

Public Law 110-181  
110th Congress

An Act

To provide for the enactment of the National Defense Authorization Act for Fiscal Year 2008, as previously enrolled, with certain modifications to address the foreign sovereign immunities provisions of title 28, United States Code, with respect to the attachment of property in certain judgments against Iraq, the lapse of statutory authorities for the payment of bonuses, special pays, and similar benefits for members of the uniformed services, and for other purposes.

Jan. 28, 2008  
[H.R. 4986]

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

**SECTION 1. SHORT TITLE; TREATMENT OF EXPLANATORY STATEMENT.**

(a) **SHORT TITLE.**—This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2008”.

(b) **EXPLANATORY STATEMENT.**—The Joint Explanatory Statement submitted by the Committee of Conference for the conference report to accompany H.R. 1585 of the 110th Congress (Report 110-477) shall be deemed to be part of the legislative history of this Act and shall have the same effect with respect to the implementation of this Act as it would have had with respect to the implementation of H.R. 1585, if such bill had been enacted.

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

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

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

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

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

- Sec. 1. Short title; treatment of explanatory statement.  
Sec. 2. Organization of Act into divisions; table of contents.  
Sec. 3. Congressional defense committees.

**DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS**

**TITLE I—PROCUREMENT**

**Subtitle A—Authorization of Appropriations**

- Sec. 101. Army.  
Sec. 102. Navy and Marine Corps.  
Sec. 103. Air Force.  
Sec. 104. Defense-wide activities.  
Sec. 105. National Guard and Reserve equipment.

**Subtitle B—Army Programs**

- Sec. 111. Multiyear procurement authority for M1A2 Abrams System Enhancement Package upgrades.  
Sec. 112. Multiyear procurement authority for M2A3/M3A3 Bradley fighting vehicle upgrades.

National Defense  
Authorization  
Act for Fiscal  
Year 2008.

- Sec. 113. Multiyear procurement authority for conversion of CH-47D helicopters to CH-47F configuration.
- Sec. 114. Multiyear procurement authority for CH-47F helicopters.
- Sec. 115. Limitation on use of funds for Increment 1 of the Warfighter Information Network-Tactical program pending certification to Congress.
- Sec. 116. Prohibition on closure of Army Tactical Missile System production line pending report.
- Sec. 117. Stryker Mobile Gun System.

#### Subtitle C—Navy Programs

- Sec. 121. Multiyear procurement authority for Virginia-class submarine program.
- Sec. 122. Report on shipbuilding investment strategy.
- Sec. 123. Sense of Congress on the preservation of a skilled United States shipyard workforce.
- Sec. 124. Assessments required prior to start of construction on first ship of a shipbuilding program.
- Sec. 125. Littoral Combat Ship (LCS) program.

#### Subtitle D—Air Force Programs

- Sec. 131. Limitation on Joint Cargo Aircraft.
- Sec. 132. Clarification of limitation on retirement of U-2 aircraft.
- Sec. 133. Repeal of requirement to maintain retired C-130E tactical aircraft.
- Sec. 134. Limitation on retirement of C-130E/H tactical airlift aircraft.
- Sec. 135. Limitation on retirement of KC-135E aerial refueling aircraft.
- Sec. 136. Transfer to Government of Iraq of three C-130E tactical airlift aircraft.
- Sec. 137. Modification of limitations on retirement of B-52 bomber aircraft.

### TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

#### Subtitle A—Authorization of Appropriations

- Sec. 201. Authorization of appropriations.
- Sec. 202. Amount for defense science and technology.

#### Subtitle B—Program Requirements, Restrictions, and Limitations

- Sec. 211. Operational test and evaluation of Future Combat Systems network.
- Sec. 212. Limitation on use of funds for systems development and demonstration of Joint Light Tactical Vehicle program.
- Sec. 213. Requirement to obligate and expend funds for development and procurement of a competitive propulsion system for the Joint Strike Fighter.
- Sec. 214. Limitation on use of funds for defense-wide manufacturing science and technology program.
- Sec. 215. Advanced Sensor Applications Program.
- Sec. 216. Active protection systems.

#### Subtitle C—Ballistic Missile Defense

- Sec. 221. Participation of Director, Operational Test and Evaluation, in missile defense test and evaluation activities.
- Sec. 222. Study on future roles and missions of the Missile Defense Agency.
- Sec. 223. Budget and acquisition requirements for Missile Defense Agency activities.
- Sec. 224. Limitation on use of funds for replacing warhead on SM-3 Block IIA missile.
- Sec. 225. Extension of Comptroller General assessments of ballistic missile defense programs.
- Sec. 226. Limitation on availability of funds for procurement, construction, and deployment of missile defenses in Europe.
- Sec. 227. Sense of Congress on missile defense cooperation with Israel.
- Sec. 228. Limitation on availability of funds for deployment of missile defense interceptors in Alaska.
- Sec. 229. Policy of the United States on protection of the United States and its allies against Iranian ballistic missiles.

#### Subtitle D—Other Matters

- Sec. 231. Coordination of human systems integration activities related to acquisition programs.
- Sec. 232. Expansion of authority for provision of laboratory facilities, services, and equipment.
- Sec. 233. Modification of cost-sharing requirement for Technology Transition Initiative.
- Sec. 234. Report on implementation of Manufacturing Technology Program.

- Sec. 235. Assessment of sufficiency of test and evaluation personnel.
- Sec. 236. Repeal of requirement for separate reports on technology area review and assessment summaries.
- Sec. 237. Modification of notice and wait requirement for obligation of funds for foreign comparative test program.
- Sec. 238. Strategic Plan for the Manufacturing Technology Program.
- Sec. 239. Modification of authorities on coordination of Defense Experimental Program to Stimulate Competitive Research with similar Federal programs.
- Sec. 240. Enhancement of defense nanotechnology research and development program.
- Sec. 241. Federally funded research and development center assessment of the Defense Experimental Program to Stimulate Competitive Research.
- Sec. 242. Cost-benefit analysis of proposed funding reduction for High Energy Laser Systems Test Facility.
- Sec. 243. Prompt global strike.

## TITLE III—OPERATION AND MAINTENANCE

## Subtitle A—Authorization of Appropriations

- Sec. 301. Operation and maintenance funding.

## Subtitle B—Environmental Provisions

- Sec. 311. Reimbursement of Environmental Protection Agency for certain costs in connection with Moses Lake Wellfield Superfund Site, Moses Lake, Washington.
- Sec. 312. Reimbursement of Environmental Protection Agency for certain costs in connection with the Arctic Surplus Superfund Site, Fairbanks, Alaska.
- Sec. 313. Payment to Environmental Protection Agency of stipulated penalties in connection with Jackson Park Housing Complex, Washington.
- Sec. 314. Report on control of the brown tree snake.
- Sec. 315. Notification of certain residents and civilian employees at Camp Lejeune, North Carolina, of exposure to drinking water contamination.

## Subtitle C—Workplace and Depot Issues

- Sec. 321. Availability of funds in Defense Information Systems Agency Working Capital Fund for technology upgrades to Defense Information Systems Network.
- Sec. 322. Modification to public-private competition requirements before conversion to contractor performance.
- Sec. 323. Public-private competition at end of period specified in performance agreement not required.
- Sec. 324. Guidelines on insourcing new and contracted out functions.
- Sec. 325. Restriction on Office of Management and Budget influence over Department of Defense public-private competitions.
- Sec. 326. Bid protests by Federal employees in actions under Office of Management and Budget Circular A-76.
- Sec. 327. Public-private competition required before conversion to contractor performance.
- Sec. 328. Extension of authority for Army industrial facilities to engage in cooperative activities with non-Army entities.
- Sec. 329. Reauthorization and modification of multi-trades demonstration project.
- Sec. 330. Pilot program for availability of working-capital funds to Army for certain product improvements.

## Subtitle D—Extension of Program Authorities

- Sec. 341. Extension of Arsenal Support Program Initiative.
- Sec. 342. Extension of period for reimbursement for helmet pads purchased by members of the Armed Forces deployed in contingency operations.
- Sec. 343. Extension of temporary authority for contract performance of security guard functions.

## Subtitle E—Reports

- Sec. 351. Reports on National Guard readiness for emergencies and major disasters.
- Sec. 352. Annual report on prepositioned materiel and equipment.
- Sec. 353. Report on incremental cost of early 2007 enhanced deployment.
- Sec. 354. Modification of requirements of Comptroller General report on the readiness of Army and Marine Corps ground forces.
- Sec. 355. Plan to improve readiness of ground forces of active and reserve components.
- Sec. 356. Independent assessment of Civil Reserve Air Fleet viability.

- Sec. 357. Department of Defense Inspector General report on physical security of Department of Defense installations.
- Sec. 358. Review of high-altitude aviation training.
- Sec. 359. Reports on safety measures and encroachment issues and master plan for Warren Grove Gunnery Range, New Jersey.
- Sec. 360. Report on search and rescue capabilities of the Air Force in the northwestern United States.
- Sec. 361. Report and master infrastructure recapitalization plan for Cheyenne Mountain Air Station, Colorado.

Subtitle F—Other Matters

- Sec. 371. Enhancement of corrosion control and prevention functions within Department of Defense.
- Sec. 372. Authority for Department of Defense to provide support for certain sporting events.
- Sec. 373. Authority to impose reasonable restrictions on payment of full replacement value for lost or damaged personal property transported at Government expense.
- Sec. 374. Priority transportation on Department of Defense aircraft of retired members residing in Commonwealths and possessions of the United States for certain health care services.
- Sec. 375. Recovery of missing military property.
- Sec. 376. Retention of combat uniforms by members of the Armed Forces deployed in support of contingency operations.
- Sec. 377. Issue of serviceable material of the Navy other than to Armed Forces.
- Sec. 378. Reauthorization of Aviation Insurance Program.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

- Sec. 401. End strengths for active forces.
- Sec. 402. Revision in permanent active duty end strength minimum levels.
- Sec. 403. Additional authority for increases of Army and Marine Corps active duty end strengths for fiscal years 2009 and 2010.
- Sec. 404. Increase in authorized strengths for Army officers on active duty in the grade of major.
- Sec. 405. Increase in authorized strengths for Navy officers on active duty in the grades of lieutenant commander, commander, and captain.
- Sec. 406. Increase in authorized daily average of number of members in pay grade E-9.

Subtitle B—Reserve Forces

- Sec. 411. End strengths for Selected Reserve.
- Sec. 412. End strengths for Reserves on active duty in support of the Reserves.
- Sec. 413. End strengths for military technicians (dual status).
- Sec. 414. Fiscal year 2008 limitation on number of non-dual status technicians.
- Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.
- Sec. 416. Future authorizations and accounting for certain reserve component personnel authorized to be on active duty or full-time National Guard duty to provide operational support.
- Sec. 417. Revision of variances authorized for Selected Reserve end strengths.

Subtitle C—Authorization of Appropriations

- Sec. 421. Military personnel.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

- Sec. 501. Assignment of officers to designated positions of importance and responsibility.
- Sec. 502. Enhanced authority for Reserve general and flag officers to serve on active duty.
- Sec. 503. Increase in years of commissioned service threshold for discharge of probationary officers and for use of force shaping authority.
- Sec. 504. Mandatory retirement age for active-duty general and flag officers continued on active duty.
- Sec. 505. Authority for reduced mandatory service obligation for initial appointments of officers in critically short health professional specialties.
- Sec. 506. Expansion of authority for reenlistment of officers in their former enlisted grade.

- Sec. 507. Increase in authorized number of permanent professors at the United States Military Academy.
- Sec. 508. Promotion of career military professors of the Navy.

Subtitle B—Reserve Component Management

- Sec. 511. Retention of military technicians who lose dual status in the Selected Reserve due to combat-related disability.
- Sec. 512. Constructive service credit upon original appointment of Reserve officers in certain health care professions.
- Sec. 513. Mandatory separation of Reserve officers in the grade of lieutenant general or vice admiral after completion of 38 years of commissioned service.
- Sec. 514. Maximum period of temporary Federal recognition of person as Army National Guard officer or Air National Guard officer.
- Sec. 515. Advance notice to members of reserve components of deployment in support of contingency operations.
- Sec. 516. Report on relief from professional licensure and certification requirements for reserve component members on long-term active duty.

Subtitle C—Education and Training

- Sec. 521. Revisions to authority to pay tuition for off-duty training or education.
- Sec. 522. Reduction or elimination of service obligation in an Army Reserve or Army National Guard troop program unit for certain persons selected as medical students at Uniformed Services University of the Health Sciences.
- Sec. 523. Repeal of annual limit on number of ROTC scholarships under Army Reserve and Army National Guard financial assistance program.
- Sec. 524. Treatment of prior active service of members in uniformed medical accession programs.
- Sec. 525. Repeal of post-2007–2008 academic year prohibition on phased increase in cadet strength limit at the United States Military Academy.
- Sec. 526. National Defense University master's degree programs.
- Sec. 527. Authority of the Air University to confer degree of master of science in flight test engineering.
- Sec. 528. Enhancement of education benefits for certain members of reserve components.
- Sec. 529. Extension of period of entitlement to educational assistance for certain members of the Selected Reserve affected by force shaping initiatives.
- Sec. 530. Time limit for use of educational assistance benefit for certain members of reserve components and resumption of benefit.
- Sec. 531. Secretary of Defense evaluation of the adequacy of the degree-granting authorities of certain military universities and educational institutions.
- Sec. 532. Report on success of Army National Guard and Reserve Senior Reserve Officers' Training Corps financial assistance program.
- Sec. 533. Report on utilization of tuition assistance by members of the Armed Forces.
- Sec. 534. Navy Junior Reserve Officers' Training Corps unit for Southold, Mattituck, and Greenport High Schools.
- Sec. 535. Report on transfer of administration of certain educational assistance programs for members of the reserve components.

Subtitle D—Military Justice and Legal Assistance Matters

- Sec. 541. Authority to designate civilian employees of the Federal Government and dependents of deceased members as eligible for legal assistance from Department of Defense legal staff resources.
- Sec. 542. Authority of judges of the United States Court of Appeals for the Armed Forces to administer oaths.
- Sec. 543. Modification of authorities on senior members of the Judge Advocate Generals' Corps.
- Sec. 544. Prohibition against members of the Armed Forces participating in criminal street gangs.

Subtitle E—Military Leave

- Sec. 551. Temporary enhancement of carryover of accumulated leave for members of the Armed Forces.
- Sec. 552. Enhancement of rest and recuperation leave.

Subtitle F—Decorations and Awards

- Sec. 561. Authorization and request for award of Medal of Honor to Leslie H. Sabo, Jr., for acts of valor during the Vietnam War.

- Sec. 562. Authorization and request for award of Medal of Honor to Henry Svehla for acts of valor during the Korean War.
- Sec. 563. Authorization and request for award of Medal of Honor to Woodrow W. Keeble for acts of valor during the Korean War.
- Sec. 564. Authorization and request for award of Medal of Honor to Private Philip G. Shadrach for acts of valor as one of Andrews' Raiders during the Civil War.
- Sec. 565. Authorization and request for award of Medal of Honor to Private George D. Wilson for acts of valor as one of Andrews' Raiders during the Civil War.

Subtitle G—Impact Aid and Defense Dependents Education System

- Sec. 571. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.
- Sec. 572. Impact aid for children with severe disabilities.
- Sec. 573. Inclusion of dependents of non-Department of Defense employees employed on Federal property in plan relating to force structure changes, relocation of military units, or base closures and realignments.
- Sec. 574. Payment of private boarding school tuition for military dependents in overseas areas not served by defense dependents' education system schools.

Subtitle H—Military Families

- Sec. 581. Department of Defense Military Family Readiness Council and policy and plans for military family readiness.
- Sec. 582. Yellow Ribbon Reintegration Program.
- Sec. 583. Study to enhance and improve support services and programs for families of members of regular and reserve components undergoing deployment.
- Sec. 584. Protection of child custody arrangements for parents who are members of the Armed Forces deployed in support of a contingency operation.
- Sec. 585. Family leave in connection with injured members of the Armed Forces.
- Sec. 586. Family care plans and deferment of deployment of single parent or dual military couples with minor dependents.
- Sec. 587. Education and treatment services for military dependent children with autism.
- Sec. 588. Commendation of efforts of Project Compassion in paying tribute to members of the Armed Forces who have fallen in the service of the United States.

Subtitle I—Other Matters

- Sec. 590. Uniform performance policies for military bands and other musical units.
- Sec. 591. Transportation of remains of deceased members of the Armed Forces and certain other persons.
- Sec. 592. Expansion of number of academies supportable in any State under STARBASE program.
- Sec. 593. Gift acceptance authority.
- Sec. 594. Conduct by members of the Armed Forces and veterans out of uniform during hoisting, lowering, or passing of United States flag.
- Sec. 595. Annual report on cases reviewed by National Committee for Employer Support of the Guard and Reserve.
- Sec. 596. Modification of Certificate of Release or Discharge from Active Duty (DD Form 214).
- Sec. 597. Reports on administrative separations of members of the Armed Forces for personality disorder.
- Sec. 598. Program to commemorate 50th anniversary of the Vietnam War.
- Sec. 599. Recognition of members of the Monuments, Fine Arts, and Archives program of the Civil Affairs and Military Government Sections of the Armed Forces during and following World War II.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

- Sec. 601. Fiscal year 2008 increase in military basic pay.
- Sec. 602. Basic allowance for housing for reserve component members without dependents who attend accession training while maintaining a primary residence.
- Sec. 603. Extension and enhancement of authority for temporary lodging expenses for members of the Armed Forces in areas subject to major disaster declaration or for installations experiencing sudden increase in personnel levels.

- Sec. 604. Income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.
- Sec. 605. Midmonth payment of basic pay for contributions of members of the uniformed services participating in Thrift Savings Plan.

Subtitle B—Bonuses and Special and Incentive Pays

- Sec. 610. Correction of lapsed authorities for payment of bonuses, special pays, and similar benefits for members of the uniformed services.
- Sec. 611. Extension of certain bonus and special pay authorities for Reserve forces.
- Sec. 612. Extension of certain bonus and special pay authorities for health care professionals.
- Sec. 613. Extension of special pay and bonus authorities for nuclear officers.
- Sec. 614. Extension of authorities relating to payment of other bonuses and special pays.
- Sec. 615. Increase in incentive special pay and multiyear retention bonus for medical officers.
- Sec. 616. Increase in dental officer additional special pay.
- Sec. 617. Increase in maximum monthly rate of hardship duty pay and authority to provide hardship duty pay in a lump sum.
- Sec. 618. Definition of sea duty for career sea pay to include service as off-cycle crewmembers of multi-crew ships.
- Sec. 619. Reenlistment bonus for members of the Selected Reserve.
- Sec. 620. Availability of Selected Reserve accession bonus for persons who previously served in the Armed Forces for a short period.
- Sec. 621. Availability of nuclear officer continuation pay for officers with more than 26 years of commissioned service.
- Sec. 622. Waiver of years-of-service limitation on receipt of critical skills retention bonus.
- Sec. 623. Accession bonus for participants in the Armed Forces Health Professions Scholarship and Financial Assistance Program.
- Sec. 624. Payment of assignment incentive pay for Reserve members serving in combat zone for more than 22 months.

Subtitle C—Travel and Transportation Allowances

- Sec. 631. Payment of inactive duty training travel costs for certain Selected Reserve members.
- Sec. 632. Survivors of deceased members eligible for transportation to attend burial ceremonies.
- Sec. 633. Allowance for participation of Reserves in electronic screening.
- Sec. 634. Allowance for civilian clothing for members of the Armed Forces traveling in connection with medical evacuation.
- Sec. 635. Payment of moving expenses for Junior Reserve Officers' Training Corps instructors in hard-to-fill positions.

Subtitle D—Retired Pay and Survivor Benefits

- Sec. 641. Expansion of combat-related special compensation eligibility.
- Sec. 642. Inclusion of veterans with service-connected disabilities rated as total by reason of unemployability under termination of phase-in of concurrent receipt of retired pay and veterans' disability compensation.
- Sec. 643. Recoupment of annuity amounts previously paid, but subject to offset for dependency and indemnity compensation.
- Sec. 644. Special survivor indemnity allowance for persons affected by required Survivor Benefit Plan annuity offset for dependency and indemnity compensation.
- Sec. 645. Modification of authority of members of the Armed Forces to designate recipients for payment of death gratuity.
- Sec. 646. Clarification of application of retired pay multiplier percentage to members of the uniformed services with over 30 years of service.
- Sec. 647. Commencement of receipt of non-regular service retired pay by members of the Ready Reserve on active Federal status or active duty for significant periods.
- Sec. 648. Computation of years of service for purposes of retired pay for non-regular service.

Subtitle E—Commissary and Nonappropriated Fund Instrumentality Benefits

- Sec. 651. Authority to continue commissary and exchange benefits for certain involuntarily separated members of the Armed Forces.
- Sec. 652. Authorization of installment deductions from pay of employees of non-appropriated fund instrumentalities to collect indebtedness to the United States.

Subtitle F—Consolidation of Special Pay, Incentive Pay, and Bonus Authorities

- Sec. 661. Consolidation of special pay, incentive pay, and bonus authorities of the uniformed services.  
 Sec. 662. Transitional provisions.

Subtitle G—Other Matters

- Sec. 671. Referral bonus authorities.  
 Sec. 672. Expansion of education loan repayment program for members of the Selected Reserve.  
 Sec. 673. Ensuring entry into United States after time abroad for permanent resident alien military spouses and children.  
 Sec. 674. Overseas naturalization for military spouses and children.  
 Sec. 675. Modification of amount of back pay for members of Navy and Marine Corps selected for promotion while interned as prisoners of war during World War II to take into account changes in Consumer Price Index.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—Improvements to Military Health Benefits

- Sec. 701. One-year extension of prohibition on increases in certain health care costs for members of the uniformed services.  
 Sec. 702. Temporary prohibition on increase in copayments under retail pharmacy system of pharmacy benefits program.  
 Sec. 703. Inclusion of TRICARE retail pharmacy program in Federal procurement of pharmaceuticals.  
 Sec. 704. Stipend for members of reserve components for health care for certain dependents.  
 Sec. 705. Authority for expansion of persons eligible for continued health benefits coverage.  
 Sec. 706. Continuation of eligibility for TRICARE Standard coverage for certain members of the Selected Reserve.  
 Sec. 707. Extension of pilot program for health care delivery.  
 Sec. 708. Inclusion of mental health care in definition of health care and report on mental health care services.

Subtitle B—Studies and Reports

- Sec. 711. Surveys on continued viability of TRICARE Standard and TRICARE Extra.  
 Sec. 712. Report on training in preservation of remains under combat or combat-related conditions.  
 Sec. 713. Report on patient satisfaction surveys.  
 Sec. 714. Report on medical physical examinations of members of the Armed Forces before their deployment.  
 Sec. 715. Report and study on multiple vaccinations of members of the Armed Forces.  
 Sec. 716. Review of gender- and ethnic group-specific mental health services and treatment for members of the Armed Forces.  
 Sec. 717. Licensed mental health counselors and the TRICARE program.  
 Sec. 718. Report on funding of the Department of Defense for health care.

Subtitle C—Other Matters

- Sec. 721. Prohibition on conversion of military medical and dental positions to civilian medical and dental positions.  
 Sec. 722. Establishment of Joint Pathology Center.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

- Sec. 800. Short title.

Subtitle A—Acquisition Policy and Management

- Sec. 801. Internal controls for procurements on behalf of the Department of Defense by certain non-Defense agencies.  
 Sec. 802. Lead systems integrators.  
 Sec. 803. Reinvestment in domestic sources of strategic materials.  
 Sec. 804. Clarification of the protection of strategic materials critical to national security.  
 Sec. 805. Procurement of commercial services.  
 Sec. 806. Specification of amounts requested for procurement of contract services.  
 Sec. 807. Inventories and reviews of contracts for services.  
 Sec. 808. Independent management reviews of contracts for services.



- Sec. 809. Implementation and enforcement of requirements applicable to undefinitized contractual actions.
- Sec. 810. Clarification of limited acquisition authority for Special Operations Command.

Subtitle B—Provisions Relating to Major Defense Acquisition Programs

- Sec. 811. Requirements applicable to multiyear contracts for the procurement of major systems of the Department of Defense.
- Sec. 812. Changes to Milestone B certifications.
- Sec. 813. Comptroller General report on Department of Defense organization and structure for major defense acquisition programs.
- Sec. 814. Clarification of submission of cost or pricing data on noncommercial modifications of commercial items.
- Sec. 815. Clarification of rules regarding the procurement of commercial items.
- Sec. 816. Review of systemic deficiencies on major defense acquisition programs.
- Sec. 817. Investment strategy for major defense acquisition programs.
- Sec. 818. Report on implementation of recommendations on total ownership cost for major weapon systems.

Subtitle C—Amendments to General Contracting Authorities, Procedures, and Limitations

- Sec. 821. Plan for restricting Government-unique contract clauses on commercial contracts.
- Sec. 822. Extension of authority for use of simplified acquisition procedures for certain commercial items.
- Sec. 823. Five-year extension of authority to carry out certain prototype projects.
- Sec. 824. Exemption of Special Operations Command from certain requirements for certain contracts relating to vessels, aircraft, and combat vehicles.
- Sec. 825. Provision of authority to maintain equipment to unified combatant command for joint warfighting.
- Sec. 826. Market research.
- Sec. 827. Modification of competition requirements for purchases from Federal Prison Industries.
- Sec. 828. Multiyear contract authority for electricity from renewable energy sources.
- Sec. 829. Procurement of fire resistant rayon fiber for the production of uniforms from foreign sources.
- Sec. 830. Comptroller General review of noncompetitive awards of congressional and executive branch interest items.

Subtitle D—Accountability in Contracting

- Sec. 841. Commission on Wartime Contracting in Iraq and Afghanistan.
- Sec. 842. Investigation of waste, fraud, and abuse in wartime contracts and contracting processes in Iraq and Afghanistan.
- Sec. 843. Enhanced competition requirements for task and delivery order contracts.
- Sec. 844. Public disclosure of justification and approval documents for noncompetitive contracts.
- Sec. 845. Disclosure of Government contractor audit findings.
- Sec. 846. Protection for contractor employees from reprisal for disclosure of certain information.
- Sec. 847. Requirements for senior Department of Defense officials seeking employment with defense contractors.
- Sec. 848. Report on contractor ethics programs of Major Defense contractors.
- Sec. 849. Contingency contracting training for personnel outside the acquisition workforce and evaluations of Army Commission recommendations.

Subtitle E—Acquisition Workforce Provisions

- Sec. 851. Requirement for section on defense acquisition workforce in strategic human capital plan.
- Sec. 852. Department of Defense Acquisition Workforce Development Fund.
- Sec. 853. Extension of authority to fill shortage category positions for certain Federal acquisition positions.
- Sec. 854. Repeal of sunset of acquisition workforce training fund.
- Sec. 855. Federal acquisition workforce improvements.

Subtitle F—Contracts in Iraq and Afghanistan

- Sec. 861. Memorandum of understanding on matters relating to contracting.
- Sec. 862. Contractors performing private security functions in areas of combat operations.
- Sec. 863. Comptroller General reviews and reports on contracting in Iraq and Afghanistan.

Sec. 864. Definitions and other general provisions.

Subtitle G—Defense Materiel Readiness Board

Sec. 871. Establishment of Defense Materiel Readiness Board.  
 Sec. 872. Critical materiel readiness shortfalls.

Subtitle H—Other Matters

Sec. 881. Clearinghouse for rapid identification and dissemination of commercial information technologies.  
 Sec. 882. Authority to license certain military designations and likenesses of weapons systems to toy and hobby manufacturers.  
 Sec. 883. Modifications to limitation on contracts to acquire military flight simulator.  
 Sec. 884. Requirements relating to waivers of certain domestic source limitations relating to specialty metals.  
 Sec. 885. Telephone services for military personnel serving in combat zones.  
 Sec. 886. Enhanced authority to acquire products and services produced in Iraq and Afghanistan.  
 Sec. 887. Defense Science Board review of Department of Defense policies and procedures for the acquisition of information technology.  
 Sec. 888. Green procurement policy.  
 Sec. 889. Comptroller General review of use of authority under the Defense Production Act of 1950.  
 Sec. 890. Prevention of export control violations.  
 Sec. 891. Procurement goal for Native Hawaiian-serving institutions and Alaska Native-serving institutions.  
 Sec. 892. Competition for procurement of small arms supplied to Iraq and Afghanistan.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Department of Defense Management

Sec. 901. Repeal of limitation on major Department of Defense headquarters activities personnel and related report.  
 Sec. 902. Flexibility to adjust the number of deputy chiefs and assistant chiefs.  
 Sec. 903. Change in eligibility requirements for appointment to Department of Defense leadership positions.  
 Sec. 904. Management of the Department of Defense.  
 Sec. 905. Revision in guidance relating to combatant command acquisition authority.  
 Sec. 906. Department of Defense Board of Actuaries.  
 Sec. 907. Modification of background requirement of individuals appointed as Under Secretary of Defense for Acquisition, Technology, and Logistics.  
 Sec. 908. Assistant Secretaries of the military departments for acquisition matters; principal military deputies.  
 Sec. 909. Sense of Congress on term of Office of the Director of Operational Test and Evaluation.

Subtitle B—Space Activities

Sec. 911. Space protection strategy.  
 Sec. 912. Biennial report on management of space cadre within the Department of Defense.  
 Sec. 913. Additional report on oversight of acquisition for defense space programs.

Subtitle C—Chemical Demilitarization Program

Sec. 921. Chemical demilitarization citizens advisory commissions.  
 Sec. 922. Sense of Congress on completion of destruction of United States chemical weapons stockpile.  
 Sec. 923. Repeal of certain qualifications requirement for director of chemical demilitarization management organization.  
 Sec. 924. Modification of termination of assistance to State and local governments after completion of the destruction of the United States chemical weapons stockpile.

Subtitle D—Intelligence-Related Matters

Sec. 931. Technical amendments to title 10, United States Code, arising from enactment of the Intelligence Reform and Terrorism Prevention Act of 2004.

Subtitle E—Roles and Missions Analysis

Sec. 941. Requirement for quadrennial roles and missions review.

- Sec. 942. Joint Requirements Oversight Council additional duties relating to core mission areas.
- Sec. 943. Requirement for certification of major systems prior to technology development.
- Sec. 944. Presentation of future-years mission budget by core mission area.

## Subtitle F—Other Matters

- Sec. 951. Department of Defense consideration of effect of climate change on Department facilities, capabilities, and missions.
- Sec. 952. Interagency policy coordination.
- Sec. 953. Expansion of employment creditable under service agreements under National Security Education Program.
- Sec. 954. Board of Regents for the Uniformed Services University of the Health Sciences.
- Sec. 955. Establishment of Department of Defense School of Nursing.
- Sec. 956. Inclusion of commanders of Western Hemisphere combatant commands in Board of Visitors of Western Hemisphere Institute for Security Cooperation.
- Sec. 957. Comptroller General assessment of reorganization of the Office of the Under Secretary of Defense for Policy.
- Sec. 958. Report on foreign language proficiency.

## TITLE X—GENERAL PROVISIONS

## Subtitle A—Financial Matters

- Sec. 1001. General transfer authority.
- Sec. 1002. United States contribution to NATO common-funded budgets in fiscal year 2008.
- Sec. 1003. Authorization of additional emergency supplemental appropriations for fiscal year 2007.
- Sec. 1004. Modification of fiscal year 2007 general transfer authority.
- Sec. 1005. Financial management transformation initiative for the Defense Agencies.
- Sec. 1006. Repeal of requirement for two-year budget cycle for the Department of Defense.

## Subtitle B—Policy Relating to Vessels and Shipyards

- Sec. 1011. Limitation on leasing of vessels.
- Sec. 1012. Policy relating to major combatant vessels of the strike forces of the United States Navy.

## Subtitle C—Counter-Drug Activities

- Sec. 1021. Extension of authority for joint task forces to provide support to law enforcement agencies conducting counter-terrorism activities.
- Sec. 1022. Expansion of authority to provide additional support for counter-drug activities in certain foreign countries.
- Sec. 1023. Report on counternarcotics assistance for the Government of Haiti.

## Subtitle D—Miscellaneous Authorities and Limitations

- Sec. 1031. Provision of Air Force support and services to foreign military and state aircraft.
- Sec. 1032. Department of Defense participation in Strategic Airlift Capability Partnership.
- Sec. 1033. Improved authority to provide rewards for assistance in combating terrorism.
- Sec. 1034. Support for non-Federal development and testing of material for chemical agent defense.
- Sec. 1035. Prohibition on sale of F-14 fighter aircraft and related parts.

## Subtitle E—Reports

- Sec. 1041. Extension and modification of report relating to hardened and deeply buried targets.
- Sec. 1042. Report on joint modeling and simulation activities.
- Sec. 1043. Renewal of submittal of plans for prompt global strike capability.
- Sec. 1044. Report on workforce required to support the nuclear missions of the Navy and the Department of Energy.
- Sec. 1045. Comptroller General report on Defense Finance and Accounting Service response to *Butterbaugh v. Department of Justice*.
- Sec. 1046. Study on size and mix of airlift force.
- Sec. 1047. Report on feasibility of establishing a domestic military aviation national training center.

- Sec. 1048. Limited field user evaluations for combat helmet pad suspension systems.
- Sec. 1049. Study on national security interagency system.
- Sec. 1050. Report on solid rocket motor industrial base.
- Sec. 1051. Reports on establishment of a memorial for members of the Armed Forces who died in the air crash in Bakers Creek, Australia, and establishment of other memorials in Arlington National Cemetery.

Subtitle F—Other Matters

- Sec. 1061. Reimbursement for National Guard support provided to Federal agencies.
- Sec. 1062. Congressional Commission on the Strategic Posture of the United States.
- Sec. 1063. Technical and clerical amendments.
- Sec. 1064. Repeal of certification requirement.
- Sec. 1065. Maintenance of capability for space-based nuclear detection.
- Sec. 1066. Sense of Congress regarding detainees at Naval Station, Guantanamo Bay, Cuba.
- Sec. 1067. A report on transferring individuals detained at Naval Station, Guantanamo Bay, Cuba.
- Sec. 1068. Repeal of provisions in section 1076 of Public Law 109-364 relating to use of Armed Forces in major public emergencies.
- Sec. 1069. Standards required for entry to military installations in United States.
- Sec. 1070. Revised nuclear posture review.
- Sec. 1071. Termination of Commission on the Implementation of the New Strategic Posture of the United States.
- Sec. 1072. Security clearances; limitations.
- Sec. 1073. Improvements in the process for the issuance of security clearances.
- Sec. 1074. Protection of certain individuals.
- Sec. 1075. Modification of authorities on Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack.
- Sec. 1076. Sense of Congress on Small Business Innovation Research Program.
- Sec. 1077. Revision of proficiency flying definition.
- Sec. 1078. Qualifications for public aircraft status of aircraft under contract with the Armed Forces.
- Sec. 1079. Communications with the Committees on Armed Services of the Senate and the House of Representatives.
- Sec. 1080. Retention of reimbursement for provision of reciprocal fire protection services.
- Sec. 1081. Pilot program on commercial fee-for-service air refueling support for the Air Force.
- Sec. 1082. Advisory panel on Department of Defense capabilities for support of civil authorities after certain incidents.
- Sec. 1083. Terrorism exception to immunity.

TITLE XI—CIVILIAN PERSONNEL MATTERS

- Sec. 1101. Extension of authority to waive annual limitation on total compensation paid to Federal civilian employees working overseas under areas of United States Central Command.
- Sec. 1102. Continuation of life insurance coverage for Federal employees called to active duty.
- Sec. 1103. Transportation of dependents, household effects, and personal property to former home following death of Federal employee where death resulted from disease or injury incurred in the Central Command area of responsibility.
- Sec. 1104. Special benefits for civilian employees assigned on deployment temporary change of station.
- Sec. 1105. Death gratuity authorized for Federal employees.
- Sec. 1106. Modifications to the National Security Personnel System.
- Sec. 1107. Requirement for full implementation of personnel demonstration project.
- Sec. 1108. Authority for inclusion of certain Office of Defense Research and Engineering positions in experimental personnel program for scientific and technical personnel.
- Sec. 1109. Pilot program for the temporary assignment of information technology personnel to private sector organizations.
- Sec. 1110. Compensation for Federal wage system employees for certain travel hours.
- Sec. 1111. Travel compensation for wage grade personnel.
- Sec. 1112. Accumulation of annual leave by senior level employees.
- Sec. 1113. Uniform allowances for civilian employees.
- Sec. 1114. Flexibility in setting pay for employees who move from a Department of Defense or Coast Guard nonappropriated fund instrumentality position to a position in the General Schedule pay system.

- Sec. 1115. Retirement service credit for service as cadet or midshipman at a military service academy.
- Sec. 1116. Authorization for increased compensation for faculty and staff of the Uniformed Services University of the Health Sciences.
- Sec. 1117. Report on establishment of a scholarship program for civilian mental health professionals.

## TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

## Subtitle A—Assistance and Training

- Sec. 1201. Military-to-military contacts and comparable activities.
- Sec. 1202. Authority for support of military operations to combat terrorism.
- Sec. 1203. Medical care and temporary duty travel expenses for liaison officers of certain foreign nations.
- Sec. 1204. Extension and expansion of Department of Defense authority to participate in multinational military centers of excellence.
- Sec. 1205. Reauthorization of Commanders' Emergency Response Program.
- Sec. 1206. Authority to build the capacity of the Pakistan Frontier Corps.
- Sec. 1207. Authority to equip and train foreign personnel to assist in accounting for missing United States Government personnel.
- Sec. 1208. Authority to provide automatic identification system data on maritime shipping to foreign countries and international organizations.
- Sec. 1209. Report on foreign-assistance related programs carried out by the Department of Defense.
- Sec. 1210. Extension and enhancement of authority for security and stabilization assistance.
- Sec. 1211. Government Accountability Office report on Global Peace Operations Initiative.
- Sec. 1212. Repeal of limitations on military assistance under the American Servicemembers' Protection Act of 2002.

## Subtitle B—Matters Relating to Iraq and Afghanistan

- Sec. 1221. Modification of authorities relating to the Office of the Special Inspector General for Iraq Reconstruction.
- Sec. 1222. Limitation on availability of funds for certain purposes relating to Iraq.
- Sec. 1223. Report on United States policy and military operations in Iraq.
- Sec. 1224. Report on a comprehensive set of performance indicators and measures for progress toward military and political stability in Iraq.
- Sec. 1225. Report on support from Iran for attacks against coalition forces in Iraq.
- Sec. 1226. Sense of Congress on the consequences of a failed state in Iraq.
- Sec. 1227. Sense of Congress on federalism in Iraq.
- Sec. 1228. Tracking and monitoring of defense articles provided to the Government of Iraq and other individuals and groups in Iraq.
- Sec. 1229. Special Inspector General for Afghanistan Reconstruction.
- Sec. 1230. Report on progress toward security and stability in Afghanistan.
- Sec. 1231. United States plan for sustaining the Afghanistan National Security Forces.
- Sec. 1232. Report on enhancing security and stability in the region along the border of Afghanistan and Pakistan.
- Sec. 1233. Reimbursement of certain coalition nations for support provided to United States military operations.
- Sec. 1234. Logistical support for coalition forces supporting operations in Iraq and Afghanistan.

## Subtitle C—Iraq Refugee Crisis

- Sec. 1241. Short title.
- Sec. 1242. Processing mechanisms.
- Sec. 1243. United States refugee program processing priorities.
- Sec. 1244. Special immigrant status for certain Iraqis.
- Sec. 1245. Senior Coordinator for Iraqi Refugees and Internally Displaced Persons.
- Sec. 1246. Countries with significant populations of Iraqi refugees.
- Sec. 1247. Motion to reopen denial or termination of asylum.
- Sec. 1248. Reports.
- Sec. 1249. Authorization of appropriations.

## Subtitle D—Other Authorities and Limitations

- Sec. 1251. Cooperative opportunities documents under cooperative research and development agreements with NATO organizations and other allied and friendly foreign countries.
- Sec. 1252. Extension and expansion of temporary authority to use acquisition and cross-servicing agreements to lend military equipment for personnel protection and survivability.

- Sec. 1253. Acceptance of funds from the Government of Palau for costs of United States military Civic Action Team in Palau.
- Sec. 1254. Repeal of requirement relating to North Korea.
- Sec. 1255. Justice for Osama bin Laden and other leaders of al Qaeda.
- Sec. 1256. Extension of Counterproliferation Program Review Committee.
- Sec. 1257. Sense of Congress on the Western Hemisphere Institute for Security Cooperation.
- Sec. 1258. Sense of Congress on Iran.

#### Subtitle E—Reports

- Sec. 1261. One-year extension of update on report on claims relating to the bombing of the Labelle Discotheque.
- Sec. 1262. Report on United States policy toward Darfur, Sudan.
- Sec. 1263. Inclusion of information on asymmetric capabilities in annual report on military power of the People's Republic of China.
- Sec. 1264. Report on application of the Uniform Code of Military Justice to civilians accompanying the Armed Forces during a time of declared war or contingency operation.
- Sec. 1265. Report on family reunions between United States citizens and their relatives in North Korea.
- Sec. 1266. Reports on prevention of mass atrocities.
- Sec. 1267. Report on threats to the United States from ungoverned areas.

#### TITLE XIII—COOPERATIVE THREAT REDUCTION WITH STATES OF THE FORMER SOVIET UNION

- Sec. 1301. Specification of Cooperative Threat Reduction programs and funds.
- Sec. 1302. Funding allocations.
- Sec. 1303. Specification of Cooperative Threat Reduction programs in states outside the former Soviet Union.
- Sec. 1304. Repeal of restrictions on assistance to states of the former Soviet Union for Cooperative Threat Reduction.
- Sec. 1305. Modification of authority to use Cooperative Threat Reduction funds outside the former Soviet Union.
- Sec. 1306. New initiatives for the Cooperative Threat Reduction Program.
- Sec. 1307. Report relating to chemical weapons destruction at Shchuch'ye, Russia.
- Sec. 1308. National Academy of Sciences study of prevention of proliferation of biological weapons.

#### TITLE XIV—OTHER AUTHORIZATIONS

##### Subtitle A—Military Programs

- Sec. 1401. Working capital funds.
- Sec. 1402. National Defense Sealift Fund.
- Sec. 1403. Defense Health Program.
- Sec. 1404. Chemical agents and munitions destruction, Defense.
- Sec. 1405. Drug Interdiction and Counter-Drug Activities, Defense-wide.
- Sec. 1406. Defense Inspector General.

##### Subtitle B—National Defense Stockpile

- Sec. 1411. Authorized uses of National Defense Stockpile funds.
- Sec. 1412. Revisions to required receipt objectives for previously authorized disposals from the National Defense Stockpile.
- Sec. 1413. Disposal of ferromanganese.
- Sec. 1414. Disposal of chrome metal.

##### Subtitle C—Armed Forces Retirement Home

- Sec. 1421. Authorization of appropriations for Armed Forces Retirement Home.
- Sec. 1422. Administration and oversight of the Armed Forces Retirement Home.

#### TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM

- Sec. 1501. Purpose.
- Sec. 1502. Army procurement.
- Sec. 1503. Navy and Marine Corps procurement.
- Sec. 1504. Air Force procurement.
- Sec. 1505. Joint Improvised Explosive Device Defeat Fund.
- Sec. 1506. Defense-wide activities procurement.
- Sec. 1507. Research, development, test, and evaluation.
- Sec. 1508. Operation and maintenance.
- Sec. 1509. Working capital funds.

- Sec. 1510. Other Department of Defense programs.
- Sec. 1511. Iraq Freedom Fund.
- Sec. 1512. Iraq Security Forces Fund.
- Sec. 1513. Afghanistan Security Forces Fund.
- Sec. 1514. Military personnel.
- Sec. 1515. Strategic Readiness Fund.
- Sec. 1516. Treatment as additional authorizations.
- Sec. 1517. Special transfer authority.

## TITLE XVI—WOUNDED WARRIOR MATTERS

- Sec. 1601. Short title.
- Sec. 1602. General definitions.
- Sec. 1603. Consideration of gender-specific needs of recovering service members and veterans.

## Subtitle A—Policy on Improvements to Care, Management, and Transition of Recovering Service Members

- Sec. 1611. Comprehensive policy on improvements to care, management, and transition of recovering service members.
- Sec. 1612. Medical evaluations and physical disability evaluations of recovering service members.
- Sec. 1613. Return of recovering service members to active duty in the Armed Forces.
- Sec. 1614. Transition of recovering service members from care and treatment through the Department of Defense to care, treatment, and rehabilitation through the Department of Veterans Affairs.
- Sec. 1615. Reports.
- Sec. 1616. Establishment of a wounded warrior resource center.
- Sec. 1617. Notification to Congress of hospitalization of combat wounded service members.
- Sec. 1618. Comprehensive plan on prevention, diagnosis, mitigation, treatment, and rehabilitation of, and research on, traumatic brain injury, post-traumatic stress disorder, and other mental health conditions in members of the Armed Forces.

## Subtitle B—Centers of Excellence in the Prevention, Diagnosis, Mitigation, Treatment, and Rehabilitation of Traumatic Brain Injury, Post-Traumatic Stress Disorder, and Eye Injuries

- Sec. 1621. Center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of traumatic brain injury.
- Sec. 1622. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of post-traumatic stress disorder and other mental health conditions.
- Sec. 1623. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of military eye injuries.
- Sec. 1624. Report on establishment of centers of excellence.

## Subtitle C—Health Care Matters

- Sec. 1631. Medical care and other benefits for members and former members of the Armed Forces with severe injuries or illnesses.
- Sec. 1632. Reimbursement of travel expenses of retired members with combat-related disabilities for follow-on specialty care, services, and supplies.
- Sec. 1633. Respite care and other extended care benefits for members of the uniformed services who incur a serious injury or illness on active duty.
- Sec. 1634. Reports.
- Sec. 1635. Fully interoperable electronic personal health information for the Department of Defense and Department of Veterans Affairs.
- Sec. 1636. Enhanced personnel authorities for the Department of Defense for health care professionals for care and treatment of wounded and injured members of the Armed Forces.
- Sec. 1637. Continuation of transitional health benefits for members of the Armed Forces pending resolution of service-related medical conditions.

## Subtitle D—Disability Matters

- Sec. 1641. Utilization of veterans' presumption of sound condition in establishing eligibility of members of the Armed Forces for retirement for disability.
- Sec. 1642. Requirements and limitations on Department of Defense determinations of disability with respect to members of the Armed Forces.
- Sec. 1643. Review of separation of members of the Armed Forces separated from service with a disability rating of 20 percent disabled or less.

- Sec. 1644. Authorization of pilot programs to improve the disability evaluation system for members of the Armed Forces.
- Sec. 1645. Reports on Army action plan in response to deficiencies in the Army physical disability evaluation system.
- Sec. 1646. Enhancement of disability severance pay for members of the Armed Forces.
- Sec. 1647. Assessments of continuing utility and future role of temporary disability retired list.
- Sec. 1648. Standards for military medical treatment facilities, specialty medical care facilities, and military quarters housing patients and annual report on such facilities.
- Sec. 1649. Reports on Army Medical Action Plan in response to deficiencies identified at Walter Reed Army Medical Center, District of Columbia.
- Sec. 1650. Required certifications in connection with closure of Walter Reed Army Medical Center, District of Columbia.
- Sec. 1651. Handbook for members of the Armed Forces on compensation and benefits available for serious injuries and illnesses.

#### Subtitle E—Studies and Reports

- Sec. 1661. Study on physical and mental health and other readjustment needs of members and former members of the Armed Forces who deployed in Operation Iraqi Freedom and Operation Enduring Freedom and their families.
- Sec. 1662. Access of recovering service members to adequate outpatient residential facilities.
- Sec. 1663. Study and report on support services for families of recovering service members.
- Sec. 1664. Report on traumatic brain injury classifications.
- Sec. 1665. Evaluation of the Polytrauma Liaison Officer/Non-Commissioned Officer program.

#### Subtitle F—Other Matters

- Sec. 1671. Prohibition on transfer of resources from medical care.
- Sec. 1672. Medical care for families of members of the Armed Forces recovering from serious injuries or illnesses.
- Sec. 1673. Improvement of medical tracking system for members of the Armed Forces deployed overseas.
- Sec. 1674. Guaranteed funding for Walter Reed Army Medical Center, District of Columbia.
- Sec. 1675. Use of leave transfer program by wounded veterans who are Federal employees.
- Sec. 1676. Moratorium on conversion to contractor performance of Department of Defense functions at military medical facilities.

#### TITLE XVII—VETERANS MATTERS

- Sec. 1701. Sense of Congress on Department of Veterans Affairs efforts in the rehabilitation and reintegration of veterans with traumatic brain injury.
- Sec. 1702. Individual rehabilitation and community reintegration plans for veterans and others with traumatic brain injury.
- Sec. 1703. Use of non-Department of Veterans Affairs facilities for implementation of rehabilitation and community reintegration plans for traumatic brain injury.
- Sec. 1704. Research, education, and clinical care program on traumatic brain injury.
- Sec. 1705. Pilot program on assisted living services for veterans with traumatic brain injury.
- Sec. 1706. Provision of age-appropriate nursing home care.
- Sec. 1707. Extension of period of eligibility for health care for veterans of combat service during certain periods of hostilities and war.
- Sec. 1708. Service-connection and assessments for mental health conditions in veterans.
- Sec. 1709. Modification of requirements for furnishing outpatient dental services to veterans with service-connected dental conditions or disabilities.
- Sec. 1710. Clarification of purpose of outreach services program of Department of Veterans Affairs.
- Sec. 1711. Designation of fiduciary or trustee for purposes of Traumatic Servicemembers' Group Life Insurance.

#### TITLE XVIII—NATIONAL GUARD BUREAU MATTERS AND RELATED MATTERS

- Sec. 1801. Short title.



## Subtitle A—National Guard Bureau

- Sec. 1811. Appointment, grade, duties, and retirement of the Chief of the National Guard Bureau.
- Sec. 1812. Establishment of National Guard Bureau as joint activity of the Department of Defense.
- Sec. 1813. Enhancement of functions of the National Guard Bureau.
- Sec. 1814. Requirement for Secretary of Defense to prepare plan for response to natural disasters and terrorist events.
- Sec. 1815. Determination of Department of Defense civil support requirements.

## Subtitle B—Additional Reserve Component Enhancement

- Sec. 1821. United States Northern Command.
- Sec. 1822. Council of Governors.
- Sec. 1823. Plan for Reserve Forces Policy Board.
- Sec. 1824. High-level positions authorized or required to be held by reserve component general or flag officers.
- Sec. 1825. Retirement age and years of service limitations on certain reserve general and flag officers.
- Sec. 1826. Additional reporting requirements relating to National Guard equipment.

## DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

- Sec. 2001. Short title.
- Sec. 2002. Expiration of authorizations and amounts required to be specified by law.

## TITLE XXI—ARMY

- Sec. 2101. Authorized Army construction and land acquisition projects.
- Sec. 2102. Family housing.
- Sec. 2103. Improvements to military family housing units.
- Sec. 2104. Authorization of appropriations, Army.
- Sec. 2105. Termination of authority to carry out fiscal year 2007 Army projects for which funds were not appropriated.
- Sec. 2106. Technical amendments to Military Construction Authorization Act for Fiscal Year 2007.
- Sec. 2107. Modification of authority to carry out certain fiscal year 2006 project.
- Sec. 2108. Extension of authorization of certain fiscal year 2005 project.
- Sec. 2109. Ground lease, SOUTHCOM headquarters facility, Miami-Doral, Florida.

## TITLE XXII—NAVY

- Sec. 2201. Authorized Navy construction and land acquisition projects.
- Sec. 2202. Family housing.
- Sec. 2203. Improvements to military family housing units.
- Sec. 2204. Authorization of appropriations, Navy.
- Sec. 2205. Termination of authority to carry out fiscal year 2007 Navy projects for which funds were not appropriated.
- Sec. 2206. Modification of authority to carry out certain fiscal year 2005 project.
- Sec. 2207. Repeal of authorization for construction of Navy Outlying Landing Field, Washington County, North Carolina.

## TITLE XXIII—AIR FORCE

- Sec. 2301. Authorized Air Force construction and land acquisition projects.
- Sec. 2302. Family housing.
- Sec. 2303. Improvements to military family housing units.
- Sec. 2304. Authorization of appropriations, Air Force.
- Sec. 2305. Termination of authority to carry out fiscal year 2007 Air Force projects for which funds were not appropriated.
- Sec. 2306. Modification of authority to carry out certain fiscal year 2006 projects.
- Sec. 2307. Extension of authorizations of certain fiscal year 2005 projects.
- Sec. 2308. Extension of authorizations of certain fiscal year 2004 projects.

## TITLE XXIV—DEFENSE AGENCIES

- Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
- Sec. 2402. Energy conservation projects.
- Sec. 2403. Authorization of appropriations, Defense Agencies.
- Sec. 2404. Termination or modification of authority to carry out certain fiscal year 2007 Defense Agencies projects.
- Sec. 2405. Munitions demilitarization facilities, Blue Grass Army Depot, Kentucky, and Pueblo Chemical Activity, Colorado.
- Sec. 2406. Extension of authorizations of certain fiscal year 2005 projects.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY  
INVESTMENT PROGRAM

- Sec. 2501. Authorized NATO construction and land acquisition projects.  
Sec. 2502. Authorization of appropriations, NATO.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

- Sec. 2601. Authorized Army National Guard construction and land acquisition projects.  
Sec. 2602. Authorized Army Reserve construction and land acquisition projects.  
Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.  
Sec. 2604. Authorized Air National Guard construction and land acquisition projects.  
Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.  
Sec. 2606. Authorization of appropriations, National Guard and Reserve.  
Sec. 2607. Termination of authority to carry out fiscal year 2007 Guard and Reserve projects for which funds were not appropriated.  
Sec. 2608. Modification of authority to carry out fiscal year 2006 Air Force Reserve construction and acquisition projects.  
Sec. 2609. Extension of authorizations of certain fiscal year 2005 projects.  
Sec. 2610. Extension of authorizations of certain fiscal year 2004 projects.

TITLE XXVII—BASE CLOSURE AND REALIGNMENT ACTIVITIES

- Sec. 2701. Authorization of appropriations for base closure and realignment activities funded through Department of Defense Base Closure Account 1990.  
Sec. 2702. Authorized base closure and realignment activities funded through Department of Defense Base Closure Account 2005.  
Sec. 2703. Authorization of appropriations for base closure and realignment activities funded through Department of Defense Base Closure Account 2005.  
Sec. 2704. Authorized cost and scope of work variations for military construction and military family housing projects related to base closures and realignments.  
Sec. 2705. Transfer of funds from Department of Defense Base Closure Account 2005 to Department of Defense Housing Funds.  
Sec. 2706. Comprehensive accounting of funding required to ensure timely implementation of 2005 Defense Base Closure and Realignment Commission recommendations.  
Sec. 2707. Relocation of units from Roberts United States Army Reserve Center and Navy-Marine Corps Reserve Center, Baton Rouge, Louisiana.  
Sec. 2708. Acquisition of real property, Fort Belvoir, Virginia, as part of the realignment of the installation.  
Sec. 2709. Report on availability of traffic infrastructure and facilities to support base realignment.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

- Sec. 2801. Authority to use operation and maintenance funds for construction projects outside the United States.  
Sec. 2802. Clarification of requirement for authorization of military construction.  
Sec. 2803. Increase in thresholds for unspecified minor military construction projects.  
Sec. 2804. Temporary authority to support revitalization of Department of Defense laboratories through unspecified minor military construction projects.  
Sec. 2805. Extension of authority to accept equalization payments for facility exchanges.  
Sec. 2806. Modifications of authority to lease military family housing.  
Sec. 2807. Expansion of authority to exchange reserve component facilities.  
Sec. 2808. Limitation on use of alternative authority for acquisition and improvement of military housing for privatization of temporary lodging facilities.  
Sec. 2809. Two-year extension of temporary program to use minor military construction authority for construction of child development centers.  
Sec. 2810. Report on housing privatization initiatives.

Subtitle B—Real Property and Facilities Administration

- Sec. 2821. Requirement to report real property transactions resulting in annual costs of more than \$750,000.  
Sec. 2822. Continued consolidation of real property provisions without substantive change.

- Sec. 2823. Modification of authority to lease non-excess property of the military departments.
- Sec. 2824. Cooperative agreement authority for management of cultural resources on certain sites outside military installations.
- Sec. 2825. Agreements to limit encroachments and other constraints on military training, testing, and operations.
- Sec. 2826. Expansion to all military departments of Army pilot program for purchase of certain municipal services for military installations.
- Sec. 2827. Prohibition on commercial flights into Selfridge Air National Guard Base.
- Sec. 2828. Sense of Congress on Department of Defense actions to protect installations, ranges, and military airspace from encroachment.
- Sec. 2829. Reports on Army and Marine Corps operational ranges.
- Sec. 2830. Niagara Air Reserve Base, New York, basing report.
- Sec. 2831. Report on the Pinon Canyon Maneuver Site, Colorado.

## Subtitle C—Land Conveyances

- Sec. 2841. Modification of conveyance authority, Marine Corps Base, Camp Pendleton, California.
- Sec. 2842. Grant of easement, Eglin Air Force Base, Florida.
- Sec. 2843. Land conveyance, Lynn Haven Fuel Depot, Lynn Haven, Florida.
- Sec. 2844. Modification of lease of property, National Flight Academy at the National Museum of Naval Aviation, Naval Air Station, Pensacola, Florida.
- Sec. 2845. Land exchange, Detroit, Michigan.
- Sec. 2846. Transfer of jurisdiction, former Nike missile site, Grosse Ile, Michigan.
- Sec. 2847. Modification to land conveyance authority, Fort Bragg, North Carolina.
- Sec. 2848. Land conveyance, Lewis and Clark United States Army Reserve Center, Bismarck, North Dakota.
- Sec. 2849. Land exchange, Fort Hood, Texas.

## Subtitle D—Energy Security

- Sec. 2861. Repeal of congressional notification requirement regarding cancellation ceiling for Department of Defense energy savings performance contracts.
- Sec. 2862. Definition of alternative fueled vehicle.
- Sec. 2863. Use of energy efficient lighting fixtures and bulbs in Department of Defense facilities.
- Sec. 2864. Reporting requirements relating to renewable energy use by Department of Defense to meet Department electricity needs.

## Subtitle E—Other Matters

- Sec. 2871. Revised deadline for transfer of Arlington Naval Annex to Arlington National Cemetery.
- Sec. 2872. Transfer of jurisdiction over Air Force Memorial to Department of the Air Force.
- Sec. 2873. Report on plans to replace the monument at the Tomb of the Unknowns at Arlington National Cemetery, Virginia.
- Sec. 2874. Increased authority for repair, restoration, and preservation of Lafayette Escadrille Memorial, Marnes-la-Coquette, France.
- Sec. 2875. Addition of Woonsocket local protection project.
- Sec. 2876. Repeal of moratorium on improvements at Fort Buchanan, Puerto Rico.
- Sec. 2877. Establishment of national military working dog teams monument on suitable military installation.
- Sec. 2878. Report required prior to removal of missiles from 564th Missile Squadron.
- Sec. 2879. Report on condition of schools under jurisdiction of Department of Defense Education Activity.
- Sec. 2880. Report on facilities and operations of Darnall Army Medical Center, Fort Hood Military Reservation, Texas.
- Sec. 2881. Report on feasibility of establishing a regional disaster response center at Kelly Air Field, San Antonio, Texas.
- Sec. 2882. Naming of housing facility at Fort Carson, Colorado, in honor of the Honorable Joel Hefley, a former member of the United States House of Representatives.
- Sec. 2883. Naming of Navy and Marine Corps Reserve Center at Rock Island, Illinois, in honor of the Honorable Lane Evans, a former member of the United States House of Representatives.
- Sec. 2884. Naming of research laboratory at Air Force Rome Research Site, Rome, New York, in honor of the Honorable Sherwood L. Boehlert, a former member of the United States House of Representatives.
- Sec. 2885. Naming of administration building at Joint Systems Manufacturing Center, Lima, Ohio, in honor of the Honorable Michael G. Oxley, a former member of the United States House of Representatives.

- Sec. 2886. Naming of Logistics Automation Training Facility, Army Quartermaster Center and School, Fort Lee, Virginia, in honor of General Richard H. Thompson.

- Sec. 2887. Authority to relocate Joint Spectrum Center to Fort Meade, Maryland.

TITLE XXIX—WAR-RELATED AND EMERGENCY MILITARY CONSTRUCTION AUTHORIZATIONS

- Sec. 2901. Authorized Army construction and land acquisition projects.  
 Sec. 2902. Authorized Navy construction and land acquisition projects.  
 Sec. 2903. Authorized Air Force construction and land acquisition projects.  
 Sec. 2904. Authorized Defense Agencies construction and land acquisition projects.  
 Sec. 2905. Authorized base closure and realignment activities funded through Department of Defense Base Closure Account 2005 and related authorization of appropriations.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

- Sec. 3101. National Nuclear Security Administration.  
 Sec. 3102. Defense environmental cleanup.  
 Sec. 3103. Other defense activities.  
 Sec. 3104. Defense nuclear waste disposal.  
 Sec. 3105. Energy security and assurance.

Subtitle B—Program Authorizations, Restrictions, and Limitations

- Sec. 3111. Reliable Replacement Warhead program.  
 Sec. 3112. Nuclear test readiness.  
 Sec. 3113. Modification of reporting requirement.  
 Sec. 3114. Limitation on availability of funds for Fissile Materials Disposition program.  
 Sec. 3115. Modification of limitations on availability of funds for Waste Treatment and Immobilization Plant.  
 Sec. 3116. Modification of sunset date of the Office of the Ombudsman of the Energy Employees Occupational Illness Compensation Program.  
 Sec. 3117. Technical amendments.

Subtitle C—Other Matters

- Sec. 3121. Study on using existing pits for the Reliable Replacement Warhead program.  
 Sec. 3122. Report on retirement and dismantlement of nuclear warheads.  
 Sec. 3123. Plan for addressing security risks posed to nuclear weapons complex.  
 Sec. 3124. Department of Energy protective forces.  
 Sec. 3125. Evaluation of National Nuclear Security Administration strategic plan for advanced computing.  
 Sec. 3126. Sense of Congress on the nuclear nonproliferation policy of the United States and the Reliable Replacement Warhead program.  
 Sec. 3127. Department of Energy report on plan to strengthen and expand International Radiological Threat Reduction program.  
 Sec. 3128. Department of Energy report on plan to strengthen and expand Materials Protection, Control, and Accounting program.  
 Sec. 3129. Agreements and reports on nuclear forensics capabilities.  
 Sec. 3130. Report on status of environmental management initiatives to accelerate the reduction of environmental risks and challenges posed by the legacy of the Cold War.

Subtitle D—Nuclear Terrorism Prevention

- Sec. 3131. Definitions.  
 Sec. 3132. Sense of Congress on the prevention of nuclear terrorism.  
 Sec. 3133. Minimum security standard for nuclear weapons and formula quantities of strategic special nuclear material.  
 Sec. 3134. Annual report.

TITLE XXXII—WAR-RELATED NATIONAL NUCLEAR SECURITY ADMINISTRATION AUTHORIZATIONS

- Sec. 3201. Additional war-related authorization of appropriations for National Nuclear Security Administration.

TITLE XXXIII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

- Sec. 3301. Authorization.

## TITLE XXXIV—NAVAL PETROLEUM RESERVES

- Sec. 3401. Authorization of appropriations.  
 Sec. 3402. Remedial action at Moab uranium milling site.

## TITLE XXXV—MARITIME ADMINISTRATION

## Subtitle A—Maritime Administration Reauthorization

- Sec. 3501. Authorization of appropriations for fiscal year 2008.  
 Sec. 3502. Temporary authority to transfer obsolete combatant vessels to Navy for disposal.  
 Sec. 3503. Vessel disposal program.

## Subtitle B—Programs

- Sec. 3511. Commercial vessel chartering authority.  
 Sec. 3512. Maritime Administration vessel chartering authority.  
 Sec. 3513. Chartering to State and local governmental instrumentalities.  
 Sec. 3514. Disposal of obsolete Government vessels.  
 Sec. 3515. Vessel transfer authority.  
 Sec. 3516. Sea trials for Ready Reserve Force.  
 Sec. 3517. Review of applications for loans and guarantees.

## Subtitle C—Technical Corrections

- Sec. 3521. Personal injury to or death of seamen.  
 Sec. 3522. Amendments to Chapter 537 based on Public Law 109-163.  
 Sec. 3523. Additional amendments based on Public Law 109-163.  
 Sec. 3524. Amendments based on Public Law 109-171.  
 Sec. 3525. Amendments based on Public Law 109-241.  
 Sec. 3526. Amendments based on Public Law 109-364.  
 Sec. 3527. Miscellaneous amendments.  
 Sec. 3528. Application of sunset provision to codified provision.  
 Sec. 3529. Additional technical corrections.

## SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

10 USC 101 note.

For purposes of this Act, the term “congressional defense committees” has the meaning given that term in section 101(a)(16) of title 10, United States Code.

## DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

### TITLE I—PROCUREMENT

## Subtitle A—Authorization of Appropriations

- Sec. 101. Army.  
 Sec. 102. Navy and Marine Corps.  
 Sec. 103. Air Force.  
 Sec. 104. Defense-wide activities.  
 Sec. 105. National Guard and Reserve equipment.

## Subtitle B—Army Programs

- Sec. 111. Multiyear procurement authority for M1A2 Abrams System Enhancement Package upgrades.  
 Sec. 112. Multiyear procurement authority for M2A3/M3A3 Bradley fighting vehicle upgrades.  
 Sec. 113. Multiyear procurement authority for conversion of CH-47D helicopters to CH-47F configuration.  
 Sec. 114. Multiyear procurement authority for CH-47F helicopters.  
 Sec. 115. Limitation on use of funds for Increment 1 of the Warfighter Information Network-Tactical program pending certification to Congress.  
 Sec. 116. Prohibition on closure of Army Tactical Missile System production line pending report.  
 Sec. 117. Stryker Mobile Gun System.

## Subtitle C—Navy Programs

- Sec. 121. Multiyear procurement authority for Virginia-class submarine program.

## Subtitle F—Contracts in Iraq and Afghanistan

### SEC. 861. MEMORANDUM OF UNDERSTANDING ON MATTERS RELATING TO CONTRACTING.

Deadlines.  
10 USC 2302  
note.

(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, not later than July 1, 2008, enter into a memorandum of understanding regarding matters relating to contracting for contracts in Iraq or Afghanistan.

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

(4) Identification of common databases that will serve as repositories of information on contracts in Iraq or Afghanistan and contractor personnel in Iraq or Afghanistan, including agreement on the elements to be included in the databases, including, at a minimum—

(A) with respect to each contract—

(i) a brief description of the contract (to the extent consistent with security considerations);

(ii) the total value of the contract; and

(iii) whether the contract was awarded competitively; and

(B) with respect to contractor personnel—

(i) the total number of personnel employed on contracts in Iraq or Afghanistan;

(ii) the total number of personnel performing security functions under contracts in Iraq or Afghanistan; and

(iii) the total number of personnel working under contracts in Iraq or Afghanistan who have been killed or wounded.

(5) Responsibility for maintaining and updating information in the common databases identified under paragraph (4).

(6) 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).

Regulations.

(c) **IMPLEMENTATION OF MEMORANDUM OF UNDERSTANDING.**—Not later than 120 days after the memorandum of understanding required by subsection (a) is signed, the Secretary of Defense, the Secretary of State, and the Administrator of the United States Agency for International Development shall issue such policies or guidance and prescribe such regulations as are necessary to implement the memorandum of understanding for the relevant matters pertaining to their respective agencies.

(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) **REPORT ON IMPLEMENTATION.**—Not later than 180 days after the memorandum of understanding required by subsection (a) is signed, the Secretary of Defense, the Secretary of State, and the Administrator of the United States Agency for International Development shall each provide a report to the relevant committees of Congress on the implementation of the memorandum of understanding.

(3) **DATABASES.**—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 databases identified under subsection (b)(4) to the relevant committees of Congress.

Effective date.

(4) **CONTRACTS.**—Effective on the date of the enactment of this Act, copies of any contracts in Iraq or Afghanistan awarded after December 1, 2007, 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.

10 USC 2302  
note.

**SEC. 862. CONTRACTORS PERFORMING PRIVATE SECURITY FUNCTIONS IN AREAS OF COMBAT OPERATIONS.**

(a) **REGULATIONS ON CONTRACTORS PERFORMING PRIVATE SECURITY FUNCTIONS.**—

Deadline.

(1) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall prescribe regulations on the selection, training, equipping, and conduct of personnel performing private security functions under a covered contract in an area of combat operations.

(2) **ELEMENTS.**—The regulations prescribed under subsection (a) shall, at a minimum, establish—

(A) a process for registering, processing, accounting for, and keeping appropriate records of personnel performing private security functions in an area of combat operations;

(B) a process for authorizing and accounting for weapons to be carried by, or available to be used by, personnel performing private security functions in an area of combat operations;

(C) a process for the registration and identification of armored vehicles, helicopters, and other military vehicles

operated by contractors performing private security functions in an area of combat operations;

(D) a process under which contractors are required to report all incidents, and persons other than contractors are permitted to report incidents, in which—

(i) a weapon is discharged by personnel performing private security functions in an area of combat operations;

(ii) personnel performing private security functions in an area of combat operations are killed or injured; or

(iii) persons are killed or injured, or property is destroyed, as a result of conduct by contractor personnel;

(E) a process for the independent review and, if practicable, investigation of—

(i) incidents reported pursuant to subparagraph (D); and

(ii) incidents of alleged misconduct by personnel performing private security functions in an area of combat operations;

(F) requirements for qualification, training, screening (including, if practicable, through background checks), and security for personnel performing private security functions in an area of combat operations;

(G) guidance to the commanders of the combatant commands on the issuance of—

(i) orders, directives, and instructions to contractors performing private security functions relating to equipment, force protection, security, health, safety, or relations and interaction with locals;

(ii) predeployment training requirements for personnel performing private security functions in an area of combat operations, addressing the requirements of this section, resources and assistance available to contractor personnel, country information and cultural training, and guidance on working with host country nationals and military; and

(iii) rules on the use of force for personnel performing private security functions in an area of combat operations;

(H) a process by which a commander of a combatant command may request an action described in subsection (b)(3); and

(I) a process by which the training requirements referred to in subparagraph (G)(ii) shall be implemented.

(3) AVAILABILITY OF ORDERS, DIRECTIVES, AND INSTRUCTIONS.—The regulations prescribed under subsection (a) shall include mechanisms to ensure the provision and availability of the orders, directives, and instructions referred to in paragraph (2)(G)(i) to contractors referred to in that paragraph, including through the maintenance of a single location (including an Internet website, to the extent consistent with security considerations) at or through which such contractors may access such orders, directives, and instructions.

(b) CONTRACT CLAUSE ON CONTRACTORS PERFORMING PRIVATE SECURITY FUNCTIONS.—

Website.



## Deadline.

(1) REQUIREMENT UNDER FAR.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation issued in accordance with section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421) shall be revised to require the insertion into each covered contract (or, in the case of a task order, the contract under which the task order is issued) of a contract clause addressing the selection, training, equipping, and conduct of personnel performing private security functions under such contract.

(2) CLAUSE REQUIREMENT.—The contract clause required by paragraph (1) shall require, at a minimum, that the contractor concerned shall—

(A) comply with regulations prescribed under subsection (a), including any revisions or updates to such regulations, and follow the procedures established in such regulations for—

(i) registering, processing, accounting for, and keeping appropriate records of personnel performing private security functions in an area of combat operations;

(ii) authorizing and accounting of weapons to be carried by, or available to be used by, personnel performing private security functions in an area of combat operations;

(iii) registration and identification of armored vehicles, helicopters, and other military vehicles operated by contractors and subcontractors performing private security functions in an area of combat operations; and

(iv) the reporting of incidents in which—

(I) a weapon is discharged by personnel performing private security functions in an area of combat operations;

(II) personnel performing private security functions in an area of combat operations are killed or injured; or

(III) persons are killed or injured, or property is destroyed, as a result of conduct by contractor personnel;

(B) ensure that all personnel performing private security functions under such contract are briefed on and understand their obligation to comply with—

(i) qualification, training, screening (including, if practicable, through background checks), and security requirements established by the Secretary of Defense for personnel performing private security functions in an area of combat operations;

(ii) applicable laws and regulations of the United States and the host country, and applicable treaties and international agreements, regarding the performance of the functions of the contractor;

(iii) orders, directives, and instructions issued by the applicable commander of a combatant command relating to equipment, force protection, security, health, safety, or relations and interaction with locals; and

(iv) rules on the use of force issued by the applicable commander of a combatant command for personnel performing private security functions in an area of combat operations; and

(C) cooperate with any investigation conducted by the Department of Defense pursuant to subsection (a)(2)(E) by providing access to employees of the contractor and relevant information in the possession of the contractor regarding the incident concerned.

(3) NONCOMPLIANCE OF PERSONNEL WITH CLAUSE.—The contracting officer for a covered contract may direct the contractor, at its own expense, to remove or replace any personnel performing private security functions in an area of combat operations who violate or fail to comply with applicable requirements of the clause required by this subsection. If the violation or failure to comply is a gross violation or failure or is repeated, the contract may be terminated for default.

(4) APPLICABILITY.—The contract clause required by this subsection shall be included in all covered contracts awarded on or after the date that is 180 days after the date of the enactment of this Act. Federal agencies shall make best efforts to provide for the inclusion of the contract clause required by this subsection in covered contracts awarded before such date.

(5) INSPECTOR GENERAL REPORT ON PILOT PROGRAM ON IMPOSITION OF FINES FOR NONCOMPLIANCE OF PERSONNEL WITH CLAUSE.—Not later than March 30, 2008, the Inspector General of the Department of Defense shall submit to Congress a report assessing the feasibility and advisability of carrying out a pilot program for the imposition of fines on contractors for personnel who violate or fail to comply with applicable requirements of the clause required by this section as a mechanism for enhancing the compliance of such personnel with the clause. The report shall include—

(A) an assessment of the feasibility and advisability of carrying out the pilot program; and

(B) if the Inspector General determines that carrying out the pilot program is feasible and advisable—

(i) recommendations on the range of contracts and subcontracts to which the pilot program should apply; and

(ii) a schedule of fines to be imposed under the pilot program for various types of personnel actions or failures.

(c) AREAS OF COMBAT OPERATIONS.—

(1) DESIGNATION.—The Secretary of Defense shall designate the areas constituting an area of combat operations for purposes of this section by not later than 120 days after the date of the enactment of this Act.

Deadline.

(2) PARTICULAR AREAS.—Iraq and Afghanistan shall be included in the areas designated as an area of combat operations under paragraph (1).

(3) ADDITIONAL AREAS.—The Secretary may designate any additional area as an area constituting an area of combat operations for purposes of this section if the Secretary determines that the presence or potential of combat operations in

such area warrants designation of such area as an area of combat operations for purposes of this section.

(4) **MODIFICATION OR ELIMINATION OF DESIGNATION.**—The Secretary may modify or cease the designation of an area under this subsection as an area of combat operations if the Secretary determines that combat operations are no longer ongoing in such area.

(d) **EXCEPTION.**—The requirements of this section shall not apply to contracts entered into by elements of the intelligence community in support of intelligence activities.

10 USC 2302  
note.

**SEC. 863. COMPTROLLER GENERAL REVIEWS AND REPORTS ON CONTRACTING IN IRAQ AND AFGHANISTAN.**

(a) **REVIEWS AND REPORTS REQUIRED.**—

(1) **IN GENERAL.**—Every 12 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 and task orders awarded during the period covered by the report.

(B) Total number of active contracts and task orders.

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

(D) Total value of active contracts and task orders.

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

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

(G) Total number of contractor personnel, on average, who are performing security functions during the reporting period.

(H) The number of contractor personnel killed or wounded during the reporting period.

(I) 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 October 1, 2008, and shall submit an updated report every year thereafter until October 1, 2010.

(b) **ACCESS TO DATABASES ON CONTRACTS.**—The Secretary of Defense and the Secretary of State shall provide full access to the databases described in section 861(b)(4) to the Comptroller General for purposes of the reviews carried out under this section.

10 USC 2302  
note.

**SEC. 864. DEFINITIONS AND OTHER GENERAL PROVISIONS.**

(a) **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) **CONTRACT IN IRAQ OR AFGHANISTAN.**—The term “contract 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 or delivery order at any tier issued under such a contract (including a contract, subcontract, or task order or delivery 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 or delivery order involves work performed in Iraq or Afghanistan for a period longer than 14 days.

(3) COVERED CONTRACT.—The term “covered contract” means—

(A) a contract of a Federal agency for the performance of services in an area of combat operations, as designated by the Secretary of Defense under subsection (c) of section 862;

(B) a subcontract at any tier under such a contract;

or  
(C) a task order or delivery order issued under such a contract or subcontract.

(4) CONTRACTOR.—The term “contractor”, with respect to a covered contract, means the contractor or subcontractor carrying out the covered contract.

(5) PRIVATE SECURITY FUNCTIONS.—The term “private security functions” means activities engaged in by a contractor under a covered contract as follows:

(A) Guarding of personnel, facilities, or property of a Federal agency, the contractor or subcontractor, or a third party.

(B) Any other activity for which personnel are required to carry weapons in the performance of their duties.

(6) 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.

(b) CLASSIFIED INFORMATION.—Nothing in this subtitle shall be interpreted to require the handling of classified information or information relating to intelligence sources and methods in a manner inconsistent with any law, regulation, executive order, or rule of the House of Representatives or of the Senate relating to the handling or protection of such information.