, to restore sums to the Highway Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 401, 402, 403, and 404, and insert the following:

**SEC. 401. TEMPORARY PROTECTION OF HIGHWAY TRUST FUND SOLVENCY.**

Notwithstanding section 5 of the American Recovery and Reinvestment Act of 2009 (Pub. Law 111-5), from the amounts appropriated or made available and remaining unobligated under such Act, the Director of the Office of Management and Budget shall transfer to

the Highway Trust Fund such sums as the Secretary of Transportation determines in the aggregate will be necessary to ensure that the Highway Trust Fund balance does not fall below the threshold that would require a change from daily payments to weekly or biweekly payments of expenditures from the Highway Trust Fund through March 31, 2011. The Director of the Office of Management and Budget shall report to each congressional committee the amounts so transferred within the jurisdiction of such committee. The amounts so transferred shall remain available without fiscal year limitation.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS**

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate, on July 29, 2009 at 2:30 p.m., to conduct a hearing entitled “Protecting Shareholders and Enhancing Public Confidence by Improving Corporate Governance.”

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION**

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Wednesday, July 29, 2009, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS**

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Wednesday, July 29, 2009.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON FOREIGN RELATIONS**

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, July 29, 2009, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON FOREIGN RELATIONS**

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, July 29, 2009, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to

meet during the session of the Senate on Wednesday, July 29, 2009, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Wednesday, July 29, 2009, at 3 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON THE JUDICIARY**

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on July 29, 2009, at 10 a.m. in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Nominations.”

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON VETERANS’ AFFAIRS**

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be authorized to meet during the session of the Senate on Wednesday, July 29, 2009. The Committee will meet in room 418 of the Russell Senate Office Building beginning at 9:15 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

**SPECIAL COMMITTEE ON AGING**

Mr. DORGAN. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on July 29, 2009, from 2-4 p.m. in room 562 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

**PRIVILEGES OF THE FLOOR**

Mr. DODD. Madam President, I ask unanimous consent that Rachael Holt, an intern in my office, be granted the privileges of the floor during today’s session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I ask unanimous consent that a member of my staff, Ramona McGee, and four of our law clerks, Amanda Hinson, Belisa Lay, Marisa Maleck, and John Heath, be granted floor privileges for the remainder of this session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Patrick Chaney, be accorded the privilege of the floor for the duration of today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2010

On Thursday, July 23, 2009, the Senate passed H.R. 2647, as amended, as follows:

H.R. 2647

*Resolved*, That the bill from the House of Representatives (H.R. 2647) entitled “An Act 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, to provide special pays and allowances to certain members of the Armed Forces, expand concurrent receipt of military retirement and VA disability benefits to disabled military retirees, and for other purposes.”, do pass with the following amendment:

Strike out all after the enacting clause and insert:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2010”.

**SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.**

(a) DIVISIONS.—This Act is organized into seven divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

(4) Division D—Funding Tables.

(5) Division E—Matthew Shepard Hate Crimes Prevention Act.

(6) Division F—SBIR/STTR Reauthorization.

(7) Division G—Maritime Administration Authorization.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Organization of Act into divisions; table of contents.

Sec. 3. Congressional defense committees.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Army.

Sec. 102. Navy and Marine Corps.

Sec. 103. Air Force.

Sec. 104. Defense-wide activities.

Sec. 105. Funding table.

Sec. 106. Elimination of F-22A aircraft procurement funding.

Subtitle B—Navy Programs

Sec. 111. Treatment of Littoral Combat Ship program as a major defense acquisition program.

Sec. 112. Report on strategic plan for homeporting the Littoral Combat Ship.

Sec. 113. Procurement programs for future naval surface combatants.

Sec. 114. Report on a service life extension program for Oliver Hazard Perry class frigates.

Sec. 115. Competitive bidding for procurement of steam turbines for ships service turbine generators and main propulsion turbines for Ohio-class submarine replacement program.

Subtitle C—Air Force Matters

Sec. 121. Limitation on retirement of C-5 aircraft.

Sec. 122. Revised availability of certain funds available for the F-22A fighter aircraft.

Sec. 123. Report on potential foreign military sales of the F-22A fighter aircraft.

Sec. 124. Next generation bomber aircraft.

Sec. 125. AC-130 gunships.

Sec. 126. Report on E-8C Joint Surveillance and Target Attack Radar System re-engineing.

Subtitle D—Joint and Multiservice Matters

Sec. 131. Modification of nature of data link utilizable by tactical unmanned aerial vehicles.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Limitation on use of funds for an alternative propulsion system for the F-35 Joint Strike Fighter program; increase in funding for procurement of UH-1Y/AH-1Z rotary wing aircraft and for management reserves for the F-35 Joint Strike Fighter program.

Sec. 212. Enhancement of duties of Director of Department of Defense Test Resource Management Center with respect to the Major Range and Test Facility Base.

Sec. 213. Guidance on specification of funding requested for operation, sustainment, modernization, and personnel of major ranges and test facilities.

Sec. 214. Permanent authority for the Joint Defense Manufacturing Technology Panel.

Sec. 215. Extension and enhancement of Global Research Watch Program.

Sec. 216. Three-year extension of authority for prizes for advanced technology achievements.

Sec. 217. Modification of report requirements regarding Defense Science and Technology Program.

Sec. 218. Programs for ground combat vehicle and self propelled howitzer capabilities for the Army.

Sec. 219. Assessment of technological maturity and integration risk of Army modernization programs.

Sec. 220. Assessment of strategy for technology for modernization of the combat vehicle and tactical wheeled vehicle fleets.

Sec. 221. Systems engineering and prototyping program.

Subtitle C—Missile Defense Programs

Sec. 241. Sense of Congress on ballistic missile defense.

Sec. 242. Comprehensive plan for test and evaluation of the Ballistic Missile Defense System.

Sec. 243. Assessment and plan for the Ground-based Midcourse Defense element of the Ballistic Missile Defense System.

Sec. 244. Report on potential missile defense cooperation with Russia.

Sec. 245. Continued production of Ground-based Interceptor missile and operation of Missile Field 1 at Fort Greely, Alaska.

Sec. 246. Sense of Senate on and reservation of funds for development and deployment of missile defense systems in Europe.

Sec. 247. Extension of deadline for study on boost-phase missile defense.

Subtitle D—Other Matters

Sec. 251. Repeal of requirement for biennial joint warfighting science and technology plan.

Sec. 252. Modification of reporting requirement for defense nanotechnology research and development program.

Sec. 253. Evaluation of Extended Range Modular Sniper Rifle Systems.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Operation and maintenance funding.

Subtitle B—Environmental Provisions

Sec. 311. Reimbursement of Environmental Protection Agency for certain costs in connection with the former Nansemond Ordnance Depot Site, Suffolk, Virginia.

Subtitle C—Workplace and Depot Issues

Sec. 321. Modification of authority for Army industrial facilities to engage in cooperative activities with non-Army entities.

Sec. 322. Improvement of inventory management practices.

Sec. 323. Temporary suspension of authority for public-private competitions.

Sec. 323A. Public-private competition required before conversion of any department of defense function performed by civilian employees to contractor performance.

Sec. 323B. Time limitation on duration of public-private competitions.

Sec. 323C. Termination of certain public-private competitions for conversion of department of defense functions to performance by a contractor.

Sec. 324. Extension of arsenal support program initiative.

Sec. 325. Modification of date for submittal to Congress of annual report on funding for public and private performance of depot-level maintenance and repair workloads.

Subtitle D—Energy Provisions

Sec. 331. Energy security on Department of Defense installations.

Sec. 332. Extension and expansion of reporting requirements regarding Department of Defense energy efficiency programs.

Sec. 333. Alternative Aviation Fuel Initiative.

Sec. 334. Authorization of appropriations for Director of Operational Energy.

Sec. 335. Department of Defense participation in programs for management of energy demand or reduction of energy usage during peak periods.

Subtitle E—Reports

Sec. 341. Study on Army modularity.

Sec. 342. Plan for managing vegetative encroachment at training ranges.

Sec. 343. Report on status of Air National Guard and Air Force Reserve.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.

Sec. 402. Additional authority for increases of Army active-duty end strengths for fiscal years 2010, 2011, and 2012.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.

Sec. 412. End strengths for Reserves on active duty in support of the Reserves.

Sec. 413. End strengths for military technicians (dual status).

Sec. 414. Fiscal year 2010 limitation on number of non-dual status technicians.

Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.

Sec. 416. Report on trainee account for the Army National Guard.

Sec. 417. Authority for service Secretary variances for Selected Reserve end strengths.

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.