

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 1585) TO AUTHORIZE
APPROPRIATIONS FOR FISCAL YEAR 2008 FOR MILITARY ACTIVITIES OF
THE DEPARTMENT OF DEFENSE, TO PRESCRIBE MILITARY PERSONNEL
STRENGTHS FOR FISCAL YEAR 2008, AND FOR OTHER PURPOSES

MAY 15, 2007.—Referred to the House Calendar and ordered to be printed

Ms. CASTOR, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 403]

The Committee on Rules, having had under consideration House Resolution 403, by a record vote of 9 to 4, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 1585 to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2008, and for other purposes. The resolution provides for ninety minutes of general debate equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Armed Services.

The resolution waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The resolution considers as an original bill for the purpose of further amendment the amendment in the nature of a substitute recommended by the Committee on Armed Services. The committee amendment shall be considered as read. The resolution waives all points of order against the committee amendment except those arising under clause 9 or 10 of rule XXI.

The resolution makes in order those amendments printed in this report and waives all points of order against such amendments except those arising under clause 9 or 10 of rule XXI. The resolution provides one motion to recommit with or without instructions. The resolution also permits the chairman of the Committee on Armed Services or his designee to offer amendments en bloc if those amendments have been printed in this report and not earlier disposed of. The Chairman of the Committee of the Whole may recognize for consideration any amendment printed in this report out of

the order printed but not sooner than 30 minutes after the chairman of the Committee on Armed Services announces from the floor a request to that effect. Finally, the resolution permits the Chair, during consideration of the bill in the House, to postpone further consideration until a time designated by the Speaker.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of the bill (except for those arising under clause 9 or 10 of rule XXI) includes waivers of (1) clause 3(e) of rule XIII (changes to existing law), (2) clause 4 of rule XIII (three-day availability), and (3) section 303 of the Budget Act (mistimed changes in direct spending). The waiver of all points of order against the committee amendment (except for those arising under clause 9 or 10 of rule XXI) includes waivers of: (1) clause 7 of rule XVI (germaneness), (2) clause 4 of rule XXI (appropriating on legislative bills), and (3) section 303 of the Budget Act (mistimed changes in direct spending).

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 190

Date: May 15, 2007.

Measure: H.R. 1585.

Motion by: Mr. Diaz-Balart.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Latham (IA), #5, which provides service members the option to designate a caretaker relative as the recipient of all or part of the death gratuity, in cases where there is no surviving spouse but one or more surviving children under the age of 18. The amendment also expresses the sense of Congress that for deaths occurring before enactment, if there was a clear expression of intent by the service member regarding payment of part of the death gratuity to another person on behalf of their children, it should be distributed accordingly.

Results: Defeated 4 to 9.

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—NAY; Cardoza—Nay; Welch—Nay; Castor—Nay; Arcuri—Nay; Sutton—Nay; Dreier—Yea; Diaz-Balart—Yea; Hastings (WA)—Yea; Sessions—Yea; Slaughter—Nay.

Rules Committee record vote No. 191

Date: May 15, 2007.

Measure: H.R. 1585.

Motion by: Mr. Diaz-Balart.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Ros-Lehtinen (FL), #99, which requires managers of federal and private pension plans or thrift savings plans and managers of mutual funds sold or distributed in the United States to: (1) notify investors that their funds are invested in entities included on a list of entities that have invested substantial amounts of money in Iran's energy sector; and (2) take immediate steps, upon notification or publication of such list, to di-

vest all investments of such plans or funds in such entities. Prohibits, upon such publication, future investments in any entity included on the list by managers of such plans or funds, and requires a report from the Office of Global Risks within the Securities and Exchange Commission.

Results: Defeated 4 to 9.

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Welch—Nay; Castor—Nay; Arcuri—Nay; Sutton—Nay; Dreier—Yea; Diaz-Balart—Yea; Hastings (WA)—Yea; Sessions—Yea; Slaughter—Nay.

Rules Committee record vote No. 192

Date: May 15, 2007.

Measure: H.R. 1585.

Motion by: Mr. Diaz-Balart.

Summary of motion: To make in order and provide appropriate waivers en bloc for an amendment by Rep. Cantor (VA), #113, which provides for the Sense of the Congress that Iran's missile arsenal and historic cooperation with terrorist groups represents a threat to the national security of the United States. The amendment further provides that it is the policy of the United States to defend against the threat posed by Iran's missile arsenal; and an amendment by Rep. Cantor (VA), #114, which would provide \$42,000,000 in additional funding for the Multiple Kill Vehicle. The money, which will go to research, development, test, and evaluation, would be offset by funds from unobligated funds of the Defense Health Program.

Results: Defeated 4 to 9.

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Welch—Nay; Castor—Nay; Arcuri—Nay; Sutton—Nay; Dreier—Yea; Diaz-Balart—Yea; Hastings (WA)—Yea; Sessions—Yea; Slaughter—Nay.

Rules Committee record vote No. 193

Date: May 15, 2007.

Measure: H.R. 1585.

Motion by: Mr. Hastings (WA).

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Davis, Geoff (KY), #97, which expresses the sense of Congress that US reliance on foreign oil is a threat to the US, and long-term DoD fuel purchase encourages the rapid development of alternative fuels production in the U.S. using domestic resources.

Results: Defeated 4 to 9

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Welch—Nay; Castor—Nay; Arcuri—Nay; Sutton—Nay; Dreier—Yea; Diaz-Balart—Yea; Hastings (WA)—Yea; Sessions—Yea; Slaughter—Nay.

Rules Committee record vote No. 194

Date: May 15, 2007.

Measure: H.R. 1585.

Motion by: Mr. Hastings (WA).

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. King, Steve (IA), #96, which

adds a section to the bill stating Congress' findings that the strategy being followed by General Petraeus in Iraq has begun to address the threats to Iraqi security posed by sectarian violence and has identified Al Qaeda as the greatest threat to Iraqi stability and the principal enemy of the United States Armed Forces. Also expresses Congress' continuing support for the courage and sacrifice of the United States Armed Forces bravely serving on the front lines of the Global War on Terror in Iraq and Afghanistan and the work of General Petraeus.

Results: Defeated 4 to 9

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Welch—Nay; Castor—Nay; Arcuri—Nay; Sutton—Nay; Dreier—Yea; Diaz-Balart—Yea; Hastings (WA)—Yea; Sessions—Yea; Slaughter—Nay.

Rules Committee record vote No. 195

Date: May 15, 2007.

Measure: H.R. 1585.

Motion by: Mr. Sessions.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Akin (MO) and Rep. Gingrey (GA), a second-degree amendment to the amendment #48 by Rep. Michaud (ME), regarding unemancipated minors.

Results: Defeated 4 to 9

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Welch—Nay; Castor—Nay; Arcuri—Nay; Sutton—Nay; Dreier—Yea; Diaz-Balart—Yea; Hastings (WA)—Yea; Sessions—Yea; Slaughter—Nay.

Rules Committee record vote No. 196

Date: May 15, 2007.

Measure: H.R. 1585.

Motion by: Mr. Sessions.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Akin (MO), #127, which increases by \$134 million the amount authorized for Future Combat Systems. An offset is provided from the Joint High Speed Vessel.

Results: Defeated 4 to 9

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Welch—Nay; Castor—Nay; Arcuri—Nay; Sutton—Nay; Dreier—Yea; Diaz-Balart—Yea; Hastings (WA)—Yea; Sessions—Yea; Slaughter—Nay.

Rules Committee record vote No. 197

Date: May 15, 2007.

Measure: H.R. 1585.

Motion by: Mr. Sessions.

Summary of motion: In section 2(c), strike "Shall not be subject to amendment" and insert "shall not be subject to amendment except the amendment offered by Mr. Michaud printed #43 in the report of the Committee on Rules accompanying the resolution".

Results: Defeated 4 to 9

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Welch—Nay; Castor—Nay; Arcuri—Nay;

Sutton—Nay; Dreier—Yea; Diaz-Balart—Yea; Hastings (WA)—Yea; Sessions—Yea; Slaughter—Nay.

Rules Committee record vote No. 198

Date: May 15, 2007.

Measure: H.R. 1585.

Motion by: Mr. Hastings (FL).

Summary of motion: To report the rule.

Results: Adopted 9 to 4

Vote by Members: McGovern—Yea; Hastings (FL)—Yea; Matsui—Yea; Cardoza—Yea; Welch—Yea; Castor—Yea; Arcuri—Yea; Sutton—Yea; Dreier—Nay; Diaz-Balart—Nay; Hastings (WA)—Nay; Sessions—Nay; Slaughter—Yea.

SUMMARY OF AMENDMENTS MADE IN ORDER UNDER THE RULE

(Summaries derived from information provided by sponsors.)

1. Skelton (MO): #73 Manager's Amendment. This Manager's Amendment makes technical and conforming changes, including: Sec 301—Apportions funds for additional WMD civil support teams to the correct accounts (net change is zero). Sec 576—Clarifying language to correctly apportion \$3 million in funds to defense-wide operation and maintenance accounts. Sec 1307—Technical correction to add \$48,000 for cooperative threat reduction program. Sec 1508—Technical correction to \$1 billion to Title XV for the Strategic Readiness Fund. Sec 1517—Technical correction to include \$50 million requested by the Administration for NNSA. Sections 2104, 2204, 2304—Technical correction to apportion funding for military construction projects to the correct accounts and to eliminate double-counting. Sec 3103—Technical correction to add \$6 million for energy security. (10 minutes)

2. Saxton (NJ)/LoBiondo, (NJ)/Smith, Christopher (NJ)/Andrews (NJ): #26 (REVISED) This amendment requires DOD to perform federal background checks for all unescorted visitors who seek entry to a military installation or facility, and employees of vendors and/or contractors who do business on a military installation or facility. The background checks will require a search in the FBI's National Crime Information Center (NCIC) database, confirmation that they are not on a terrorist watch list, and collaboration with DHS to verify US citizenship status. (10 minutes)

3. Ortiz (TX): #74 Requires the Secretary of Transportation to submit a report identifying the non-retention vessels with the highest risk for environmental damage to local waters if further deterioration continues and a plan to dispose of these vessels by October 1, 2007. (10 minutes)

4. Reyes (TX): #20 The amendment would add Mexico and the Dominican Republic to the list of countries to which the Department of Defense may provide non-lethal equipment (boats, aircraft, sensors, radios) to support counter-narcotics operations. (10 minutes)

5. Snyder (AR): #30 This amendment would increase the funding for the Army National Guard military personnel account to fund the Yellow Ribbon Reintegration Program by \$50,000,000, with an offsetting reduction of \$50,000,000 from the Air Force JSTARS program. (10 minutes)

6. Smith, Adam (WA): #23 This amendment would strike section 233, which authorizes \$10 million for the Army Capital Fund demonstration. Further, this amendment would reduce the total amount authorized in section 201(1), which authorizes funding for research, development, test, and evaluation for the Army, by \$10 million. (10 minutes)

7. Andrews (NJ): #91 This amendment would require DOD to use renewable energy to meet at least 25% of its electricity needs by 2025, unless the Secretary determines a waiver is in the best interest of DOD. (10 minutes)

8. Andrews (NJ): #93 This amendment would prevent funds authorized in the bill for the wars in Iraq and Afghanistan from being obligated or expended to plan a contingency operation in Iran.

9. Turner (OH): #6 (REVISED) The amendment bars courts from entering or modifying an order changing the custody of the child of a servicemember during that servicemember's period of military service. The amendment provides an exception for temporary orders issued in the best interest of the child; upon completion of a servicemember's military service, any original custody order shall be reinstated. (10 minutes)

10. Drake (VA): #7 This amendment would expand to all the uniformed services (the military services, as well as the Coast Guard, Public Health, Service, and National Oceanic and Atmospheric Administration Corps) the authority for an enhanced increase in the monthly basic pay (0.5% above the Employment Cost Index) during fiscal years 2009 through 2012. (10 minutes)

11. Franks (AZ)/Cantor (VA)/Putnam (FL): #106 The amendment increases by \$764 million the amount authorized for ballistic missile defense. (20 minutes)

12. Johnson, Jr., Hank (GA): #133 (REVISED) The amendment would provide \$169,000,000 of medical military construction support at Fort Belvoir and Bethesda using amounts appropriated pursuant to the authorization of appropriations in section 2402(a)(9). (10 minutes)

13. Slaughter (NY): #16 The amendment would require the Secretary of the Air Force to submit a report to the Congressional defense committees containing a plan for the current and future assets at the Niagara Air Reserve Base. (10 minutes)

14. DeFazio (OR)/Paul (TX)/Hinchey (NY)/Lee (CA): #31 The amendment clarifies that no previously enacted law authorizes military action against Iran. It also prohibits funding authorized by the bill or in any other act from being used to take military action against Iran without specific authorization from Congress unless there is a "national emergency created by an attack by Iran upon the United States, its territories or possessions or its armed forces" (language taken directly from the War Powers Resolution, P.L. 93-148). (10 minutes)

15. Moran, (VA) #29 (REVISED) The amendment would require the Office of the Secretary of Defense to submit a report identifying the current capacity at Department of Defense facilities in the United States to securely hold and try before a military commission the detainees currently held at Guantanamo Bay, Cuba. The report shall include the Department's estimated number of detainees that will be 1) charged with a crime, 2) subject to a release or transfer, or 3) held without being charged with a crime, but whom the De-

partment wishes to detain. The report shall also describe actions required by the Secretary and Congress to ensure that detainees who are scheduled for release are released no later than December 31, 2007. (10 minutes)

16. Buyer (IN): #47 The amendment would strike the proposed sections 3306 and 3326 of section 525, which prohibit the Secretary of Veterans Affairs from awarding unequal education benefits to members of the Selected Reserves based on when they became eligible for such benefits. (10 minutes)

17. Holden (PA): #3 (REVISED) This amendment creates a Combat Medevac Badge to give recognition to those men and women who serve or served as helicopter medical evacuation ambulance (Medevac) pilots or crewmembers in a combat theater. The amendment specifically will make any person who served in combat as a pilot or crewmember of a Medevac unit beginning June 25, 1950 eligible for the Combat Medevac Badge. (10 minutes)

18. Diaz-Balart, Lincoln (FL)/Diaz-Balart, Mario (FL)/Ros-Lehtinen (FL)/Hastings (FL): #50 (REVISED) The amendment would allow the Secretary of the Navy to establish a Naval ROTC program at the University of Miami (Florida). (10 minutes)

19. Scott, Robert (VA): #82 (REVISED) The amendment states Congress's finding that Modeling, Analysis, and Simulation Technology has become an essential component of national defense. It also states that it is important for the Defense Department to study the effects of warfare and disasters on urban environments. (10 minutes)

20. Stupak (MI): #81 (REVISED) This amendment would require the Department of Defense to transport remains of service members by air to the airport nearest to the intended place of burial. (10 minutes)

21. Woolsey (CA): #27 This amendment would require the Secretary of Defense to issue a report on the continued use, need, relevance, and cost of weapons systems designed to fight the Cold War and the former Soviet Union. (10 minutes)

22. Moran, James (VA): #125 An amendment to require that the transportation infrastructure necessary to accommodate the large influx of military personnel and civilian employees to be assigned to Fort Belvoir, VA, as part of the BRAC realignment of the installation, be substantially completed before the relocation of these employees. (10 minutes)

23. Jackson-Lee (TX): #62 This amendment requires the Secretary of Defense to study and report back to Congress on the financial and emotional impact of multiple deployments on the families of those soldiers who serve multiple tours as part of Operation Iraqi Freedom and Operation Enduring Freedom. (10 minutes)

24. Jackson-Lee (TX): #63 This amendment requires the Secretary of Defense to take the necessary steps to ensure that Army National Guard and Reserve ROTC scholarships are available to students attending historically black colleges and universities, and Hispanic-serving institutions. (10 minutes)

25. Davis, Tom (VA): #42 This amendment would extend by three years (through 2010) the authorization for the Department of Defense to participate in the Information Technology Exchange Program (ITEP). (10 minutes)

26. Kennedy, Patrick (RI): #111 (REVISED) The amendment would require the Secretary of Defense to conduct a survey examining the feasibility of measuring family member satisfaction with the quality of health care services provided to patients, particularly those patients incapacitated by injuries that render them unable to respond completely to surveys on their own. (10 minutes)

27. LaHood (IL): #11 (REVISED) The amendment would allow a member of the Armed Forces to request a deferment of a deployment to a combat zone if their spouse also is deployed to a combat zone and the couple has minor dependent children. (10 minutes)

28. Allen (ME): #40 The amendment requires the Secretary of Defense to report to Congress on the Department's policies on administering and evaluating multiple vaccinations within a 24-hour period to active duty members and members of the reserve components and to perform a study on the safety and effectiveness of administering multiple vaccinations within a 24-hour period. (10 minutes)

29. Fossella (NY): #102 (REVISED) Requires the Secretary of Defense, in consultation with the United States Postal Service, to provide vouchers for free (less than 10 lbs) parcel or letter mailing to service members serving in Iraq or Afghanistan or currently hospitalized under the care of the Armed Forces. (10 minutes)

30. Tierney (MA)/Holt (NJ) #58 The amendment reduces the \$8.1 billion specified for Missile Defense Agency (MDA) activities by \$1.084 billion from specified programs. (10 minutes)

31. Sessions (TX): #12 This amendment clarifies that nothing in this legislation would prevent the United States' missile defense capabilities from being placed on operational alert to respond to an immediate, threat posed by ballistic missiles. (10 minutes)

32. Holt (NJ): #21 Requires the videotaping of interrogations and other pertinent interactions between U.S. military personnel and/or contractors and detainees arrested and held. Directs the Judge Advocates General of the respective military services to develop uniform guidelines for such videotaping. Provides access to detainees for representatives of the International Red Cross and Red Crescent, the UN High Commissioner for Human Rights, and the UN Special Rapporteur on Torture for independent monitoring of detainee conditions and treatment. (10 minutes)

33. Schakowsky (IL)/Price, David (NC): #39 (REVISED) The amendment edits sections 831 and 833 of H.R. 1585 by (1) limiting the number of times the President can waive restrictions on contracting should the Memorandum of Understanding regarding contracts for Iraq and Afghanistan not be completed; (2) clarifying that members of Congress on the relevant Committees can view contracts regardless of the MOU, as well as the database of contract information for work to be performed in Iraq and Afghanistan; and (3) clarifying that the Select Intelligence Committees shall be allowed to view contracts that fall under their jurisdiction. (10 minutes)

34. Inslee (WA): #123 (REVISED) The amendment mandates that the Office of the Secretary of Defense report to Congress on its plans to implement management software that can measurably reduce energy consumption of PCs. (10 minutes)

35. Terry (NE): #76 (REVISED) The amendment adds \$10 million to Defense-wide research, development, test and evaluation

(RDT&E) for the X Lab battlespace laboratory. The amount is offset by a \$10 million reduction to Navy RDT&E Littoral Combat System Mission Modules. (10 minutes)

36. Thompson, Mike (CA): #14 (REVISED) Revises DoD command policy to include membership in a criminal street gang among the list of prohibited activities by members of the Armed Forces. (10 minutes)

37. Capito (WV): #28 The amendment expresses the sense of Congress that an appropriate site in Arlington National Cemetery should be provided for a memorial marker to honor the memory of the 40 members of the Armed Forces of the United States who lost their lives in the air crash at Bakers Creek, Australia, on June 14, 1943, provided that the Secretary of the Army have exclusive authority to approve the design and site for the memorial marker. (10 minutes)

38. Israel (NY)/Lee (CA): #128 (REVISED) Expresses the Sense of Congress that the U.S. and the Government of Chad should upgrade the Abeche Airfield in Chad in order to support potential NATO operations, facilitate a future U.N. deployment to Chad and the Darfur region of Sudan and to support humanitarian operations. Also requests the Pentagon study what specific airfield improvements should be made and report to Congress. (20 minutes)

39. Israel (NY): #129 Directs the Secretary of Defense to study commercial optimization solutions in aviation technology and make any recommendations that would best support the mission of the Department. (10 minutes)

40. Matheson (UT): #52 The amendment requires that the Moab uranium mill tailings pile, currently located on the banks of the Colorado River near Moab, Utah, be remediated and the tailings removed to Crescent Junction, Utah by October 1, 2019. (20 minutes)

41. King, Steve (IA): #95 The amendment adds language to section 1222 to explain that the bill's prohibition on the establishment of permanent military bases in Iraq should not be construed to prohibit the United States from establishing a temporary military base or installation by entering into basing rights agreements between the United States and Iraq. The amendment also states that Congress recognizes the United States has not established any permanent military installations inside or outside the United States. (20 minutes)

42. McCotter (MI): #132 (REVISED) This amendment requires the Secretary of Defense to conduct a thorough review of the procedures by which the Department of Defense's existing classification procedures have failed to prevent the transfer of defense articles and defense services with military technology components to terrorists, state sponsors of terrorism, or other unfriendly countries or groups. The Secretary must report back to Congress within 180 days of enactment with the results of the review and the measures to be implemented to rectify the deficiencies of the existing classification procedures. (10 minutes)

43. Michaud (ME)/Langevin (RI)/Ryan, Tim (OH)/Harman (CA)/Shays (CT)/Davis, Susan (CA)/Sanchez, Loretta (CA): #48 The amendment ensures that emergency contraception is available at all military health care facilities. Emergency contraception is currently included in the Uniform Formulary, a list of drugs that may

be included at military health care facilities. The amendment would include emergency contraception in the Basic Core Formulary, a list of drugs that must be included at all military health care facilities. (20 minutes)

44. Boren (OK)/Boustany (LA): #90 The amendment restricts the use of the name or image of a member of the Armed Forces for commercial purposes without written permission from the soldier (or from the family if the soldier is deceased). It gives U.S. Attorneys the authority to seek injunctions against violators. (10 minutes)

45. Lipinski (IL): #2 This amendment would require the Department of Defense, to the maximum extent deemed feasible, to utilize lighting fixtures and bulbs that are energy efficient. Energy efficient lighting is to be installed during the normal course of maintenance or whenever a building is significantly altered or constructed. (10 minutes)

46. Altmire (PA)/Udall, Tom (NM): #57 The amendment provides that employees covered by the Family Medical Leave Act, whose family member is a member of the Armed Forces and has been called to active duty in a contingency operation, may use FMLA leave to deal with exigencies arising from that call to duty, such as arranging for child care and other family obligations. The Secretary of Labor shall issue regulations defining the exigencies that qualify for leave under this amendment. (10 minutes)

47. Braley (IA): #122 (REVISED) The amendment requires the Secretary of Defense to conduct a study of (1) the feasibility of a pilot program on family support services for National Guard and Reserve members, and (2) the feasibility of entering into a contract with a private sector entity to enhance support services for children of National Guard and Reserve members who are deployed. (10 minutes)

48. Mitchell (AZ)/Space (OH)/Walz (MN)/Rodriguez (TX): #84 (REVISED) The amendment would require the Secretary of Defense to provide a written, voluntary authorization form to servicemembers to enable them to release their medical records to the Veterans Administration.

49. Carney (PA): #59 (REVISED) The amendment expresses the sense of Congress that Guard and Reserve members should have up to ten years to use their education benefits. (10 minutes)

50. Walz (MN): #56 The amendment would require the Department of Defense to study and report back to the House and Senate Armed Services Committees within 9 months on the participation rate of servicemembers in the federal tuition assistance program and to assess the extent to which the program affects retention rates. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER UNDER THE RULE

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SKELTON OF MISSOURI, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

In section 122(a), strike “enter into multiyear contracts, beginning with the fiscal year 2008 program year” and insert “enter into a multiyear contract, beginning with the fiscal year 2009 program year”.

In section 301(10), strike the dollar amount and insert “\$5,847,609,000”.

In section 301(11), strike the dollar amount and insert “\$5,042,565,000”.

In section 576, strike subsection (i) and insert the following new subsection:

(i) FUNDING.—Of the amount authorized to be appropriated pursuant to section 301(5) for Defense-wide activities, \$3,000,000 shall be available for deposit in the Fund for fiscal year 2008.

In section 944(b)(2) (page 444, lines 13 and 14), strike “Under Secretary of Defense (Comptroller)” and insert “Director of the Office of Program Analysis and Evaluation”.

In title XIII, add at the end the following new section:

SEC. 1307. CLARIFICATION OF AMOUNTS FOR COOPERATIVE THREAT REDUCTION PROGRAMS.

The amount in section 1302(a)(9), and the corresponding amounts in section 1302(a) (in the matter preceding paragraph (1)) and in section 301(19), are hereby increased by \$48,000, all of which is to expand staff capacity, capabilities, and resources necessary for activities related to new Cooperative Threat Reduction initiatives.

In section 1508, add at the end the following new paragraph:

(11) For the Strategic Readiness Fund, \$1,000,000,000.

Redesignate section 1517 as section 1518 and insert after section 1516 the following new section (and conform the table of contents accordingly):

SEC. 1517. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

Funds are hereby authorized to be appropriated for fiscal year 2008 to the Department of Energy for the National Nuclear Security Administration for defense nuclear nonproliferation in the amount of \$50,000,000.

In section 2104(a), in the matter preceding paragraph (1), strike the dollar amount and insert “\$5,133,817,000”.

In section 2104(a)(1), strike the dollar amount and insert “\$3,089,400,000”.

In section 2204(a), in the matter preceding paragraph (1), strike the dollar amount and insert “\$2,757,249,000”.

In section 2204(a)(1), strike the dollar amount and insert “\$1,496,532,000”.

In section 2204(a)(2), strike the dollar amount and insert “\$293,858,000”.

In section 2304(a)(1), strike the dollar amount and insert “\$710,173,000”.

In section 2404(a), in the matter preceding paragraph (1), strike the dollar amount and insert “\$10,253,464,000”.

In section 2404(a)(1), strike the dollar amount and insert “\$898,483,000”.

Title XXXI, subtitle A, add at the end the following new section:

SEC. 3105. OTHER ATOMIC ENERGY DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2008 for energy security and assurance programs necessary for national security in the amount of \$6,000,000.

Make the following technical amendments:

- (1) Page 302, lines 13 to 20, move the margins 2 ems to the right.
- (2) Page 332, line 20, insert “in” before “subparagraph (B)”.
- (3) Page 478, lines 12 to 15, move the margins 2 ems to the right.
- (4) Page 513, line 22, strike “(I)” and insert “(i)”.
- (5) Page 514, line 20, strike “(I)” and insert “(i)”.
- (6) Page 623, line 19, strike the period and insert a semicolon.
- (7) Page 669, line 16, strike “(I)” and insert “(i)”.
- (8) Page 734, line 10, strike “redesignation” and insert “re-designating”.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SAXTON OF NEW JERSEY, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title X, add the following new section (and conform the table of contents accordingly):

SEC. 1055. BACKGROUND INVESTIGATIONS REQUIRED FOR CIVILIANS ENTERING MILITARY FACILITIES AND INSTALLATIONS.

(a) BACKGROUND INVESTIGATIONS.—

(1) IN GENERAL.—Chapter 80 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 1567. Civilian entry to military installations or facilities: background investigation required

“(a) IN GENERAL.—Any unescorted civilian seeking access to a military installation or facility, or any civilian who is an employee of a contractor or vendor of a military installation or facility, may not be allowed to enter the installation or facility unless a background investigation has been conducted on such individual in accordance with subsection (b).

“(b) BACKGROUND INVESTIGATION.—A background investigation required under this section—

“(1) shall be conducted by the Department of Defense through the National Crime Information Center of the Federal Bureau of Investigation;

“(2) shall verify the citizenship of the individual and make every effort to verify the individual’s true identity; and

“(3) shall determine whether there is an outstanding warrant for the individual’s arrest and whether the individual is on a terrorist watch list.

“(c) EXEMPTION FOR DEPARTMENT OF DEFENSE IDENTIFICATION CARD HOLDERS.—The requirement for a background investigation under this section shall not apply to individuals possessing a valid Department of Defense identification card.

“(d) WAIVER FOR COMMUNITY EVENTS.—The base commander of a military installation or facility may waive the requirement for a background investigation under this section for persons attending base-sponsored community activities.”.

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

“1567. Civilian entry to military installations or facilities: background investigation required.”.

(b) **EFFECTIVE DATE.**—Section 1567 of title 10, United States Code, as added by subsection (a), shall take effect on the date of the enactment of this Act.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ORTIZ OF TEXAS, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title XXXV add the following:

SEC. ____ . REPORT OF VESSEL DISPOSAL PROGRAM.

Not later than October 1, 2007, the Secretary of Transportation shall submit to the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report concerning the current plan for the disposal of non-retention vessels in the National Defense Reserve Fleet. The report shall include a listing of the vessels that the Maritime Administrator determines have the highest risk for environmental damage to the local estuary if further deterioration continues, an explanation of the classification system used to make such determination, and a detailed plan for the disposal of those vessels identified as significant environmental risks.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE REYES OF TEXAS, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle C of title X, add the following new section:

SEC. 1022. EXPANSION OF AUTHORITY TO PROVIDE ADDITIONAL SUPPORT FOR COUNTER-DRUG ACTIVITIES IN CERTAIN FOREIGN COUNTRIES.

Subsection (b) of section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881), as amended by section 1021 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136, 117 Stat. 1593) and section 1022 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2382), is further amended by adding at the end the following new paragraphs:

“(17) The Government of Mexico.

“(18) The Government of the Dominican Republic.”.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SNYDER OF ARKANSAS, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of section 516, relating to the National Guard yellow ribbon reintegration program, add the following new section:

(f) **FUNDING INCREASE AND OFFSETTING REDUCTION.**—

(1) **FUNDING.**—The amount otherwise provided by section 421 for the Army National Guard military personnel account is hereby increased by \$50,000,000 to provide funds to carry out this section.

(2) **OFFSETTING REDUCTION.**—The amount otherwise provided by section 1507(4) for research, development, test, and evalua-

tion for the Air Force is hereby reduced by \$50,000,000, to be derived from the JSTARS program.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SMITH OF WASHINGTON, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Strike section 233 and insert the following:

SEC. 233. REDUCTION OF AMOUNTS FOR ARMY VENTURE CAPITAL FUND DEMONSTRATION.

The amount in section 201(1), research, development, test, and evaluation, Army, is hereby reduced by \$10,000,000, to be derived from the Army Venture Capital Fund demonstration.

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ANDREWS OF NEW JERSEY, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle E of title XXVIII, add the following new section:

SEC. 2853. DEPARTMENT OF DEFENSE REQUIREMENTS REGARDING USE OF RENEWABLE ENERGY TO MEET AT LEAST 25 PERCENT OF DEPARTMENT ELECTRICITY NEEDS.

Subsection (e) of section 2911 of title 10, United States Code, is amended to read as follows:

“(e) USE OF RENEWABLE ENERGY TO MEET ELECTRICITY NEEDS.—

(1) The Secretary of Defense shall ensure that the Department of Defense—

“(A) produces or procures, from renewable energy sources, not less than 25 percent of the total quantity of electric energy it consumes within its facilities and in its activities during fiscal year 2025 and each fiscal year thereafter; and

“(B) produces or procures electric energy from renewable energy sources whenever the use of such renewable energy sources is consistent with the energy performance goals and energy performance plan for the Department and supported by the special considerations specified in subsection (c).

“(2) In order to achieve the 25-percent requirement specified in paragraph (1)(A) by fiscal year 2025, the Secretary of Defense shall establish annual incremental goals for the production or procurement of electric energy from renewable energy sources for the electric energy needs of the Department. The annual reports on the energy management implementation plan and the annual energy management report shall include information regarding the progress made towards meeting the annual incremental goals and 25-percent requirement.

“(3) The imposition of the 25-percent requirement specified in paragraph (1)(A) by fiscal year 2025 and the requirement to establish annual incremental goals under paragraph (2) does not authorize the Secretary of a military department or a Defense agency to use energy saving performance contracts, enhanced used leases, utility energy service contracts, utilities revitalization authority, and related contractual mechanisms to a greater extent than would be the case in the absence of the 25-percent requirement.

“(4) The Secretary of Defense may waive the requirements of subparagraph (A) or (B) of paragraph (1) if the Secretary—

“(A) determines that the waiver is in the best interests of the Department of Defense; and

“(B) notifies the congressional defense committees of the waiver, including the reasons for the waiver.

“(5) In this subsection, the term ‘renewable energy sources’ has the meaning given that term in section 203(b) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b)).”.

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ANDREWS OF NEW JERSEY, OR HIS DESIGNEE, DEBATABLE FOR 20 MINUTES

At the appropriate place in title XV of the bill (relating to authorization of additional appropriations for Operation Iraqi Freedom and Operation Enduring Freedom), insert the following new section:

SEC. 15 . LIMITATION ON AVAILABILITY OF FUNDS FOR PLANNING MAJOR CONTINGENCY OPERATIONS IN IRAN.

(a) LIMITATION.—No funds appropriated pursuant to an authorization of appropriations in this title may be obligated or expended to plan a major contingency operation in Iran.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit the obligation or expenditure of funds appropriated pursuant to an authorization of appropriations in any title of this Act other than this title to plan a major contingency operation in Iran.

9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TURNER OF OHIO, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle H of title V, add the following new section:

SEC. 577. PROTECTION OF CHILD CUSTODY ARRANGEMENTS FOR PARENTS WHO ARE MEMBERS OF THE ARMED FORCES DEPLOYED IN SUPPORT OF A CONTINGENCY OPERATION.

(a) CHILD CUSTODY PROTECTION.—Title II of the Servicemembers Civil Relief Act (50 U.S.C. App. 521 et seq.) is amended by adding at the end the following new section:

“SEC. 208. CHILD CUSTODY PROTECTION.

“(a) RESTRICTION ON CHANGE OF CUSTODY.—If a motion for change of custody of a child of a servicemember is filed while the servicemember is deployed in support of a contingency operation, no court may enter an order modifying or amending any previous judgment or order, or issue a new order, that changes the custody arrangement for that child that existed as of the date of the deployment of the servicemember, except that a court may enter a temporary custody order if there is clear and convincing evidence that it is in the best interest of the child.

“(b) COMPLETION OF DEPLOYMENT.—In any proceeding covered under subsection (a), a court shall require that, upon the return of the servicemember from deployment in support of a contingency operation, the custody order that was in effect immediately preceding the date of the deployment of the servicemember is reinstated.

“(c) EXCLUSION OF MILITARY SERVICE FROM DETERMINATION OF CHILD’S BEST INTEREST.—If a motion for the change of custody of the child of a servicemember who was deployed in support of a con-

tingency operation is filed after the end of the deployment, no court may consider the absence of the servicemember by reason of that deployment in determining the best interest of the child.

“(d) CONTINGENCY OPERATION DEFINED.—In this section, the term ‘contingency operation’ has the meaning given that term in section 101(a)(13) of title 10, United States Code, except that the term may include such other deployments as the Secretary may prescribe.”

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by adding at the end of the items relating to title II the following new item:

“208. Child custody protection.”

10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DRAKE OF VIRGINIA, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

In section 606, strike subsection (b).

11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FRANKS OF ARIZONA, OR HIS DESIGNEE, DEBATABLE FOR 20 MINUTES

Title II, subtitle C, add at the end the following:

SEC. 2 ____ . INCREASED FUNDS FOR BALLISTIC MISSILE DEFENSE.

(a) INCREASE.—The amount in section 201(4), research, development, test, and evaluation, Defense-wide, is hereby increased by \$764,000,000, to be available for ballistic missile defense.

(b) OFFSET.—The amounts in title I and title II are hereby reduced by an aggregate of \$764,000,000, to be derived from amounts other than amounts for ballistic missile defense, as determined by the Secretary of Defense.

12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JOHNSON OF GEORGIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title XXIV, add the following new section:

SEC. 2405. WOUNDED WARRIOR FACILITY SUPPORT.

(a) AUTHORIZATION OF ADDITIONAL PROJECTS.—Using amounts appropriated pursuant to the authorization of appropriations in section 2404(a)(9), the Secretary of Defense is authorized to carry out the following additional projects (in the following amounts):

(1) National Naval Medical Center, Bethesda, Maryland Enhanced Warrior Care Center, \$33,000,000.

(2) DeWitte Army Medical Center, Fort Belvoir, Virginia:

(A) Enhanced Fort Belvoir Capability, \$43,000,000.

(B) Fort Belvoir Price Inflation/Scope Adjustment \$93,000,000.

(b) OFFSETS.—To offset the funds needed for the projects referred to in subsection (a), an undistributed reduction to the authorization of appropriations in section 2404(a)(9) is provided in the amount of \$169,000,000.

13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SLAUGHTER OF NEW YORK, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle B of title XXVIII, add the following new section:

SEC. 2817. NIAGARA AIR RESERVE BASE, NEW YORK, BASING REPORT.

Not later than December 1, 2007, the Secretary of the Air Force shall submit to the congressional defense committees a report containing a detailed plan of the current and future aviation assets that the Secretary expects will be based at Niagara Air Reserve Base, New York. The report shall include a description of all of the aviation assets that will be impacted by the series of relocations to be made to or from Niagara Air Reserve Base and the timeline for such relocations.

14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DEFazio OF OREGON, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the appropriate place in title XII of the bill (relating to matters relating to foreign nations), insert the following new section:

SEC. 12. REQUIREMENTS CONCERNING THE USE OF MILITARY FORCE AGAINST IRAN.

(a) **RULE OF CONSTRUCTION.**—No provision of law enacted before the date of the enactment of this Act shall be construed to authorize the use of military force by the United States against Iran.

(b) **REQUIREMENTS.**—Absent a national emergency created by attack by Iran upon the United States, its territories or possessions, or its armed forces, no funds appropriated pursuant to an authorization of appropriations in this Act or any other Act may be obligated or expended to initiate the use of military force against Iran unless the President receives authorization from Congress prior to initiating the use of military force against Iran.

15. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MORAN OF VIRGINIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle E of title X, insert the following new section:

SEC. 1055. A REPORT ON TRANSFERRING INDIVIDUALS DETAINED AT NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) **REPORT REQUIRED.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that contains a plan for the transfer of each individual presently detained at Naval Station, Guantanamo Bay, Cuba, under the control of the Joint Task Force Guantanamo, who is or has ever been classified as an “enemy combatant” (referred to in this section as a “detainee”).

(b) **CONTENTS OF REPORT.**—The report required under subsection (a) shall include each of the following:

(1) An identification of the number of detainees who, as of December 31, 2007, the Department estimates—

(A) will have been charged with one or more crimes and may, therefore, be tried before a military commission;

(B) will be subject of an order calling for the release or transfer of the detainee from the Guantanamo Bay facility; or

(C) will not have been charged with any crimes and will not be subject to an order calling for the release or transfer of the detainee from the Guantanamo Bay facility, but whom the Department wishes to continue to detain.

(2) A description of the actions required to be undertaken, by the Secretary of Defense, possibly the heads of other Federal agencies, and Congress, to ensure that detainees who are subject to an order calling for their release or transfer from the Guantanamo Bay facility have, in fact, been released.

16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BUYER OF INDIANA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

In section 525, in the proposed section 3306, strike subsection (c).
In section 525, in the proposed section 3326, strike subsection (c).

17. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HOLDEN OF PENNSYLVANIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle D of title V, add the following new section:

SEC. 557. ESTABLISHMENT OF COMBAT MEDEVAC BADGE.

(a) ARMY.—

(1) IN GENERAL.—Chapter 357 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 3757. Combat Medevac Badge

“(a) The Secretary of the Army shall issue a badge of appropriate design, to be known as the Combat Medevac Badge, to each person who while a member of the Army served in combat on or after June 25, 1950, as a pilot or crew member of a helicopter medical evacuation ambulance and who meets the requirements for the award of that badge.

“(b) The Secretary of the Army shall prescribe requirements for eligibility for the Combat Medevac Badge.”.

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

“3757. Combat Medevac Badge”.

(b) NAVY AND MARINE CORPS.—

(1) IN GENERAL.—Chapter 567 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 6259. Combat Medevac Badge

“(a) The Secretary of the Navy shall issue a badge of appropriate design, to be known as the Combat Medevac Badge, to each person who while a member of the Navy or Marine Corps served in combat on or after June 25, 1950, as a pilot or crew member of a helicopter medical evacuation ambulance and who meets the requirements for the award of that badge.

“(b) The Secretary of the Navy shall prescribe requirements for eligibility for the Combat Medevac Badge.”.

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

“6259. Combat Medevac Badge”.

(c) AIR FORCE.—

(1) IN GENERAL.—Chapter 857 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 8757. Combat Medevac Badge

“(a) The Secretary of the Air Force shall issue a badge of appropriate design, to be known as the Combat Medevac Badge, to each person who while a member of the Air Force served in combat on or after June 25, 1950, as a pilot or crew member of a helicopter medical evacuation ambulance and who meets the requirements for the award of that badge.

“(b) The Secretary of the Air Force shall prescribe requirements for eligibility for the Combat Medevac Badge.”.

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

“8757. Combat Medevac Badge”.

(d) AWARD FOR SERVICE BEFORE DATE OF ENACTMENT.—In the case of persons who, while a member of the Armed Forces, served in combat as a pilot or crew member of a helicopter medical evacuation ambulance during the period beginning on June 25, 1950, and ending on the date of enactment of this Act, the Secretary of the military department concerned shall issue the Combat Medevac Badge—

(1) to each such person who is known to the Secretary before the date of enactment of this Act; and

(2) to each such person with respect to whom an application for the issuance of the badge is made to the Secretary after such date in such manner, and within such time period, as the Secretary may require.

18. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DIAZ-BALART OF FLORIDA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Title V, subtitle C, add at the end (page 223, after line 5) the following:

SEC. 5 ____ . NAVY SENIOR RESERVE OFFICERS' TRAINING CORPS PROGRAM AT UNIVERSITY OF MIAMI, CORAL GABLES, FLORIDA.

The Secretary of the Navy may establish and maintain a Senior Reserve Officers' Training Corps program under section 2102 of title 10, United States Code, at the University of Miami, Coral Gables, Florida.

19. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SCOTT OF VIRGINIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Title II, add at the end the following:

SEC. 2 ____ . MODELING, ANALYSIS, AND SIMULATION OF MILITARY AND NON-MILITARY OPERATIONS IN COMPLEX URBAN ENVIRONMENTS.

Congress finds the following:

(1) Modeling, Analysis, and Simulation Technology has become an essential component in ensuring that we meet the defense challenges of the 21st century. It allows us to build and develop models of complex systems, effectively sharpen the tools, procedures, and decisions needed to address difficult problems, and determine how certain actions will effect the end result before implementing the plan in real life, thereby providing strategic, tactical and financial benefits. Every effort should be made to include Modeling, Analysis and Simulation Technology in the training and planning doctrines of the Department of Defense.

(2) Current and future military operations, and emergency management of natural and man-made disasters, do and will continue to involve operations in highly complex, urban environments. These environments include complex geographical, communications, transportation, informational, social, political, and public support subsystems. The interdependence of these subsystems and the cascading effects of warfare or disasters imposed upon them should be modeled in a computer simulation environment. It is important for the security and safety of the Department of Defense to study and understand the effects of warfare and disasters on the resiliency of urban environments and to develop a computer modeling and simulation decision-making tool for emergency consequence management of military, natural and man-made disasters in complex urban environments.

20. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE STUPAK OF MICHIGAN, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title XIV, add the following new section:

SEC. 1454. TRANSPORTATION OF REMAINS OF DECEASED MEMBERS OF THE ARMED FORCES AND CERTAIN OTHER PERSONS.

(a) **SHORT TITLE.**—This section may be cited as the “Sergeant First Class James Priestap and Private First Class Alan Blohm Fallen Servicemember Respectful Return Act”.

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

(1) Members of the Armed Forces who die under the circumstances described in section 1481 of title 10, United States Code, have made the ultimate sacrifice for the United States, and their remains should be treated with the utmost reverence and respect.

(2) The family and friends of a deceased member of the Armed Forces should be able to greet the remains of their loved one at an airport near the place designated for the disposition of the remains and provide for the burial of their loved

one with proper honors and without undue delay or complication.

(3) Rural areas are frequently served by smaller regional airports and are often a significant distance from a major airport, and the practice of the Department of Defense to finish the aircraft portion of the transportation of the remains of a deceased member of the Armed Forces at a major airport imposes undue burdens on the family and friends of the deceased member.

(c) TRANSPORTATION OF REMAINS OF DECEASED MEMBERS OF THE ARMED FORCES AND CERTAIN OTHER PERSONS.—Section 1482(a)(8) of title 10, United States Code, is amended by adding at the end the following new sentence: “When transportation of the remains includes transportation by aircraft under section 562 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 10 U.S.C. 1482 note), the Secretary concerned shall provide, to the maximum extent practicable, for delivery of the remains by air to the commercial, general aviation, or military airport nearest to the place selected by the designee.”.

21. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WOOLSEY OF CALIFORNIA, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title I, insert the following:

SEC. 1 ____ . STUDY ON NEED FOR WEAPONS SYSTEMS THAT WERE ORIGINALLY DESIGNED TO FIGHT THE COLD WAR AND THE FORMER SOVIET UNION.

(a) **STUDY REQUIRED.**—The Secretary of Defense shall carry out a study on the weapons systems being produced for the Department of Defense that were originally designed to fight the Cold War and the former Soviet Union.

(b) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees, and to the Committee on the Budget of the House of Representatives and the Committee on the Budget of the Senate a report on the results of the study carried out under subsection (a). The report shall identify the weapons systems covered by the study and, for each such weapons system, shall—

(1) describe whether the weapons system meets current needs;

(2) specify, and compare, the cost of fitting the weapons system to meet current needs and the cost of developing and procuring a new weapons system to meet current needs;

(3) explain the reasons why the weapons system continues to be produced for the Department; and

(4) quantify and describe the savings achieved by decommissioning and dismantling weapon systems no longer needed as a result of the demise of the former Soviet Union the threats it posed to national security.

22. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MORAN OF VIRGINIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle C of title XXVIII, add the following new section:

SEC. 2822. CONDITIONS ON TRANSFER OF MILITARY PERSONNEL AND CIVILIAN EMPLOYEES TO FORT BELVOIR, VIRGINIA, AS PART OF REALIGNMENT OF THE INSTALLATION.

Notwithstanding section 2904(a)(5) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), members of the Armed Forces and civilian employees of the Department of Defense who are scheduled to be relocated to Fort Belvoir, Virginia, as a result of the closure of leased-office space in Arlington, Virginia, pursuant to the recommendations contained in the report transmitted to Congress on September 15, 2005, under section 2903(e) of such Act may not be relocated to Fort Belvoir, until—

(1) the Secretary of the Army submits to Congress written certification that the necessary transportation infrastructure, as identified by the environmental impact statement prepared by the Department of the Army for the Fort Belvoir realignment, to accommodate the total number of members and civilian employees to be assigned to Fort Belvoir and their dependents, is substantially completed; and

(2) the 60-day period beginning on the date on which the certification is submitted under paragraph (1) expires.

23. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON-LEE OF TEXAS, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle D of title X, add the following new section:

SEC. 1034. REPORT ON IMPACT ON FAMILIES OF MILITARY PERSONNEL SERVING MULTIPLE OVERSEAS DEPLOYMENTS.

Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit a report to Congress regarding the impact, including the financial and emotional effects, of multiple overseas deployments on the families of members of the Armed Forces serving those multiple deployments as part of Operation Iraqi Freedom and Operation Enduring Freedom.

24. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON-LEE OF TEXAS, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Title V, subtitle C, add at the end the following:

SEC. 5 ____ . INTENSIFIED EFFORTS TO PUBLICIZE AND AWARD SCHOLARSHIPS TO STUDENTS ATTENDING HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND HISPANIC-SERVING INSTITUTIONS.

The Secretary of Defense shall take due care to ensure that the Army National Guard and Reserve ROTC scholarships provided in this title are available to students attending Historically Black Colleges and Universities that are part B institutions as defined in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)) and minority institutions (as defined in section 365(3) of that Act (20 U.S.C. 1067k(3))) and Hispanic-serving institutions as that term is used in section 502 of the Higher Education Act of 1965 (20 U.S.C. 1101a).

25. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DAVIS (TOM) OF VIRGINIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title XI, add the following:

SEC. 1112. EXTENSION OF INFORMATION TECHNOLOGY EXCHANGE PROGRAM WITH RESPECT TO THE DEPARTMENT OF DEFENSE.

Section 3702(d) of title 5, United States Code, is amended by striking all that follows “may commence after” and inserting the following: “the end of—

“(1) the 5-year period beginning on the date of the enactment of this chapter, except as provided in paragraph (2); or

“(2) in the case of the Department of Defense, the 8-year period beginning on the date of the enactment of this chapter.”.

26. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KENNEDY OF RHODE ISLAND, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle B of title XIV, add the following new section:

SEC. 1439. DEPARTMENT OF DEFENSE STUDY ON THE FEASIBILITY OF MEASURING FAMILY MEMBER SATISFACTION WITH HEALTH CARE SERVICES.

The Secretary of Defense shall conduct a study on the feasibility of measuring family member satisfaction with the quality of health care services provided to patients, particularly those patients incapacitated by injuries that render them unable to respond completely to surveys on their own.

27. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LAHOOD OF ILLINOIS, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title V, add the following new section:

SEC. 5. LIMITATION ON SIMULTANEOUS DEPLOYMENT TO COMBAT ZONES OF DUAL-MILITARY COUPLES WHO HAVE MINOR DEPENDENTS.

In the case of a member of the Armed Forces with minor dependents who has a spouse who is also a member of the Armed Forces, and the spouse is deployed in an area for which imminent danger pay is authorized under section 310 of title 37, United States Code, the member may request a deferment of a deployment to such an area until the spouse returns from such deployment.

28. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ALLEN OF MAINE, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title VII, add the following new section (and conform the table of contents accordingly):

SEC. 713. REPORT AND STUDY ON MULTIPLE VACCINATIONS OF MEMBERS OF THE ARMED FORCES.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the Department’s policies for admin-

istering and evaluating the vaccination of members of the Armed Forces.

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

(1) An assessment of the Department's policies governing the administration of multiple vaccinations in a 24-hour period, including the procedures providing for a full review of an individual's medical history prior to the administration of multiple vaccinations, and whether such policies and procedures differ for members of the Armed Forces on active duty and members of reserve components.

(2) An assessment of how the Department's policies on multiple vaccinations in a 24-hour period conform to current regulations of the Food and Drug Administration and research performed or being performed by the Centers for Disease Control, other non-military Federal agencies, and non-federal institutions on multiple vaccinations in a 24-hour period.

(2) An assessment of the Department's procedures for initiating investigations of deaths of members of the Armed Forces in which vaccinations may have played a role, including whether such investigations can be requested by family members of the deceased individuals.

(3) The number of deaths of members of the Armed Forces since January 1, 2000, that the Department has investigated for the potential role of vaccine administration, including both the number of deaths investigated that was alleged to have involved more than one vaccine administered in a given 24-hour period and the number of deaths investigated that was determined to have involved more than one vaccine administered in a given 24-hour period.

(4) An assessment of the procedures for providing the Adjutants General of the various States and territories with up-to-date information on the effectiveness and potential allergic reactions and side effects of vaccines required to be taken by National Guard members.

(5) An assessment of whether procedures are in place to provide that the Adjutants General of the various States and territories retain updated medical records of each National Guard member called up for active duty.

(c) STUDY REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall conduct a study, in consultation with the Food and Drug Administration and the Centers for Disease Control, examining the safety and efficacy of administering multiple vaccinations within a 24-hour period to members of the Armed Forces.

(2) DEADLINE.—The study required by paragraph (1) shall be completed not later than 270 days after the date of the enactment of this Act and shall be submitted to the Committees on Armed Services of the Senate and the House of Representatives.

29. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FOSSELLA OF NEW YORK, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title VI, insert the following new section:

SEC. 674. POSTAL BENEFITS PROGRAM FOR MEMBERS OF THE ARMED FORCES SERVING IN IRAQ OR AFGHANISTAN.

(a) **AVAILABILITY OF POSTAL BENEFITS.**—The Secretary of Defense, in consultation with the United States Postal Service, shall provide for a program under which postal benefits are provided to qualified individuals in accordance with this section.

(b) **QUALIFIED INDIVIDUAL.**—In this section, the term “qualified individual” means a member of the Armed Forces on active duty (as defined in section 101 of title 10, United States Code) who—

(1) is serving in Iraq or Afghanistan; or

(2) is hospitalized at a facility under the jurisdiction of the Department of Defense as a result of a disease or injury incurred as a result of service in Iraq or Afghanistan.

(c) **POSTAL BENEFITS DESCRIBED.**—

(1) **VOUCHERS.**—The postal benefits provided under the program shall consist of such coupons or other similar evidence of credit, whether in printed, electronic, or other format (in this section referred to as a “voucher”), as the Secretary of Defense, in consultation with the Postal Service, shall determine, which entitle the bearer or user to make qualified mailings free of postage.

(2) **QUALIFIED MAILING.**—In this section, the term “qualified mailing” means the mailing of a single mail piece which—

(A) is first-class mail (including any sound- or video-recorded communication) not exceeding 13 ounces in weight and having the character of personal correspondence or parcel post not exceeding 10 pounds in weight;

(B) is sent from within an area served by a United States post office; and

(C) is addressed to a qualified individual.

(3) **COORDINATION RULE.**—Postal benefits under the program are in addition to, and not in lieu of, any reduced rates of postage or other similar benefits which might otherwise be available by or under law, including any rates of postage resulting from the application of section 3401(b) of title 39, United States Code.

(d) **NUMBER OF VOUCHERS.**—A member of the Armed Forces shall be eligible for one voucher for every second month in which the member is a qualified individual.

(e) **LIMITATIONS ON USE; DURATION.**—A voucher may not be used—

(1) for more than a single qualified mailing; or

(2) after the earlier of—

(A) the expiration date of the voucher, as designated by the Secretary of Defense; or

(B) the end of the one-year period beginning on the date on which the regulations prescribed under subsection (f) take effect.

(f) **REGULATIONS.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense (in consultation with the Postal Service) shall prescribe such regulations as may be necessary to carry out the program, including—

(1) procedures by which vouchers will be provided or made available in timely manner to qualified individuals; and

(2) procedures to ensure that the number of vouchers provided or made available with respect to any qualified individual complies with subsection (d).

(g) TRANSFERS TO POSTAL SERVICE.—

(1) BASED ON ESTIMATES.—The Secretary of Defense shall transfer to the Postal Service, out of amounts available to carry out the program and in advance of each calendar quarter during which postal benefits may be used under the program, an amount equal to the amount of postal benefits that the Secretary estimates will be used during such quarter, reduced or increased (as the case may be) by any amounts by which the Secretary finds that a determination under this section for a prior quarter was greater than or less than the amount finally determined for such quarter.

(2) BASED ON FINAL DETERMINATION.—A final determination of the amount necessary to correct any previous determination under this section, and any transfer of amounts between the Postal Service and the Department of Defense based on that final determination, shall be made not later than six months after the end of the one-year period referred to in subsection (e)(2)(B).

(3) CONSULTATION REQUIRED.—All estimates and determinations under this subsection of the amount of postal benefits under the program used in any period shall be made by the Secretary of Defense in consultation with the Postal Service.

(h) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated in section 421 for military personnel for fiscal year 2008, \$10,000,000 shall be for postal benefits provided in this section.

(2) OFFSETTING REDUCTION.—Funds authorized to be appropriated in section 101(5) for the Army in fiscal year 2008 for other procurement are reduced by \$10,000,000, to be derived from Joint High Speed Vessel.

30. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TIERNEY OF MASSACHUSETTS, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Title II, subtitle C, add at the end the following:

SEC. 2 ____ . MISSILE DEFENSE FUNDING REDUCTIONS AND PROGRAM TERMINATIONS.

The amount in section 201(4) for research, development, test, and evaluation, Defense-wide, is hereby reduced by \$1,084,400,000, to be derived from amounts for the Missile Defense Agency as follows:

(1) \$298,800,000 from the termination of the Airborne Laser program.

(2) \$177,500,000 from the termination of the Kinetic Energy Interceptor (KEI) program.

(3) \$229,100,000 from the termination of the Multiple Kill Vehicle (MKV) program.

(4) \$170,000,000 from the termination of the Third Interceptor Field at Ft. Greeley, Alaska.

(5) \$150,000,000 from the termination of the Third Ground-Based Midcourse Defense site in Europe.

(6) \$59,000,000 from the Space Tracking and Surveillance System (STSS) Block 2008 work and “follow on” constellation.

31. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SESSIONS OF TEXAS, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

In section 222, add at the end the following:

(e) CLARIFICATION.—Subsection (a)(2) does not prohibit the use of such funds to place developmental missile defense systems on operational alert to respond to an immediate threat posed by ballistic missiles.

32. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HOLT OF NEW JERSEY, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle E of title X, add the following new section:

SEC. 1055. REQUIREMENT FOR VIDEOTAPING RECORDINGS OF STRATEGIC INTERROGATIONS AND OTHER PERTINENT INTERACTIONS AMONG DETAINEES OR PRISONERS IN THE CUSTODY OF OR UNDER THE EFFECTIVE CONTROL OF THE UNITED STATES AND MEMBERS OF THE ARMED FORCES, INTELLIGENCE OPERATIVES OF THE UNITED STATES, AND CONTRACTORS OF THE UNITED STATES.

(a) IN GENERAL.—In accordance with the Geneva Conventions of 1949, the International Covenant on Civil and Political Rights, the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and prohibitions against any cruel, unusual, and inhuman treatment or punishment under the Fifth, Eighth, and Fourteenth Amendments to the Constitution of the United States, the President shall take such actions as are necessary to ensure that any strategic interrogation or other pertinent interaction between an individual who is a detainee or prisoner in the custody or under the effective control of the Armed Forces pursuant to a strategic interrogation, or other pertinent interaction, for the purpose of gathering intelligence and a member of the Armed Forces, an intelligence operative of the United States, or a contractor of the United States, is videotaped.

(b) COMMENCEMENT OF REQUIREMENT.—The videotaping requirement under subsection (a) shall be applicable to any strategic interrogation of an individual that takes place on or after the earlier of—

(1) the day on which the individual is confined in a facility owned, operated or controlled, in whole or in part, by the United States, or any of its representatives, agencies, or agents; or

(2) 7 days after the day on which the individual is taken into custody by the United States or any of its representatives, agencies, or agents.

(c) CLASSIFICATION OF INFORMATION.—The President shall provide for the appropriate classification to protect United States national security and the privacy of detainees or prisoners held by the United States, of video tapes referred to in subsection (a). Video tapes shall be made available, under seal if appropriate, to both prosecution and defense to the extent they are material to any military or civilian criminal proceeding.

(d) **STRATEGIC INTERROGATION DEFINED.**—For purposes of this section, the term “strategic interrogation” means an interrogation of a detainee or prisoner at—

(1) a corps or theater-level detention facility, as defined in the Army Field Manual on Human Intelligence Collector Operations (FM 2-22.3, September 2006); or

(2) a detention facility outside of the area of operations (AOR) where the detainee or prisoner was initially captured, including—

(A) a detention facility owned, operated, borrowed, or leased by the United States Government; and

(B) a detention facility of a foreign government at which United States Government personnel, including contractors, are permitted to conduct interrogations by the foreign government in question.

(e) **ACCESS TO PRISONERS AND DETAINEES OF THE UNITED STATES TO ENSURE INDEPENDENT MONITORING AND TRANSPARENT INVESTIGATIONS.**—Consistent with the obligations of the United States under international law and related protocols to which the United States is a party, the President shall take such actions as are necessary to ensure that representatives of the following organizations are granted access to detainees or prisoners in the custody or under the effective control of the Armed Forces:

(1) The International Federation of the International Committee of the Red Cross and the Red Crescent.

(2) The United Nations High Commissioner for Human Rights.

(3) The United Nations Special Rapporteur on Torture.

(f) **GUIDELINES FOR VIDEOTAPE RECORDINGS.**—

(1) **DEVELOPMENT OF GUIDELINES.**—The Judge Advocates General (as defined in section 801(1) of title 10, United States Code, (Article 1 of the Uniform Code of Military Justice)) shall jointly develop uniform guidelines designed to ensure that the videotaping required under subsection (a) is sufficiently expansive to prevent any abuse of detainees and prisoners referred to in subsection (a) and violations of law binding on the United States, including treaties specified in subsection (a).

(2) **SUBMITTAL TO CONGRESS.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report containing the guidelines developed under paragraph (1).

33. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SCHAKOWSKY OF ILLINOIS, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Strike sections 831, 832, and 833, and insert the following:

SEC. 831. MEMORANDUM OF UNDERSTANDING ON MATTERS RELATING TO CONTRACTING.

(a) **MEMORANDUM OF UNDERSTANDING REQUIRED.**—The Secretary of Defense, the Secretary of State, and the Administrator of the United States Agency for International Development shall enter into a memorandum of understanding regarding matters relating to contracting for contracts in Iraq or Afghanistan.

(b) RESTRICTIONS ON CONTRACTING UNTIL MEMORANDUM SIGNED.—

(1) RESTRICTION.—Except as provided in paragraph (2), on and after January 1, 2008, no contracts in Iraq or Afghanistan may be awarded by the Department of Defense, the Department of State, or the United States Agency for International Development (A) unless the memorandum required by subsection (a) has been signed by the Secretary of Defense, the Secretary of State, or the Administrator of the United States Agency for International Development, respectively; and (B) the department or agency concerned has initiated use of the common database identified in such memorandum to track contracts in Iraq or Afghanistan.

(2) WAIVER.—

(A) The President may waive the restriction in paragraph (1) for a period of 45 days if the President determines in writing that, but for such a waiver, there would be substantial harm to critical national security objectives and submits the determination, including the reasons for such determination, to the relevant committees of Congress at least 15 days before issuing the waiver.

(B) Such waiver may be renewed for one additional 45-day period if the President submits a determination in writing to the relevant committees of Congress that renewal of the waiver is necessary to avoid substantial harm to critical national security objectives.

(c) MATTERS COVERED.—The memorandum of understanding required by subsection (a) shall address, at a minimum, the following:

(1) Identification of the major categories of contracts in Iraq or Afghanistan being awarded by the Department of Defense, the Department of State, or the United States Agency for International Development.

(2) Identification of the roles and responsibilities of each department or agency for matters relating to contracting for contracts in Iraq or Afghanistan.

(3) Responsibility for authorizing the carrying of weapons in performance of such contracts.

(4) Responsibility for establishing minimum qualifications, including background checks, for personnel carrying weapons in performance of such contracts.

(5) Responsibility for setting rules of engagement for personnel carrying weapons in performance of such contracts.

(6) Responsibility for establishing procedures for, and the coordination of, movement of contractor personnel in Iraq or Afghanistan.

(7) Identification of a common database that will serve as a repository of information on all contracts in Iraq or Afghanistan, and agreement on the elements to be included in the database, including, at a minimum, with respect to each contract—

(A) a brief description of the contract;

(B) the value of the contract;

(C) the amount of cost ascribed to overhead for the contract;

- (D) the amount of cost ascribed to security for the contract;
- (E) the total number of personnel employed on the contract; and
- (F) the total number of personnel employed on the contract who provide security in Iraq or Afghanistan.
- (8) Responsibility for maintaining and updating information in the common database identified under paragraph (7).
- (9) Responsibility for the collection and referral to the appropriate Government agency of any information relating to offenses under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice) or chapter 212 of title 18, United States Code (commonly referred to as the Military Extraterritorial Jurisdiction Act), including a clarification of responsibilities under section 802(a)(10) of title 10, United States Code (article 2(a) of the Uniform Code of Military Justice), as amended by section 552 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364).
- (10) Responsibility for the issuance of guidance, as appropriate, on equipment used by contractor personnel, including guidance on appropriate vehicles, uniforms, body armor, and weapons.
- (11) Responsibility for the collection and maintenance of information relating to casualties suffered by personnel working on contracts in Iraq or Afghanistan.
- (d) COPIES PROVIDED TO CONGRESS.—
 - (1) MEMORANDUM OF UNDERSTANDING.—Copies of the memorandum of understanding required by subsection (a) shall be provided to the relevant committees of Congress within 30 days after the memorandum is signed.
 - (2) DATABASE.—The Secretary of Defense, the Secretary of State, or the Administrator of the United States Agency for International Development shall provide access to the common database identified under subsection (c)(7) to the relevant committees of Congress.
 - (3) CONTRACTS.—Effective on the date of the enactment of this Act, copies of any contracts awarded in Iraq or Afghanistan shall be provided to any of the relevant committees of Congress within 15 days after the submission of a request for such contract or contracts from such committee to the department or agency managing the contract.

SEC. 832. COMPTROLLER GENERAL REVIEWS AND REPORTS ON CONTRACTING IN IRAQ AND AFGHANISTAN.

- (a) REVIEWS AND REPORTS REQUIRED.—
 - (1) IN GENERAL.—Every six months, the Comptroller General shall review contracts in Iraq or Afghanistan and submit to the relevant committees of Congress a report on such review.
 - (2) MATTERS COVERED.—A report under this subsection shall cover the following with respect to the contracts in Iraq or Afghanistan reviewed for the report:
 - (A) Total number of contracts awarded during the period covered by the report.
 - (B) Total number of active contracts.

(C) Total value of all contracts awarded during the reporting period.

(D) Total value of active contracts.

(E) Total number of contractor personnel working on contracts during the reporting period.

(F) Total number of contractor personnel who have provided security in Iraq or Afghanistan for contracts during the reporting period.

(G) Categories of activities undertaken in reviewed contracts.

(H) The extent to which such contracts have used competitive procedures.

(I) The extent to which such contracts have achieved the initial scope of requirements included in the contracts.

(J) The effect of costs for security on such contracts and whether contracting for security on such contracts rather than government-provided security is more effective, efficient, and consistent with the United States policy goals.

(K) Information on any specific contract or class of contracts that the Comptroller General determines raises issues of significant concern.

(3) SUBMISSION OF REPORTS.—The Comptroller General shall submit an initial report under this subsection not later than March 1, 2008, and shall submit an updated report every six months thereafter until March 1, 2010.

(b) ACCESS TO DATABASE ON CONTRACTS.—The Secretary of Defense, the Secretary of State, and the Administrator for the United States Agency for International Development shall provide full access to the database described in section 831(c)(7) to the Comptroller General for purposes of the reviews carried out under this section.

SEC. 833. DEFINITIONS.

In this subtitle:

(1) MATTERS RELATING TO CONTRACTING.—The term “matters relating to contracting”, with respect to contracts in Iraq and Afghanistan, means all matters relating to awarding, funding, managing, tracking, monitoring, and providing oversight to contracts and contractor personnel.

(2) CONTRACTS IN IRAQ OR AFGHANISTAN.—The term “contracts in Iraq or Afghanistan” means a contract with the Department of Defense, the Department of State, or the United States Agency for International Development, a subcontract at any tier issued under such a contract, or a task order at any tier issued under such a contract (including a contract, subcontract, or task order issued by another Government agency for the Department of Defense, the Department of State, or the United States Agency for International Development), if the contract, subcontract, or task order involves work performed in Iraq or Afghanistan for a period longer than 14 days.

(3) RELEVANT COMMITTEES OF CONGRESS.—The term “relevant committees of Congress” means each of the following committees:

(A) The Committees on Armed Services of the Senate and the House of Representatives.

(B) The Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives.

(C) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(D) For purposes of contracts relating to the National Foreign Intelligence Program, the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

34. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE INSLEE OF WASHINGTON, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title X, add the following new section (and conform the table of contents, accordingly):

SEC. 1055. STUDY AND REPORT ON USE OF POWER MANAGEMENT SOFTWARE.

(a) **STUDY.**—The Secretary of Defense shall conduct a study on the use of power management software by civilian and military personnel and facilities of the Department of Defense to reduce the use of electricity in computer monitors and personal computers. This study shall include recommendations for baseline electric power use, for ensuring robust monitoring and verification of power use requirements on a continuing basis, and for potential technological solutions or best practices for achieving these efficiency objectives.

(b) **REPORT.**—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report containing the results of the study under subsection (a), including a description of the recommendations developed under the study.

35. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TERRY OF NEBRASKA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Title II, subtitle C, add at the end the following:

SEC. 2 ____ . INCREASED FUNDS FOR X LAB BATTLESPACE LABORATORY.

(a) **INCREASE.**—The amount in section 201(4), research, development, test, and evaluation, Defense-wide, is hereby increased by \$10,000,000, to be available for the X Lab battlespace laboratory, program element 0603175C.

(b) **OFFSET.**—The amount in section 201(2), research, development, test, and evaluation, Navy, is hereby reduced by \$10,000,000, to be derived from Littoral Combat System Mission Modules.

36. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE THOMPSON, MIKE OF CALIFORNIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title V, add the following new section:

SEC. 5 ____ . PROHIBITION AGAINST MEMBERS OF THE ARMED FORCES PARTICIPATING IN CRIMINAL STREET GANGS.

The Secretary of Defense shall revise section 3.5.8 of Department of Defense Directive 1325.6 to include membership in a criminal street gang among the list of prohibited activities by members of the Armed Forces.

37. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CAPITO OF WEST VIRGINIA, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title X, insert the following new section:

SEC. ____ . SENSE OF CONGRESS REGARDING A MEMORIAL FOR MEMBERS OF THE ARMED FORCES WHO DIED IN AIR CRASH IN BAKERS CREEK, AUSTRALIA.

(a) FINDINGS.—Congress finds the following:

(1) During the Second World War, the United States Army Air Corps established rest and recreation facilities in Mackay, Queensland, Australia.

(2) From the end of January 1943 until early 1944, thousands of United States servicemen were ferried from jungle battlefields in New Guinea to Mackay.

(3) These servicemen traveled by air transport to spend an average of 10 days on a rest and relaxation furlough.

(4) They usually were carried by two B-17C Flying Fortresses converted for transport duty.

(5) On Monday, June 14, 1943, at about 6 a.m., a B-17C, Serial Number 40-2072, took off from Mackay Airport for Port Moresby.

(6) There were 6 crew members and 35 passengers aboard.

(7) The aircraft took off into fog and soon made two left turns at low altitude.

(8) A few minutes after takeoff, when it was five miles south of Mackay, the plane crashed at Bakers Creek, killing everyone on board except Corporal Foye Kenneth Roberts of Wichita Falls, Texas, the sole survivor of the accident.

(9) The cause of the crash remains a mystery, and the incident remains relatively unknown outside of Australia.

(10) United States officials, who were under orders not to reveal the presence of Allied troops in Australia, kept the crash a military secret during the war.

(11) Due to wartime censorship, the news media did not report the crash.

(12) Relatives of the victims received telegrams from the United States War Department stating little more than that the serviceman had been killed somewhere in the South West Pacific.

(13) The remains of the 40 crash victims were flown to Townsville, Queensland, where they were buried in the Belgian Gardens United States military cemetery on June 19, 1943.

(14) In early 1946, they were disinterred and shipped to Hawaii, where 13 were reburied in the National Memorial Cemetery of the Pacific, and the remainder were returned to the United States mainland for reburial.

(15) 15 years ago, Robert S. Cutler was reading his father's wartime journal and found a reference to the tragic B-17C airplane accident.

(16) This discovery inspired Mr. Cutler to embark upon a research project that would consume more than a decade and take him to Australia.

(17) Retired United States Air Force Chief Master Sergeant Teddy W. Hanks, of Wichita Falls, Texas, who lost four of his World War II buddies in the crash, compiled a list of the casualties from United States archives in 1993 and began searching for their families.

(18) The Bakers Creek Memorial Association, in conjunction with the Washington Post and retired United States Army genealogy experts Charles Gailey and Arvon Staats, located 23 additional families of victims of the accident during the past two years.

(19) Joy Shingleton, Donnie Tenney, Wendy Andrus, and Wilma Post, the family of Army Air Corps Corporal Edward J. Tenney, of Buckhannon, West Virginia, helped to bring this recently uncovered World War II tragedy to light.

(20) The commander of the United States Fifth Air Force officially had notified the relatives of 36 of the 40 victims.

(b) SENSE OF CONGRESS.—It is the sense of Congress that an appropriate site in Arlington National Cemetery should be provided for a memorial marker to honor the memory of the 40 members of the Armed Forces of the United States who lost their lives in the air crash at Bakers Creek, Australia, on June 14, 1943, provided that the Secretary of the Army have exclusive authority to approve the design and site for the memorial marker.

38. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ISRAEL OF NEW YORK, OR HIS DESIGNEE, DEBATABLE FOR 20 MINUTES

At the appropriate place in title XII of the bill (relating to matters relating to foreign nations), insert the following new section:

SEC. 12 . REPORT ON OPERATIONAL STATUS OF THE AIRFIELD LOCATED IN ABECHÉ, CHAD.

(a) FINDINGS.—Congress finds the following:

(1) Sudan has been ravaged by civil war for four decades.

(2) More than two million people have died in Southern Sudan over the past two decades due to war-related causes and famine and millions have been displaced from their homes.

(3) The airfield located in Abeche, Chad is near the border between Chad and Sudan.

(4) Although the Abeche airfield is currently used for military transportation and humanitarian missions, it may be in need of upgrades to allow for increased air traffic, including upgrades to the airstrip and hangars.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States, with the concurrence of the Government of Chad, should help provide for the necessary upgrades to the airfield located in Abeche, Chad in order to support potential North Atlantic Treaty Organization operations, facilitate a possible United Nations deployment to Chad and the Darfur region of Sudan, and support humanitarian operations.

(c) **REPORT.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the current operational status of the airfield located in Abeche, Chad and recommendations for upgrades to the Abeche airfield to support enhanced operations and a large increase in air traffic, including a cost-estimate for such upgrades.

39. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ISRAEL OF NEW YORK, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle D of title X, add the following new section (and conform the table of contents accordingly):

SEC. 1034. COMMERCIAL AVIATION TECHNOLOGIES.

(a) **STUDY.**—The Secretary of Defense shall conduct a study to examine the methods by which United States air carriers and aviation technology companies research, develop, and deploy commercial aviation technologies, including processes and products, and to determine the applicability of the technologies to military use.

(b) **CONTENTS.**—In conducting the study, the Secretary shall determine whether technologies developed for commercial air carriers in any of the following areas are well-suited for technology transition programs:

- (1) Flight planning.
- (2) Flight operations and tracking.
- (3) Aircraft maintenance, repair, and overhaul.
- (4) Increasing fuel efficiency.
- (5) Optimizing labor productivity.

(c) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Armed Services and the Committee on Appropriations of the Senate and the Committee on Armed Services and the Committee on Appropriations of the House of Representatives a report on the results of the study, together with recommendations on whether the Department of Defense would benefit from commercial aviation technology solutions and, if so, which types of solutions would best support the mission of the Department.

40. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MATHE-SON OF UTAH, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title XXXIV, add the following new section:

SEC. 3402. REMEDIAL ACTION AT MOAB URANIUM MILLING SITE.

Section 3405(i) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 10 U.S.C. 7420 note) by adding at the end the following new paragraph:

“(6) Not later than October 1, 2019, the Secretary of Energy shall complete remediation at the Moab site and removal of the tailings to the Crescent Junction site in Utah.”.

41. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KING OF IOWA, OR HIS DESIGNEE, DEBATABLE FOR 20 MINUTES

In section 1222 of the bill, strike “Section 1519” and insert “(a) CONTINUATION OF PROHIBITION.—Section 1519”.

In section 1222 of the bill, add at the end the following new subsection:

(b) **RULE OF CONSTRUCTION.**—Congress recognizes that the United States has not established any permanent military installations inside or outside the United States. Nothing in this Act or any other provision of law shall be construed to prevent the Government of the United States from establishing temporary military installations or bases by entering into a basing rights agreement between the United States and Iraq.

42. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCCOTTER OF MICHIGAN, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle D of title X, insert the following new section:

SEC. 1034. REVIEW OF DEPARTMENT OF DEFENSE PROCEDURES TO CLASSIFY EXCESS DEFENSE ARTICLES AND DEFENSE SERVICES WITH MILITARY TECHNOLOGY COMPONENTS.

(a) **REVIEW REQUIRED.**—The Secretary of Defense, with the concurrence of the Secretary of State, shall conduct a thorough review of the procedures by which the Department of Defense classifies defense articles and defense services with military technology components as excess to the needs of the Department to identify the extent to which, and the manner in which, existing classification procedures have failed to prevent the transfer of defense articles and defense services with military technology components to terrorists, state sponsors of terrorism, and other unfriendly countries or groups.

(b) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, with the concurrence of the Secretary of State, shall submit to Congress a report that contains—

(1) the results of the review of the existing classification procedures conducted under subsection (a); and

(2) the measures to be implemented by the Department of Defense to rectify the deficiencies of the existing classification procedures, including recommendations for any legislative changes that may be necessary to implement the measures.

(c) **DEFINITION.**—As used in this section, the term “defense articles and defense services with military technology components” means those defense articles and defense services designated by the President pursuant to section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)), commonly known as the United States Munitions List.

43. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MICHAUD OF MAINE, OR HIS DESIGNEE, DEBATABLE FOR 20 MINUTES

At the end of title VII, add the following new section (and conform the table of contents accordingly):

SEC. 713. REQUIREMENT TO MAKE AVAILABLE EMERGENCY CONTRACEPTION AT ALL MILITARY HEALTH CARE TREATMENT FACILITIES.

Section 1074g(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(9)(A) Emergency contraception shall be included on the basic core formulary of the uniform formulary, notwithstanding any provision of law or regulation requiring that only drugs ordered or prescribed by a physician (or other authorized provider) may be included in the uniform formulary.

“(B) Nothing in subparagraph (A) may be construed to require emergency contraception to be covered under the pharmacy benefits program.

“(C) Notwithstanding paragraph (4), prior authorization shall not be required for emergency contraception. Nothing in the preceding sentence may be construed as waiving any provision of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) or any other provision of law administered by the Food and Drug Administration, including rules and orders of such Administration in effect at any time under such Act or other provisions of law.

“(D) In this paragraph, the term ‘emergency contraception’ means a drug, drug regimen, or device that is—

“(i) approved by the Food and Drug Administration to prevent pregnancy; and

“(ii) used postcoitally.”.

44. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BOREN OF OKLAHOMA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle H of title V, insert the following new section:

SEC. 577. PROHIBITION ON THE UNAUTHORIZED USE OF NAMES AND IMAGES OF MEMBERS OF THE ARMED FORCES.

(a) PROHIBITION.—Chapter 49 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 988. Unauthorized use of names and images of members of the armed forces

“(a) PROHIBITION.—Except with the permission of the individual or individuals designated under subsection (d), no person may knowingly use the name or image of a protected individual in connection with any merchandise, retail product, impersonation, solicitation, or commercial activity in a manner reasonably calculated to connect the protected individual with that individual’s service in the armed forces.

“(b) AUTHORITY TO ENJOIN VIOLATIONS.—Whenever it appears to the Attorney General that any person is engaged or is about to engage in an act or practice which constitutes or will constitute conduct prohibited by subsection (a), the Attorney General may initiate a civil proceeding in a district court of the United States to enjoin such act or practice. Such court shall proceed as soon as practicable to the hearing and determination of such action and may, at any time before final determination, enter such restraining orders or prohibitions, or take such other actions as are warranted,

to prevent injury to the United States or to any person or class of persons for whose protection the action is brought.

“(c) PROTECTED INDIVIDUAL.—For purposes of this section, a protected individual is any person who—

“(1) is a member of the armed forces; or

“(2) was a member of the armed forces at any time after April 5, 1917, and, if not living, has a surviving spouse, child, parent, grandparent, or sibling.

“(d) DESIGNATED INDIVIDUAL OR INDIVIDUALS.—(1) The individual or individuals designated under this subsection, with respect to a protected individual—

“(A) is the protected individual, if living; and

“(B) otherwise is the living survivor or survivors of the protected individual highest on the following list:

“(i) The surviving spouse.

“(ii) The children.

“(iii) The parents.

“(iv) The grandparents.

“(v) The siblings.

“(2) In the case of a protected individual for whom more than one individual is designated under clause (ii), (iii), (iv), or (v) of paragraph (1)(B), the prohibition under subsection (a) shall apply unless permission is obtained from each designated individual.”.

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

“988. Unauthorized use of names and images of members of the armed forces.”.

45. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LIPINSKI OF ILLINOIS, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle E of title XXVIII, add the following new section:

SEC. 28 ____ . USE OF ENERGY EFFICIENT LIGHTING FIXTURES AND BULBS IN DEPARTMENT OF DEFENSE FACILITIES.

(a) CONSTRUCTION AND ALTERATION OF BUILDINGS.—Each building constructed or significantly altered by the Secretary of Defense or the Secretary of a military department shall be equipped, to the maximum extent feasible as determined by the Secretary concerned, with lighting fixtures and bulbs that are energy efficient.

(b) MAINTENANCE OF BUILDINGS.—Each lighting fixture or bulb that is replaced in the normal course of maintenance of buildings under the jurisdiction of the Secretary of Defense or the Secretary of a military department shall be replaced, to the maximum extent feasible as determined by the Secretary concerned, with a lighting fixture or bulb that is energy efficient.

(c) CONSIDERATIONS.—In making a determination under this section concerning the feasibility of installing a lighting fixture or bulb that is energy efficient, the Secretary of Defense or the Secretary of a military department shall consider—

(1) the life cycle cost effectiveness of the fixture or bulb;

(2) the compatibility of the fixture or bulb with existing equipment;

- (3) whether use of the fixture or bulb could result in interference with productivity;
- (4) the aesthetics relating to use of the fixture or bulb; and
- (5) such other factors as the Secretary concerned determines appropriate.
- (d) **ENERGY STAR.**—A lighting fixture or bulb shall be treated as being energy efficient for purposes of this section if—
 - (1) the fixture or bulb is certified under the Energy Star program established by section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a); or
 - (2) the Secretary of Defense or the Secretary of a military department has otherwise determined that the fixture or bulb is energy efficient.
- (e) **SIGNIFICANT ALTERATIONS.**—A building shall be treated as being significantly altered for purposes of subsection (a) if the alteration is subject to congressional authorization under section 2802 of title 10, United States Code.
- (f) **WAIVER AUTHORITY.**—The Secretary of Defense may waive the requirements of this section if the Secretary determines that such a waiver is necessary to protect the national security interests of the United States.
- (g) **EFFECTIVE DATE.**—The requirements of subsections (a) and (b) shall take effect one year after the date of the enactment of this Act.

46. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ALTMIRE OF PENNSYLVANIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 674. LEAVE FOR MILITARY FAMILIES.

(a) **ENTITLEMENT TO LEAVE.**—Section 102(a)(1) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)(1)) is amended by adding at the end the following new subparagraph:

“(E) Because of any qualifying exigency (as the Secretary shall, by regulation, determine) arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.”.

(b) **INTERMITTENT OR REDUCED LEAVE SCHEDULE.**—Section 102(b)(1) of such Act (29 U.S.C. 2612(b)(1)) is amended by inserting after the second sentence the following new sentence: “Subject to subsection (e)(3) and section 103(f), leave under subsection (a)(1)(E) may be taken intermittently or on a reduced leave schedule.”.

(c) **SUBSTITUTION OF PAID LEAVE.**—Section 102(d)(2)(A) of such Act (29 U.S.C. 2612(d)(2)(A)) is amended by striking “or (C)” and inserting “(C), or (E)”.

(d) **NOTICE.**—Section 102(e) of such Act (29 U.S.C. 2612(e)) is amended by adding at the end the following new paragraph:

“(3) **NOTICE FOR LEAVE DUE TO ACTIVE DUTY OF FAMILY MEMBER.**—In any case in which the necessity for leave under subsection (a)(1)(E) is foreseeable based on notification of an impending call or order to active duty in support of a contingency

operation, the employee shall provide such notice to the employer as is reasonable and practicable.”.

(e) CERTIFICATION.—Section 103 of such Act (29 U.S.C. 2613) is amended by adding at the end the following new subsection:

“(f) CERTIFICATION FOR LEAVE DUE TO ACTIVE DUTY OF FAMILY MEMBER.—An employer may require that a request for leave under section 102(a)(1)(E) be supported by a certification issued at such time and in such manner as the Secretary may by regulation prescribe. If the Secretary issues a regulation requiring such certification, the employee shall provide, in a timely manner, a copy of such certification to the employer.”.

(f) DEFINITION.—Section 101 of such Act (29 U.S.C. 2611) is amended by adding at the end the following new paragraph:

“(14) CONTINGENCY OPERATION.—The term ‘contingency operation’ has the same meaning given such term in section 101(a)(13) of title 10, United States Code.”.

In the table of contents in section 2(b), after the item relating to section 673 insert the following new item:

Sec. 674. Leave for military families.

47. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BRALEY OF IOWA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle B of title V, add the following new sections

SEC. 5 ____ . STUDY OF FEASIBILITY OF ESTABLISHING A PILOT PROGRAM ON FAMILY-TO-FAMILY SUPPORT FOR FAMILIES OF MEMBERS OF THE NATIONAL GUARD AND RESERVES UNDERGOING DEPLOYMENT.

(a) STUDY.—The Secretary of Defense shall carry out a study to evaluate the feasibility and advisability of establishing a pilot program on family-to-family support for families of members of the National Guard and Reserves undergoing deployment, including assessments of—

(1) the effectiveness of family-to-family support programs in—

(A) the early identification and prevention of family problems for families of members of the National Guard and Reserve who are deployed;

(B) the provision of peer support for such families;

(C) reducing adverse outcomes for children of such families, including poor academic performance, behavioral problems, and the adverse consequence of stress and anxiety; and

(D) improving family readiness and post-deployment transition for such families;

(2) the feasibility and advisability of utilizing spouses of members of the Armed Forces to act as counselors for spouses and families of members of the National Guard and Reserve who are deployed in order to assist such spouses and families in coping with the deployment of such members throughout their deployment cycle; and

(3) the best practices for training spouses of members of the Armed Forces to act as counselors for spouses and families of members of the National Guard and Reserve who are deployed.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report containing the results of the study conducted under subsection (a).

SEC. 5 ____ . STUDY REGARDING IMPROVING SUPPORT SERVICES FOR CHILDREN, INFANTS, AND TODDLERS OF MEMBERS OF THE NATIONAL GUARD AND RESERVE UNDERGOING DEPLOYMENT.

(a) STUDY REQUIRED.—

(1) STUDY.—The Secretary of Defense shall conduct a study to evaluate the feasibility and advisability of entering into a contract or other agreement with a private sector entity having expertise in the health and well-being of families and children, infants, and toddlers in order to enhance and develop support services for children of members of the National Guard and Reserve who are deployed.

(2) TYPES OF SUPPORT SERVICES.—In conducting the study, the Secretary shall consider the need—

(A) to develop materials for parents and other caretakers of children of members of the National Guard and Reserve who are deployed to assist such parents and caretakers in responding to the adverse implications of such deployment (and the death or injury of such members during such deployment) for such children, including the role such parents and caretakers can play in addressing and mitigating such implications;

(B) to develop programs and activities to increase awareness throughout the military and civilian communities of the adverse implications of such deployment (and the death or injury of such members during such deployment) for such children and their families and to increase collaboration within such communities to address and mitigate such implications;

(C) to develop training for early child care and education, mental health, health care, and family support professionals to enhance the awareness of such professionals of their role in assisting families in addressing and mitigating the adverse implications of such deployment (and the death or injury of such members during such deployment) for such children; and

(D) to conduct research on best practices for building psychological and emotional resiliency in such children in coping with the deployment of such members.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report containing the results of the study conducted under subsection (a).

48. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MITCHELL OF ARIZONA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 627, strike lines 5 through 7 and insert the following:

“(3) Before transmittal of medical records of a member to the Department of Veterans Affairs, the Secretary of Defense shall ensure that the member (or an individual legally recognized to make med-

ical decisions on behalf of that member) is presented with a written form, the voluntary signing of which shall authorize the transfer of the medical records of the member from the Department of Defense to the Department of Veterans Affairs pursuant to the Health Insurance Portability and Accountability Act of 1996. Nothing in this paragraph shall be construed as limiting or otherwise altering the applicability of the Health Insurance Portability and Accountability Act of 1996 to medical records maintained by the Department of Defense and the Department of Veterans Affairs.

49. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CARNEY OF PENNSYLVANIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle C of title V, add the following new section:

SEC. 528. SENSE OF CONGRESS WITH RESPECT TO EXTENSION OF TIME LIMITATION FOR USE OF ENTITLEMENT TO EDUCATION BENEFITS BY MEMBERS OF SELECTED RESERVE AND MEMBERS OF RESERVE COMPONENT SUPPORTING CONTINGENCY OPERATIONS.

It is the sense of Congress that the time limitation for the use of entitlement to educational assistance under each of subchapters I and II of chapter 33 of title 38, United States Code, should be extended to allow an individual entitled to such assistance to use that individual's entitlement during the ten-year period beginning on the date on which the individual is separated from the Ready Reserve or the Selected Reserve of the Ready Reserve, as the case may be.

50. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WALZ OF MINNESOTA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Section 523, add at the end the following:

(g) STUDY.—

(1) IN GENERAL.—The Secretary of Defense shall carry out a study on the tuition assistance program carried out under section 2007 of title 10, United States Code. The study shall—

(A) identify the number of servicemembers eligible for assistance under the program, and the number who actually receive the assistance;

(B) assess the extent to which the program affects retention rates; and

(C) assess the extent to which State tuition assistance programs affects retention rates in those States.

(2) REPORT.—Not later than 9 months after the date of the enactment of this Act, the Secretary 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 results of the study.