

One Hundred Eleventh Congress  
of the  
United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday,  
the sixth day of January, two thousand and nine*

An Act

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes.

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Department of Defense Appropriations Act, 2010”.

**SEC. 2. TABLE OF CONTENTS.**

The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.

DIVISION A—DEPARTMENT OF DEFENSE APPROPRIATIONS

- Title I—Military Personnel
- Title II—Operation and Maintenance
- Title III—Procurement
- Title IV—Research, Development, Test and Evaluation
- Title V—Revolving and Management Funds
- Title VI—Other Department of Defense Programs
- Title VII—Related Agencies
- Title VIII—General Provisions
- Title IX—Overseas Contingency Operations

DIVISION B—OTHER MATTERS

**SEC. 3. REFERENCES.**

Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

**DIVISION A—DEPARTMENT OF DEFENSE  
APPROPRIATIONS**

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

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

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

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed \$4,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2010: *Provided further*, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section: *Provided further*, That no obligation of funds may be made pursuant to section 1206 of Public Law 109-163 (or any successor provision) unless the Secretary of Defense has notified the congressional defense committees prior to any such obligation.

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

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations

for purposes of section 8005 of this Act: *Provided*, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

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

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

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

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

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

SEC. 8008. The Secretaries of the Air Force and the Army are authorized, using funds available under the headings "Operation and Maintenance, Air Force" and "Operation and Maintenance, Army", to complete facility conversions and phased repair projects which may include upgrades and additions to Alaskan range infrastructure and training areas, and improved access to these ranges.

(TRANSFER OF FUNDS)

SEC. 8009. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds: *Provided further*, That transfers may be made between working capital funds and the "Foreign Currency Fluctuations, Defense" appropriation and the "Operation and Maintenance" appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8010. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8011. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one

111TH CONGRESS }  
2d Session

HOUSE OF REPRESENTATIVES

**DEPARTMENT OF DEFENSE  
APPROPRIATIONS ACT, 2010**

---

**COMMITTEE PRINT**

of the

**COMMITTEE ON APPROPRIATIONS  
U.S. HOUSE OF REPRESENTATIVES**

on

**H.R. 3326 / Public Law 111-118**

**[Legislative Text and Explanatory Statement]**



JANUARY 2010

## TITLE VI - OTHER DEPARTMENT OF DEFENSE PROGRAMS

For Other Department of Defense Programs, funds are to be available  
for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
TITLE VI				
OTHER DEPARTMENT OF DEFENSE PROGRAMS				
Defense Health Program:				
Operation and maintenance.....	26,967,919	28,257,585	26,990,219	27,596,669
Procurement.....	322,142	384,142	322,142	366,692
Research, development, test and evaluation.....	613,102	1,249,402	998,752	1,280,047
<b>Total, Defense Health Program.....</b>	<b>27,903,163</b>	<b>29,891,109</b>	<b>28,311,113</b>	<b>29,243,428</b>
Chemical Agents and Munitions Destruction, Defense:				
Operation and maintenance.....	1,146,802	1,146,802	1,125,911	1,146,802
Procurement.....	12,689	12,689	12,689	12,689
Research, development, test and evaluation.....	401,269	351,269	401,269	401,269
<b>Total, Chemical Agents 1/.....</b>	<b>1,560,760</b>	<b>1,510,760</b>	<b>1,539,869</b>	<b>1,560,760</b>
Drug Interdiction and Counter-Drug Activities, Defense	1,058,984	1,237,684	1,103,086	1,158,226
Joint Improvised Explosive Device Defeat Fund 1/.....	564,850	364,550	---	121,550
Rapid Acquisition Fund 1/.....	79,300	---	---	---
Office of the Inspector General 1/.....	272,444	288,100	288,100	288,100
<b>Total, title VI, Other Department of Defense Programs.....</b>	<b>31,439,501</b>	<b>33,292,203</b>	<b>31,242,168</b>	<b>32,372,064</b>

## DEFENSE HEALTH PROGRAM

For the Defense Health Program, funds are to be available for fiscal  
year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
<b>Defense Health Program:</b>				
Operation and maintenance.....	26,987,919	28,257,565	28,990,219	27,596,689
Procurement.....	322,142	384,142	322,142	366,892
Research, development, test and evaluation.....	613,102	1,249,402	998,752	1,280,047
<b>Total, Defense Health Program.....</b>	<b>27,903,163</b>	<b>29,891,109</b>	<b>29,311,113</b>	<b>29,243,428</b>

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS  
[In thousands of dollars]

	Budget Request	House	Senate	Recommendation
<b>OPERATION AND MAINTENANCE</b>	<b>26,967,919</b>	<b>28,257,565</b>	<b>26,990,219</b>	<b>27,596,689</b>
<b>IN-HOUSE CARE</b>	<b>6,914,373</b>	<b>6,918,303</b>	<b>6,917,373</b>	<b>6,917,303</b>
Fort Drum Regional Health Planning Organization		430		430
Madigan Army Medical Center Trauma Assistance		2,500	3,000	2,500
Military Physician Combat Medical Training (Transferred to Education and Training)		1,000		
<b>PRIVATE SECTOR CARE</b>	<b>14,255,972</b>	<b>15,537,688</b>	<b>14,562,972</b>	<b>14,562,972</b>
Federal Pricing Rebates		760,716		0
TRICARE Shortfall		521,000	307,000	307,000
<b>CONSOLIDATED HEALTH CARE</b>	<b>1,938,305</b>	<b>1,938,305</b>	<b>1,647,205</b>	<b>1,951,025</b>
TBI/PH and WII requirements (Transferred to OCO)			-307,000	0
AFIP/Joint Pathology Center Records Digitization and Repository Modernization			15,000	12,000
Epidemiologic Health Survey			900	720
<b>INFORMATION MANAGEMENT/IT</b>	<b>1,315,645</b>	<b>1,315,645</b>	<b>1,318,045</b>	<b>1,317,565</b>
Enhanced Medical Situational Awareness			2,400	1,920
<b>MANAGEMENT HEADQUARTERS</b>	<b>277,810</b>	<b>277,810</b>	<b>277,810</b>	<b>277,810</b>
<b>EDUCATION AND TRAINING</b>	<b>625,802</b>	<b>629,802</b>	<b>626,802</b>	<b>630,002</b>
Web-Based Teaching Programs for Military Social Work		4,000		3,200
Military Physician Combat Medical Training			1,000	1,000
<b>BASE OPERATIONS AND COMMUNICATIONS</b>	<b>1,640,012</b>	<b>1,640,012</b>	<b>1,640,012</b>	<b>1,940,012</b>
Medical Transportation Infrastructure				300,000
<b>PROCUREMENT</b>	<b>322,142</b>	<b>384,142</b>	<b>322,142</b>	<b>366,692</b>
Composite Operational Health and Occupational Risk Tracking System (Transferred to R&D)		3,000		0
Initial Outfitting and Equipping Items		53,000		39,750
Shock Trauma Center Operating Suites		3,000		2,400
Wide Area Virtual Environment Simulation for Medical Readiness Training		3,000		2,400
<b>RESEARCH AND DEVELOPMENT</b>	<b>613,102</b>	<b>1,249,402</b>	<b>998,752</b>	<b>1,280,047</b>
<b>ALS</b>		10,000		7,500
Program Increase - Army Reserve Component Personal Empowerment Package (ARCPEP)		4,500		3,375
Autism Research		8,000		8,000
Bone Marrow Failure Disease Research Program		5,000		3,750
Breast Cancer Center (WRAMC/WRNMMC)	5,310	15,000		15,000
Composite Operational Health and Occupational Risk Tracking System (Transferred from Procurement)				2,400
Duchenne Muscular Dystrophy		5,000		3,750
Genetics Studies of Food Allergies		2,500		1,875

	Budget Request	House	Senate	Recommendation
Global HIV/AIDS Prevention		10,000		10,000
Gynecological Cancer Center (WRAMC/WRNMMC)	4,820	6,000		6,000
Hand Transplant Research		6,000		4,500
Integrative Cardiac Health Care (WRAMC/WRNMMC)	3,490	7,000		7,000
Military Dental Research (Transferred to RDT&E, Navy line number 124)		8,000		0
Multiple Sclerosis		6,000		4,500
National Diabetes Model Program (Note: of which \$4 million is available for Type I)		15,000		15,000
Pain and Neuroscience Center (WRAMC/WRNMMC)	4,000	8,000		8,000
Peer-Reviewed Breast Cancer Research Program		150,000	150,000	150,000
Peer-Reviewed Cancer Research Program		20,000		15,000
Peer-Reviewed Lung Cancer Research		15,000		15,000
Peer-Reviewed Orthopedic Research		30,000		22,500
Peer-Reviewed Ovarian Cancer Research Program		25,000	10,000	18,750
Peer-Reviewed Prostate Cancer Research Program		80,000	80,000	80,000
Peer-Reviewed Spinal Cord Research Program		15,000		11,250
Peer-Reviewed Vision Research		5,000		3,750
Prostate Cancer Center (WRAMC/WRNMMC)	3,380	4,000		4,000
Research in Alcohol and Substance Use Disorders		8,500		6,375
Program Increase - Assistive Technology Research		3,000		3,000
Gulf War Illness Peer-Reviewed Research Program		8,000	12,000	8,000
Peer-Reviewed Neurofibromatosis (NF) Research		25,000		13,750
Peer-Reviewed Neurotoxin Exposure Treatment				
Parkinsons Research Program		25,000		25,000
Traumatic Brain Injury and Psychological Health		127,800	60,500	120,000
Military Medical Research (including the continuation of Traumatic Brain Injury and Psychological Health Research)	372,200			372,200
Tuberous Sclerosis Complex (TSC)		8,000		6,000
US Military Cancer Institute		5,000		5,000
Wound Care Research (Transferred to RDT&E, Navy line number 24)		13,000		0
Hawaii Federal Health Care Network			24,500	23,000
Lung Injury Management			1,450	1,160
Patient Care Improvement Project at Keesler Medical Center			4,100	3,280
Regional Telepathology Initiative at Keesler AFB			2,100	1,680
Security Solutions from Life in Extreme Environments Center			1,000	800
Operating Room of the Future (Transferred to RDT&E, Army line number 28)			2,000	0
Peer-Reviewed Medical Research Program			50,000	50,000

## DEFENSE HEALTH PROGRAM REPROGRAMMING PROCEDURES

There is concern regarding the transfer of funds from Direct (or In-house) Care to pay for contractor-provided medical care. To limit such transfers and continue oversight within the Defense Health Program operation and maintenance account, the explanatory statement includes language which limits the funds available for Private Sector Care under the TRICARE program subject to prior approval reprogramming procedures. The bill language and accompanying recommendation should not be interpreted by the Department as limiting the amount of funds that may be transferred to the Direct Care System from other budget activities within the Defense Health Program. In addition, the Services are not properly budgeting for actual execution levels among the budget activity groups and, therefore, the Direct Care System is continued as a special interest item. Any transfer of funds from the Direct (or In-house) Care budget activity into the Private Sector Care budget activity or any other budget activity will require the Department of Defense to follow prior approval reprogramming procedures.

## CARRYOVER

For fiscal year 2010, the recommendation includes a one percent carryover authority for the Defense Health Program. The Assistant Secretary of Defense for Health Affairs is directed to submit a detailed spending plan for any fiscal year 2009 designated carryover funds to the congressional defense committees by January 4, 2010. In addition, the Department shall, not fewer than 30 days prior to executing the carryover funds, notify the congressional defense committees in writing of the details of any such obligation. Finally, to address the continuing funding shortfalls in medical information technology, the Department is directed to use available carryover funds to address this deficit.

## MEDICAL INFORMATION TECHNOLOGY

Over the past few years, criticism regarding the Department of Defense and the Department of Veterans Affairs medical information technology has grown. Both Departments developed their current systems and infrastructure independent of one another, primarily using proprietary technology and hardware that is costly, not user-friendly and technologically unsustainable. As such, both Departments have now chosen to modernize their systems and infrastructure to address many of those issues, as well as addressing the issues surrounding interoperability between both Departments and the private sector. These systems must also address new requirements made evident by continuing overseas operations, including the ability to expand based on future technology requirements.

Unfortunately, it appears that both Departments are not sufficiently coordinating their efforts, and that lessons learned are not being used to develop an efficient and cost-effective means for data interoperability and information technology modernization. The recommendation recognizes that each Department has unique system requirements; however, both Departments do have common functions that should result in the development of common tech-

nology solutions and architecture. Areas that should be joint business practices include lab work, pharmacy orders, digital radiology transmittal, third-party collections and patient appointment scheduling. Both Departments are continuing to work on interoperability between their current systems and improving the transmittal of medical records from one system to another. However, there is significant concern that the necessary efforts being made to jointly develop the required future systems are inadequate. Therefore, the Joint Executive Council (JEC) and the Health Executive Council (HEC) are directed to report to the Committees on Appropriations of the House and the Senate not later than January 11, 2010, on a complete and thorough review of the technology requirements of each Department. The report shall detail each requirement, to include those that are deemed unique to each Department, include a justification of why the requirement can or cannot be developed jointly, and identify the path forward to develop such joint technology. In addition, the JEC and the HEC are directed to coordinate this report with the Department of Health and Human Services as it seeks to modernize electronic health records throughout the private sector. If done correctly and efficiently, the efforts of both Departments can be used as an example of how to modernize medical information technology.

#### MILITARY MEDICAL RESEARCH

The recommendation provides \$120,000,000 for Traumatic Brain Injury (TBI) and Psychological Health research and treatment efforts. The fiscal year 2010 budget submission included \$372,000,000 to address numerous unique military medical areas of concern including TBI and Psychological Health. The Department is encouraged to refer to the language in the House and Senate reports regarding gaps in research that need to be addressed within this funding to close those disparities.

It is understood that the Department of Defense is putting pressure on Health Affairs to obligate these funds in an expedited manner during fiscal year 2010 and as a result, Requests for Information (RFI) on grant proposals for this funding have already been published prior to the completion of the Department of Defense Appropriations Act, 2010. These actions are not supported by this recommendation since funding has not been appropriated and the Committees on Appropriations of the House and Senate were never notified of a new start request. Since the submission of the President's budget request, the Department has been repeatedly asked for a distributable list of medical research capability gaps that will be addressed with the additional \$372,000,000. Therefore, the Secretary of Defense is directed to provide a distributable list of medical research capability gaps that will be addressed using these funds not later than 15 days after enactment of this Act.

#### PEER-REVIEWED MEDICAL RESEARCH PROGRAM

The recommendation provides \$50,000,000 for a Peer-Reviewed Medical Research Program. The Secretary of Defense, in conjunction with the Service Surgeons General, is directed to select medical research projects of clear scientific merit and direct relevance

to military health. Research areas considered under this funding are restricted to: Blood Cancer, Chronic Migraine and Post-traumatic headache, Dystonia, Drug Abuse, Epilepsy, Fragile X Syndrome, Inflammatory Bowel Disease, Interstitial Cystitis, Kidney Cancer, Lupus, Melanoma, Mesothelioma, Neuroblastoma, Osteoporosis and related bone disease, Padgett's Disease, Pheochromocytoma, Polycystic Kidney Disease, Post Traumatic Osteoarthritis, Scleroderma, Social Work Research, and Tinnitus. The recommendation emphasizes that the additional funding provided under the Peer-Reviewed Medical Research Program shall be devoted only to the purposes listed above.

#### HYPERBARIC OXYGEN THERAPY

The Secretary of Defense, not later than 60 days after enactment of this Act, shall submit to the congressional defense committees a report on the use of hyperbaric oxygen therapy (HBOT). The report shall include the number of members of the Armed Forces, veterans and civilians being treated with HBOT; the types of conditions being treated and the respective success rate for each condition; the current inventory, location, and rate of use for hyperbaric oxygen chambers; and any plans for expanding the use of HBOT for treatment.

#### DIRECT HIRE AUTHORITY

The Secretary of Defense is directed to immediately implement Section 1107 of the National Defense Authorization Act, 2008 (Public Law 110-181) which provides adequate authority for the medical specialty hiring needs of the Department of Defense. The Secretary of Defense is further directed that no later than 30 days after enactment of this Act the Department shall notify the congressional defense committees the action has been taken to implement the direct hire authority across the Department, including the civilian entities.

#### REDUCING SCAR FORMATION

The United States Army Institute of Surgical Research and the Armed Forces Institute of Regenerative Medicine is currently doing research to reduce scarring following battlefield injuries in conjunction with academia. The Surgeon General of the Army is urged to use funds provided for continuation of studies into new methods for wound healing and scar reduction capabilities including proceeding to a clinical study and for further product development.

#### MEDICAL TRANSPORTATION INFRASTRUCTURE

After reviewing the Base Realignment and Closure (BRAC) Health Systems Advisory Subcommittee's (the Committee) review of the design plans for medical centers, including the responses from the Department of Defense and the Committee, there remains deep concern about the state of the master plan to complete world class medical facilities. Failures to implement the recommendations of this plan may lead to degraded medical care for military personnel, their dependents and retirees.

The recommendation includes \$300,000,000 in the Defense Health Program operation and maintenance account for transportation issues stemming from the realignments associated with the 2005 BRAC. The Secretary of Defense is directed to provide a report to the House and Senate Committees on Appropriations detailing the status of the implementation of the BRAC Health Systems Advisory Subcommittee's plan, and on plans for the recommended funding increase, no later than 90 days after the enactment of this Act.

## CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For Chemical Agents and Munitions Destruction, Defense, funds are  
to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
CHEMICAL AGENTS & MUNITIONS DESTRUCTION, DEFENSE				
CHEM DEMILITARIZATION - OPERATION AND MAINTENANCE.....	1,146,802	1,146,802	1,125,911	1,146,802
CHEM DEMILITARIZATION - PROCUREMENT.....	12,689	12,689	12,689	12,689
CHEM DEMILITARIZATION - RESEARCH, DEV, TEST & EVAL....	401,269	351,299	401,269	401,269
<b>TOTAL, CHEM AGENTS &amp; MUNITIONS DESTRUCTION, DEFENSE.</b>	<b>1,560,760</b>	<b>1,510,790</b>	<b>1,539,869</b>	<b>1,560,760</b>

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS  
[In thousands of dollars]

	Budget Request	House	Senate	Recommendation
Chem Demilitarization-O&M	1,146,802	1,146,802	1,125,911	1,146,802
Tooele Chemical Agent Disposal Facility Heel Transfer System - Already Funded in Previous fiscal year			-20,891	
Chem Demilitarization-Procurement	12,689	12,689	12,689	12,689
Chem Demilitarization-RDT&E	401,269	351,269	401,269	401,269
Transferred from Sec. 8123 of HR 3326		50,000		
<b>Total, Chem Agents &amp; Munitions Destruction, Defense</b>	<b>1,560,760</b>	<b>1,510,760</b>	<b>1,539,869</b>	<b>1,560,760</b>

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,  
DEFENSE  
(INCLUDING TRANSFER OF FUNDS)

For Drug Interdiction and Counter-Drug Activities, Defense,  
\$1,158,226,000 is provided for fiscal year 2010.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS  
[In thousands of dollars]

	Budget Request	House	Senate	Recommendation
<b>COUNTER NARCOTICS</b>	<b>1,058,984</b>	<b>1,238,684</b>	<b>1,103,088</b>	<b>1,158,226</b>
PC8804 Demand Reduction-Civilian Agency Drug Testing - NSA		-1,000		-1,000
PC9205 EUCOM CN Operational Support - excessive growth		-2,000	-5,000	-5,000
PC9206 AFRICOM CN Operational Support - excessive growth		-2,000	-5,000	-5,000
PC9301 CENTCOM Counterthreat Finance Unit		-2,000		0
PC2366 EUCOM Intersagency Fusion Centers			-750	-750
Delaware National Guard Counter-Drug Task Force		300	300	300
Western Region Counter-Drug Training Center		2,500	2,500	2,500
Kentucky National Guard Counter-Drug Program		3,500	3,600	3,600
Florida Counter-Drug Program		2,900		2,900
Nevada National Guard Counter-Drug Program		4,000	4,200	4,000
North Carolina Counter-Drug Task Force		1,000		600
Tennessee National Guard Appalachia High Intensity Drug Trafficking Area		4,000	4,000	4,000
Regional Counter-Drug Training Academy - Meridian		1,500	3,000	2,800
Indiana National Guard Counter-Drug Program		3,000		2,400
Young Marines Program		4,000		4,000
Digital Communications		160,000		50,000
Alaska National Guard Counter-Drug Program			3,000	2,400
Hawaii National Guard Counter-Drug Program			3,000	3,000
HERON Maritime UAS for SOUTHCOM			9,800	9,340
Midwest Counter-Drug Training Center			6,000	6,000
Minnesota National Guard Counter-Drug Program			2,000	1,600
Montana National Guard Counter-Drug Task Force			1,000	600
New Mexico National Guard Counter-Drug Program			6,000	4,800
Northeast Counter-Drug Training Center			5,000	4,500
West Virginia Counter-Drug Program			1,000	800
Joint Task Force-North, Drug Interdiction Support (Transferred from Other Procurement, Air Force line 19)			452	452

## COUNTER-DRUG BUDGET JUSTIFICATION MATERIALS

There is concern that the budget justification materials submitted do not provide sufficient information for appropriate oversight and understanding of program objectives and metrics. Therefore, the Secretary of Defense is directed that beginning with the fiscal year 2011 budget, the budget justification materials shall ensure that each project code include, at a minimum: a detailed explanation of program increases and decreases including displays and explanations of program and price growth; a display showing the number of full-time equivalent (FTE) employees; average grade for government employees and number of contractor FTEs; justification of planned equipment buys for items costing more than \$250,000, including quantities and unit costs; and justification and descriptions of research and development activities, including anticipated program accomplishments, contract awards and a description of government costs.

## JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the Joint Improvised Explosive Device Defeat Fund, funds are to be available for fiscal year 2010, as follows:

## EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget Request	House	Senate	Recommendation
Attack the Network .....	203,100	183,000	.....	0
Transfer to Title IX .....				- 53,100
Unjustified request .....				- 150,000
Defeat the Device .....	199,100	25,000	.....	0
Transfer to Title IX .....				- 199,100
Train the Force .....	41,100	35,000	.....	0
Transfer to Title IX .....				- 41,100
Staff and Infrastructure .....	121,550	121,550	.....	121,550
<b>Total, Joint Improvised Explosive Device Defeat Fund .....</b>	<b>564,850</b>	<b>364,550</b>	<b>0</b>	<b>121,550</b>

The recommendation provides funds in the base budget for the Staff and Infrastructure line of operation. These funds are provided with the same time limitation as traditional operation and maintenance funds.

The reporting requirements directed under the Supplemental Appropriations Act, 2009 (Public Law 111-32), were not adhered to, but efforts are underway to improve that status. The Director, Joint Improvised Explosive Device Defeat Organization (JIEDDO) is directed to submit monthly commitment, obligation, and expenditure data by line of operation and by year of appropriation to the congressional defense committees. Further, the Director, JIEDDO is directed to submit monthly reports of obligation data on a project-by-project basis by line of operation to the congressional defense committees. The Director, JIEDDO is also directed to follow standard reprogramming procedures when transferring a cumulative amount of \$20,000,000 or more between lines of operation.

## OFFICE OF THE INSPECTOR GENERAL

For the Office of the Inspector General, \$288,100,000 is provided for fiscal year 2010.

[In thousands of dollars]

	Budget	House	Senate	Recommendation
Office of the Inspector General				
Operation and Maintenance .....	271,444	287,100	287,100	287,100
Procurement .....	1,000	1,000	1,000	1,000
Total, Office of the Inspector General .....	272,444	288,100	288,100	288,100

## TITLE VII—RELATED AGENCIES

For Related Agencies, funds are to be available for fiscal year 2010, as follows:

[In thousands of dollars]

	Budget	House	Senate	Recommendation
TITLE VII—RELATED AGENCIES				
Central Intelligence Agency Retirement and Disability System Fund ...	290,900	290,900	290,900	290,900
Intelligence Community Management Account (ICMA) .....	672,812	611,002	750,812	707,912
Transfer to Department of Justice .....				
Total, title VII, Related agencies .....	963,712	901,902	1,041,712	998,812

## CLASSIFIED ANNEX

Adjustments to the classified programs are addressed in a separate detailed and comprehensive classified annex. The Intelligence Community, Department of Defense and other organizations are expected to fully comply with the recommendations and directions in the classified annex accompanying the Department of Defense Appropriations Act, 2010.

## CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For the Central Intelligence Agency Retirement and Disability System Fund, \$290,900,000 is provided for fiscal year 2010.

## INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For the Intelligence Community Management Account, \$707,912,000 is provided for fiscal year 2010, as follows:

## EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget Request	House	Senate	Recommendation
Intelligence Community Management Account .....	672,812	672,812	672,812	672,812
Classified Adjustment .....		-64,810	78,000	34,300
Language Mentorship Program incorporating an electronic portfolio .....		1,000		800
Counter-Threat Finance-Global (Transferred to O&M, Defense-Wide) .....		2,000		0