

**DIVISION A—DEPARTMENT OF DEFENSE
AUTHORIZATIONS**

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2010

(In Thousands of Dollars)

| | Authorization Request | Senate Change | Senate Authorization |
|---|--------------------------|------------------|-------------------------|
| DISCRETIONARY AUTHORIZATIONS WITHIN THE JURISDICTION OF THE ARMED SERVICES COMMITTEE | | | |
| Department of Defense Authorizations—Base Bill | | | |
| Division A: Department of Defense Authorization | | | |
| Title I—PROCUREMENT | | | |
| Aircraft Procurement, Army | 5,315,991 | -171,100 | 5,144,891 |
| Missile Procurement, Army | 1,370,109 | 5,000 | 1,375,109 |
| Weapons & Tracked Combat Vehicles, Army | 2,451,952 | | 2,451,952 |
| Procurement of Ammunition, Army | 2,051,895 | 8,000 | 2,059,895 |
| Other Procurement, Army | 9,907,151 | -289,160 | 9,617,991 |
| Joint Improvised Explosive Device Defeat Fund | 564,850 | -564,850 | |
| Aircraft Procurement, Navy | 18,378,312 | 277,100 | 18,655,412 |
| Weapons Procurement, Navy | 3,453,455 | 62,000 | 3,515,455 |
| Procurement of Ammunition, Navy & Marine Corps | 840,675 | | 840,675 |
| Shipbuilding & Conversion, Navy | 13,776,867 | | 13,776,867 |
| Other Procurement, Navy | 5,661,176 | -66,000 | 5,595,176 |
| Procurement, Marine Corps | 1,600,638 | | 1,600,638 |
| Aircraft Procurement, Air Force | 11,966,276 | 1,111,600 | 13,077,876 |
| Missile Procurement, Air Force | 6,300,728 | -193,000 | 6,107,728 |
| Procurement of Ammunition, Air Force | 822,462 | | 822,462 |
| Other Procurement, Air Force | 17,293,141 | -47,800 | 17,245,341 |
| Procurement, Defense-Wide | 3,984,352 | 65,700 | 4,050,052 |
| Mine Resistant Ambush Protection Veh Fund | | 1,200,000 | 1,200,000 |
| Rapid Acquisition Fund | 79,300 | | 79,300 |
| Defense Production Act Purchases ¹ | [38,246] | | |
| Subtotal, PROCUREMENT | 105,819,330 | 1,397,490 | 107,216,820 |
| Title II—RESEARCH, DEVELOPMENT, TEST & EVALUATION | | | |
| RDT&E, Army | 10,438,218 | 424,785 | 10,863,003 |
| RDT&E, Navy | 19,270,932 | 326,764 | 19,597,696 |
| RDT&E, Air Force | 27,992,827 | 701,125 | 28,693,952 |
| RDT&E, Defense-Wide | 20,741,542 | -186,272 | 20,555,270 |
| Operational Test & Evaluation, Defense | 190,770 | | 190,770 |
| Subtotal, RESEARCH, DEVELOPMENT, TEST & EVALUATION | 78,634,289 | 1,266,402 | 79,900,691 |
| Title III—OPERATION AND MAINTENANCE | | | |
| Operation and Maintenance, Army | 31,274,882 | -342,000 | 30,932,882 |
| Operation and Maintenance, Navy | 35,070,346 | 819,700 | 35,890,046 |
| Operation and Maintenance, Marine Corps | 5,536,223 | 11,000 | 5,547,223 |
| Operation and Maintenance, Air Force | 34,748,159 | -694,600 | 34,053,559 |
| Operation and Maintenance, Defense-wide | 28,357,246 | -711,249 | 27,645,997 |
| Operation and Maintenance, Army Reserve | 2,620,196 | 3,600 | 2,623,796 |
| Operation and Maintenance, Navy Reserve | 1,278,501 | | 1,278,501 |
| Operation and Maintenance, Marine Corps Reserve | 228,925 | | 228,925 |
| Operation and Maintenance, Air Force Reserve | 3,079,228 | | 3,079,228 |
| Operation and Maintenance, Army National Guard | 6,257,034 | 3,600 | 6,260,634 |
| Operation and Maintenance, Air National Guard | 5,885,761 | 2,700 | 5,888,461 |

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2010—Continued

(In Thousands of Dollars)

| | Authorization Request | Senate Change | Senate Authorization |
|--|-----------------------|-----------------|----------------------|
| US Court of Appeals for the Armed Forces, Defense | 13,932 | | 13,932 |
| Defense Acquisition Development Workforce Fund | 100,000 | | 100,000 |
| Overseas Humanitarian, Disaster and Civic Aid | 109,869 | | 109,869 |
| Cooperative Threat Reduction | 404,093 | 20,000 | 424,093 |
| Environmental Restoration, Army | 415,864 | | 415,864 |
| Environmental Restoration, Navy | 285,869 | | 285,869 |
| Environmental Restoration, Air Force | 494,276 | | 494,276 |
| Environmental Restoration, Defense-Wide | 11,100 | | 11,100 |
| Environmental Restoration Formerly Used Sites | 267,700 | | 267,700 |
| Overseas Contingency Operations Transfer Fund | 5,000 | | 5,000 |
| Subtotal, OPERATION AND MAINTENANCE | 156,444,204 | -887,249 | 155,556,955 |
| Title IV—MILITARY PERSONNEL | 136,016,281 | -400,000 | 135,616,281 |
| Title XIV—OTHER AUTHORIZATIONS | | | |
| Defense Working Capital Funds | 141,388 | | 141,388 |
| Defense Commissary Agency | 1,313,616 | | 1,313,616 |
| National Defense Sealift Fund | 1,642,758 | -400,000 | 1,242,758 |
| Defense Coalition Support Fund | 22,000 | -22,000 | |
| Defense Health Program | 27,903,163 | 10,700 | 27,913,863 |
| Chemical Agents & Munitions Destruction, Defense | 1,560,760 | | 1,560,760 |
| Drug Interdiction & Counter-Drug Activities, Defense | 1,058,984 | 18,800 | 1,077,784 |
| Office of the Inspector General | 272,444 | 16,000 | 288,444 |
| Subtotal, OTHER AUTHORIZATIONS | 33,915,113 | -376,500 | 33,538,613 |
| Division B: Military Construction Authorization | | | |
| MILITARY CONSTRUCTION | | | |
| Military Construction, Army | 3,660,779 | -194,633 | 3,466,146 |
| Military Construction, Navy and Marine Corps | 3,763,264 | -224,493 | 3,538,771 |
| Military Construction, Air Force | 1,145,434 | 32,350 | 1,177,784 |
| Military Construction, Defense-Wide | 3,097,526 | -241,399 | 2,856,127 |
| Chemical Demilitarization Construction | 146,541 | 5,000 | 151,541 |
| NATO Security Investment Program | 276,314 | | 276,314 |
| Military Construction, Army National Guard | 426,491 | 55,282 | 481,773 |
| Military Construction, Army Reserve | 374,862 | 3,850 | 378,712 |
| Military Construction, Naval Reserve | 64,124 | | 64,124 |
| Military Construction, Air National Guard | 128,261 | 173,100 | 301,361 |
| Military Construction, Air Force Reserve | 27,476 | 18,100 | 45,576 |
| Subtotal, MILITARY CONSTRUCTION | 13,111,072 | -372,843 | 12,738,229 |
| FAMILY HOUSING | | | |
| Family Housing Construction, Army | 273,236 | | 273,236 |
| Family Housing O&M, Army | 523,418 | | 523,418 |
| Family Housing Construction, Navy & Marine Corps | 146,569 | | 146,569 |
| Family Housing O&M, Navy & Marine Corps | 368,540 | | 368,540 |
| Family Housing Construction, Air Force | 66,101 | | 66,101 |
| Family Housing O&M, Air Force | 502,936 | | 502,936 |
| Family Housing Construction, Defense-Wide | 2,859 | | 2,859 |

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2010—Continued

(In Thousands of Dollars)

| | Authorization Request | Senate Change | Senate Authorization |
|---|-----------------------|-----------------|----------------------|
| Family Housing O&M, Defense-Wide | 49,214 | | 49,214 |
| Homeowners Assistance Fund | 23,225 | 350,000 | 373,225 |
| DoD Family Housing Improvement Fund | 2,600 | | 2,600 |
| Subtotal, FAMILY HOUSING | 1,958,698 | 350,000 | 2,308,698 |
| BRAC | | | |
| Base Realignment and Closure Account 1990 | 396,768 | | 396,768 |
| Base Realignment and Closure Account 2005 | 7,479,498 | | 7,479,498 |
| Subtotal, BRAC | 7,876,266 | | 7,876,266 |
| Prior Year Savings | | -112,500 | -112,500 |
| Subtotal, MILITARY CONSTRUCTION, FAMILY HOUSING & BRAC | 22,946,036 | -135,343 | 22,810,693 |
| General Transfer Authority (non-add) | [5,000,000] | [-1,000,000] | [4,000,000] |
| SUBTOTAL, DEPARTMENT OF DEFENSE (051) | 533,775,253 | 864,800 | 534,640,053 |
| Division C: Department of Energy Authorization | | | |
| Electricity Delivery and Energy Reliability | 6,188 | -6,188 | |
| NATIONAL NUCLEAR SECURITY ADMINISTRATION | | | |
| Weapons Activities | 6,384,431 | 106,188 | 6,490,619 |
| Defense Nuclear Nonproliferation | 2,136,709 | | 2,136,709 |
| Naval Reactors | 1,003,133 | | 1,003,133 |
| Office of the Administrator | 420,754 | | 420,754 |
| Subtotal NATIONAL NUCLEAR SECURITY ADMINISTRATION | 9,945,027 | 106,188 | 10,051,215 |
| ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES | | | |
| Defense Environmental Cleanup | 5,495,831 | -100,000 | 5,395,831 |
| Other Defense Activities | 852,468 | | 852,468 |
| Defense Nuclear Waste Disposal | 98,400 | | 98,400 |
| Subtotal ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES | 6,446,699 | -100,000 | 6,346,699 |
| TOTAL, DEPARTMENT OF ENERGY | 16,397,914 | | 16,397,914 |
| Independent Federal Agency Authorization | | | |
| Defense Nuclear Facilities Safety Board | 26,086 | | 26,086 |
| Subtotal, DEFENSE NUCLEAR FACILITIES SAFETY BOARD | 26,086 | | 26,086 |
| SUBTOTAL, ATOMIC ENERGY DEFENSE PROGRAMS (053) | 16,424,000 | | 16,424,000 |
| TOTAL, NATIONAL DEFENSE (050)—BASE BILL | 550,199,253 | 864,800 | 551,064,053 |

Department of Defense Authorizations—Overseas Contingency Operations

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2010—Continued

(In Thousands of Dollars)

| | Authorization Request | Senate Change | Senate Authorization |
|---|--------------------------|-------------------|-------------------------|
| Division A: Department of Defense Authorization | | | |
| Title XV—OVERSEAS CONTINGENCY OPERATIONS (OCO) | | | |
| PROCUREMENT | | | |
| Aircraft Procurement, Army | 1,636,229 | | 1,636,229 |
| Missile Procurement, Army | 531,570 | | 531,570 |
| Procurement of WTCV, Army | 759,466 | | 759,466 |
| Procurement of Ammunition, Army | 370,635 | | 370,635 |
| Other Procurement, Army | 6,225,966 | 104,000 | 6,329,966 |
| Joint Improvised Explosive Device Defeat Fund | 1,535,000 | 564,850 | 2,099,850 |
| Aircraft Procurement, Navy | 916,553 | | 916,553 |
| Weapons Procurement, Navy | 73,700 | | 73,700 |
| Procurement of Ammunition, Navy and MC | 710,780 | | 710,780 |
| Other Procurement, Navy | 318,018 | | 318,018 |
| Procurement, Marine Corps | 1,164,445 | | 1,164,445 |
| Aircraft Procurement, Air Force | 936,441 | -40,000 | 896,441 |
| Missile Procurement, AF | 36,625 | | 36,625 |
| Procurement of Ammunition, AF | 256,819 | | 256,819 |
| Other Procurement, Air Force | 2,321,549 | | 2,321,549 |
| Procurement, Defense-Wide | 491,430 | | 491,430 |
| Mine Resistant Ambush Protected Vehicle Fund | 5,456,000 | | 5,456,000 |
| Subtotal, PROCUREMENT, OCO | 23,741,226 | 628,850 | 24,370,076 |
| RESEARCH, DEVELOPMENT, TEST & EVALUATION | | | |
| RDT&E, Army | 57,962 | | 57,962 |
| RDT&E, Navy | 107,180 | | 107,180 |
| RDT&E, Air Force | 29,286 | | 29,286 |
| RDT&E, Defense-Wide | 115,826 | | 115,826 |
| Subtotal, RDT&E, OCO | 310,254 | | 310,254 |
| OPERATION AND MAINTENANCE | | | |
| Operation & Maintenance, Army | 52,170,661 | -100,000 | 52,070,661 |
| Operation & Maintenance, Navy | 6,219,583 | -568,850 | 5,650,733 |
| Operation & Maintenance, Marine Corps | 3,701,600 | | 3,701,600 |
| Operation & Maintenance, Air Force | 10,026,868 | | 10,026,868 |
| Operation & Maintenance, Defense-Wide | 7,578,300 | | 7,578,300 |
| Operation & Maintenance, Army Reserve | 204,326 | | 204,326 |
| Operation & Maintenance, Navy Reserve | 68,059 | | 68,059 |
| Operation & Maintenance, Marine Corps Reserve | 86,667 | | 86,667 |
| Operation & Maintenance, Air Force Reserve | 125,925 | | 125,925 |
| Operation & Maintenance, Army National Guard | 321,646 | | 321,646 |
| Operation & Maintenance, Air National Guard | 289,862 | | 289,862 |
| Afghanistan Security Forces Fund | 7,462,769 | | 7,462,769 |
| Pakistan Counterinsurgency Capability Fund | 700,000 | -700,000 | |
| Iraq Freedom Fund | 115,300 | | 115,300 |
| Subtotal, OPERATION AND MAINTENANCE, OCO | 89,071,566 | -1,368,850 | 87,702,716 |
| MILITARY PERSONNEL, OCO | 13,586,341 | | 13,586,341 |
| OTHER AUTHORIZATIONS | | | |

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2010—Continued

(In Thousands of Dollars)

| | Authorization Request | Senate Change | Senate Authorization |
|--|--------------------------|------------------|-------------------------|
| Defense Working Capital Funds | 396,915 | | 396,915 |
| Defense Health Program | 1,155,235 | | 1,155,235 |
| Drug Interdiction and Counter-Drug Activities, Defense | 324,603 | | 324,603 |
| Office of the Inspector General | 8,876 | | 8,876 |
| Subtotal, OTHER AUTHORIZATIONS, OCO | 1,885,629 | | 1,885,629 |
| Special Transfer Authority (non-add) | [4,000,000] | [500,000] | [4,500,000] |
| Division B: Military Construction Authorization | | | |
| MILITARY CONSTRUCTION | | | |
| Military Construction, Army | 923,884 | 6,600 | 930,484 |
| Military Construction, Air Force | 474,500 | | 474,500 |
| Military Construction, Defense-Wide | 6,600 | -6,600 | |
| Subtotal, MILITARY CONSTRUCTION, OCO | 1,404,984 | | 1,404,984 |
| TOTAL, OVERSEAS CONTINGENCY OPERATIONS | 130,000,000 | -740,000 | 129,260,000 |
| TOTAL, DEPARTMENT OF DEFENSE | 663,775,253 | 124,800 | 663,900,053 |
| Reduction in Authorizations for Management Efficiencies (Divisions A and B) | | -500,000 | -500,000 |
| GRAND TOTAL, NATIONAL DEFENSE | 680,199,253 | -375,200 | 679,824,053 |
| MEMORANDUM: NON-DEFENSE AUTHORIZATION | | | |
| Title IV—Armed Forces Retirement Home (Function 600) | 134,000 | | 134,000 |

¹ Defense Production Act Purchases are not in the jurisdiction of the Armed Services Committee (see Budget Implication).

NATIONAL DEFENSE BUDGET AUTHORITY IMPLICATION

(In Thousands of Dollars)

| | Authorization Request | Senate Change | Senate Authorization |
|---|-----------------------|------------------|----------------------|
| Summary, Discretionary Authorizations Within the Jurisdiction of the Armed Services Committee | | | |
| SUBTOTAL, DEPARTMENT OF DEFENSE (051) | 533,775,253 | 864,800 | 534,640,053 |
| SUBTOTAL, ATOMIC ENERGY DEFENSE PROGRAMS (053) | 16,424,000 | | 16,424,000 |
| TOTAL, NATIONAL DEFENSE (050)—BASE BILL | 550,199,253 | 864,800 | 551,064,053 |
| TOTAL, OVERSEAS CONTINGENCY OPERATIONS | 130,000,000 | – 740,000 | 129,260,000 |
| Reduction in Authorizations for Management Efficiencies (Divisions A and B) | | – 500,000 | – 500,000 |
| GRAND TOTAL, NATIONAL DEFENSE | 680,199,253 | – 375,200 | 679,824,053 |
| Base National Defense Discretionary Programs that are not in the jurisdiction of the Armed Services Committee or do not require additional authorization | | | |
| Defense Production Act Purchases | 38,246 | | 38,246 |
| National Science Center, Army | 25 | | 25 |
| Disposal Of DOD Real Property | 10,393 | | 10,393 |
| Lease Of DOD Real Property | 8,856 | | 8,856 |
| DOD Overseas Military Facility Investment Recovery | 1,227 | | 1,227 |
| Subtotal, Budget Sub-Function (051) | 58,747 | | 58,747 |
| Formerly Utilized Sites Remedial Action Program | 134,000 | | 134,000 |
| Subtotal, Budget Sub-Function (053) | 134,000 | | 134,000 |
| Other Discretionary Programs | 6,751,000 | | 6,751,000 |
| Subtotal, Budget Sub-Function (054) | 6,751,000 | | 6,751,000 |
| Total Defense Discretionary Adjustments (050) | 6,943,747 | | 6,943,747 |
| OCO National Defense Discretionary Programs that are not in the jurisdiction of the Armed Services Committee | | | |
| FBI Salaries and Expenses | 101,066 | | 101,066 |
| Subtotal, Budget Sub-Function (054) | 101,066 | | 101,066 |
| Budget Authority Implication, National Defense Discretionary | | | |
| Department of Defense—Military (051) | 663,834,000 | – 375,200 | 663,458,800 |
| Atomic Energy Defense Activities (053) | 16,558,000 | | 16,558,000 |
| Defense-Related Activities (054) | 6,852,066 | | 6,852,066 |
| Total BA Implication, National Defense Discretionary | 687,244,066 | – 375,200 | 686,868,866 |
| National Defense Mandatory Programs, Current Law (CBO Estimates) | | | |
| Concurrent receipt accrual payments to the Military Retirement Fund | 4,376,000 | | 4,376,000 |
| Concurrent receipt policy proposal | 330,000 | – 330,000 | |
| Revolving, trust and other DOD Mandatory | 1,240,000 | | 1,240,000 |
| Subtotal, Budget Sub-Function (051) | 4,205,000 | – 330,000 | 3,875,000 |
| Energy employees occupational illness compensation programs and other | 1,377,000 | | 1,377,000 |
| Subtotal, Budget Sub-Function (053) | 1,377,000 | | 1,377,000 |
| Radiation exposure compensation trust fund | 32,000 | | 32,000 |
| Payment to CIA retirement fund and other | 291,000 | | 291,000 |
| Subtotal, Budget Sub-Function (054) | 323,000 | | 323,000 |
| Total National Defense Mandatory (050) | 5,905,000 | – 330,000 | 5,575,000 |

NATIONAL DEFENSE BUDGET AUTHORITY IMPLICATION—Continued

(In Thousands of Dollars)

| | Authorization Request | Senate Change | Senate Authorization |
|---|--------------------------|------------------|-------------------------|
| Budget Authority Implication, National Defense Discretionary and Mandatory | | | |
| Department of Defense—Military (051) | 668,039,000 | – 705,200 | 667,333,800 |
| Atomic Energy Defense Activities (053) | 17,935,000 | | 17,935,000 |
| Defense-Related Activities (054) | 7,175,066 | | 7,175,066 |
| Total BA Implication, National Defense Discretionary and Mandatory | 693,149,066 | – 705,200 | 692,443,866 |

Subtitle B—Navy Programs**Treatment of Littoral Combat Ship program as a major defense acquisition program (sec. 111)**

The committee recommends a provision that would require the Department to manage and report on the Littoral Combat Ship (LCS) program as a major defense acquisition program (MDAP).

The Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23) emphasizes the need to start acquisition programs on sure footing as a central mechanism by which the Department of Defense (DOD) can get control of cost growth and schedule slippage on MDAP programs. The cost and schedule reporting requirements in chapter 144 of title 10, United States Code, play a key role in ensuring that the Department and Congress are aware of emerging problems in such programs.

The Navy was able to avoid this oversight in the case of the LCS program by claiming that the program was just to build a handful of ships to test their capabilities and then see what the Navy wanted to build later. From the outset of the LCS program, however, program proponents within the Navy, including all three Chiefs of Naval Operations in office during the development of the LCS program, have invariably called this a 55-ship program. Some officials have even suggested that it might grow to be larger than that. The Weapon Systems Acquisition Reform Act of 2009 amended section 2430 of title 10, United States Code, to ensure that the Department include future program spirals in assessing whether a program should fall within the definition of a MDAP. That modification alone should cause DOD to define LCS as a MDAP, but the committee recommends this provision to remove any discretion in treating this program.

Had the Navy leadership been operating within the spirit of the title 10, United States Code, provisions regarding MDAPS, LCS would have fallen under the management and reporting requirements required for MDAPs.

No one can say that MDAP oversight would have prevented the problems of poor requirements generation, poor requirements control, poor program oversight, insufficient supervision of program execution, and abysmal cost estimating. However, when a program is expected to cost roughly \$12.0 billion (even under the rosier cost scenario), it should be subject to the requirements development, cost estimating, acquisition planning, and other requirements es-

established in statute and regulation for the beginning of MDAP programs. Otherwise, we will have little chance of fixing such programs after they fall into trouble, and DOD will never be able to get control of its acquisition problems.

Report on strategic plan for homeporting the Littoral Combat Ship (sec. 112)

The committee recommends a provision that would require the Secretary of the Navy to report on the Navy's strategic plan for homeporting the Littoral Combat Ship on the east coast and west coast of the United States.

Procurement programs for future naval surface combatants (sec. 113)

The committee recommends a provision that would prevent the Navy from obligating any funds for building surface combatants after 2011 until the Navy conducts particular analyses, and completes certain tasks that should be required at the beginning of major defense acquisition programs (MDAP).

For at least the past couple of years, the Navy's strategy for modernizing the major surface combatants in the fleet has been in upheaval. The Navy was adamant that the next generation cruiser had to begin construction in the 2011–2012 timeframe. After 15 years of consistent, unequivocal support of the uniformed Navy for the fire support requirement, and for the DDG–1000 destroyer that was intended to meet that requirement (i.e., gun fire support for Marine Corps or Army forces ashore), the Navy leadership, in the middle of last year, decided that they should truncate the DDG–1000 destroyer program and buy DDG–51 destroyers instead.

The Defense Department has announced that the Navy will complete construction of the three DDG–1000 vessels and will build three DDG–51 destroyers, one in fiscal year 2010 and two in fiscal year 2011. Beyond that, the plan is less well defined, and includes building only a notional "future surface combatant," with requirements, capabilities, and costs to be determined.

Notwithstanding Navy protests to the contrary, this was mainly due to the Navy's affordability concerns. The committee notes with no little irony that this sudden change of heart on the DDG–1000 program is at odds with its own consistent testimony that "stability" in the shipbuilding programs is fundamental to controlling costs and protecting the industrial base.

The Navy claims the change of heart on the DDG–1000 program was related to an emerging need for additional missile defense capability that would be provided by DDG–51s and is being requested by the combatant commanders, and would be used to protect carrier battle groups against new threats.

The committee certainly believes that the services should have the ability to change course as the long-term situation dictates. However, since we are talking about the long-term and hundreds of billions of dollars of development and production costs for MDAPs, the committee believes that the Defense Department should exercise greater rigor in making sure such course corrections are made with full understanding of the alternatives and the implications of such decisions, rather than relying on inputs from

a handful of individuals. The committee has only to look at the decision-making behind the major course correction in Navy shipbuilding that yielded the Littoral Combat Ship (LCS) to be concerned by that prospect.

Before deciding on a course of action regarding acquisition of surface combatants after 2011, we collectively have time to perform the due diligence that should be and must be performed at the beginning of any MDAP. That is what this section will ensure.

In addition, in order to deter any delaying action on conducting and completing the activities required by this section before 2011, the committee directs that the Secretary of the Navy obligate no more than 50 percent of the funds authorized for fiscal year 2010 in PE 24201N, CG(X), until the Navy submits a plan for implementing the requirements of this section to the congressional defense committees.

Report on a service life extension program for Oliver Hazard Perry-class frigates (sec. 114)

The committee recommends a provision that would require the Secretary of the Navy to report on a potential service life extension program (SLEP) for the Oliver Hazard Perry-class frigates, to include: (1) costs and schedules for a program, and shipyards capable of conducting such a program; (2) a detailed plan for achieving a 313-ship fleet; (3) the strategic plan for the Littoral Combat Ship (LCS) to fulfill roles and missions currently performed by Oliver Hazard Perry-class frigates; (4) the strategic plan for LCS if a SLEP were performed on Oliver Hazard Perry-class frigates; and (5) a description of the manner in which the Navy has been meeting the needs of United States Southern Command during the past 5 years.

Subtitle C—Air Force Matters

Limitation on retirement of C-5 aircraft (sec. 121)

The committee recommends a provision that would prevent the Air Force from retiring any C-5 aircraft until certain conditions are met. These include: (1) completing operational testing of the C-5 Reliability Enhancement and Re-engining Program; (2) providing a report by the Director of Operational Testing on the results of that operational testing; and (3) delivering reports on the economic and risk analyses that led to any decision to retire the aircraft before the end of their useful service lives.

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

In section 134 of the National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417), Congress authorized \$523.0 million in funds for F-22A advance procurement, but prohibited obligation of more than \$140.0 million of that amount until the President certified to the congressional defense committees that: (1) the procurement of F-22A fighter aircraft is in the national interest of the United States; or (2) the termination of the production line for F-22A fighter aircraft is in the national interest of the United

States. The certification was required to be submitted before March 1, 2009.

The President made no such certification. The Department has determined that, since the President did not make a determination under section 134 of Public Law 110–417, the remaining \$383.0 million is unavailable for obligation.

The President’s budget request includes a proposal to terminate production for the F–22A and includes no funds for additional F–22A aircraft. The budget request also includes a request for \$95.2 million to fund various activities related to the F–22A production line, and \$350.7 million to purchase and install various modifications for the F–22A fleet.

The committee recommends a provision that would: (1) repeal section 134 of Public Law 110–417 to lower the fence around the \$383.0 million that might have been used for advance procurement; and (2) allow the Secretary of the Air Force to reallocate those funds for other priorities. Lowering that fence would allow the Secretary to use these fiscal year 2009 funds to pay for fiscal year 2010 F–22A funding needs. The committee believes that, subsequent to action on the Supplemental Appropriations Act, 2009 (Public Law 111–32) the Air Force should have \$383.0 million available for such purposes.

Therefore, the committee recommends a decrease of \$383.0 million to Aircraft Procurement, Air Force, with \$350.7 million of that amount applied to the F–22A modifications request, and \$32.3 million applied to the full funding line.

Report on potential foreign military sales of the F–22A fighter aircraft (sec. 123)

The committee recommends a provision that would require the Secretary of Defense, in coordination with the Secretary of State, and in consultation with the Secretary of the Air Force, to report on: (1) the costs of developing an exportable version of the F–22A; (2) an assessment of whether such development is technically feasible, and if so, how long it would take; (3) an assessment of the strategic implications of permitting foreign sales of the F–22A; (4) an assessment of the potential impact of foreign sales on the domestic aerospace industry; and (5) any changes in law that would be required to permit such sales.

Next generation bomber aircraft (sec. 124)

The committee recommends a provision that would make a series of findings with respect to the next-generation bomber and that would declare that it is the policy of the United States to support a development program for next-generation bomber technologies.

On April 6, 2009, Secretary Gates announced that the United States “will not pursue a development program for a follow-on Air Force bomber until we have a better understanding of the need, the requirement, and technology.” Subsequent to this announcement, commanders of the United States Strategic Command, the United States Pacific Command, and the United States Joint Forces Command all testified before the committee that the capability that a next-generation bomber would provide will be needed in the future.

The committee understands that discussion on a next-generation bomber will occur in the context of the Quadrennial Defense Review and the Nuclear Posture Review, which will inform the fiscal year 2011 budget deliberations.

Subtitle D—Joint and Multiservice Matters

Modification of nature of data link utilizable by tactical unmanned aerial vehicles (sec. 131)

The committee recommends a provision that would amend section 141 of The National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163), which mandates that all Department of Defense (DOD) unmanned aerial vehicles (UAV) utilize data links from the Common Data Link family. The recommended provision would establish Internet Protocol-capable communications relays as an additional standard for DOD UAVs.

The committee believes this change is necessary because new requirements exist for communications relays that are Internet Protocol-capable and that support mobile ad hoc networking, range extension, and point to multi-point networking, as well as interoperability between Joint Tactical Radio System air- and surface-domain waveforms, which are capabilities not previously available with the Common Data Link.

Budget Items

Army

Extended range multi-purpose Sky Warrior

The budget request included \$651.4 million in Aircraft Procurement, Army (APA), to procure 36 MQ–1C extended range multi-purpose (ERMP) Sky Warrior unmanned aerial vehicles (UAV) in the Overseas Contingency Operations account and the base budget request. The Government Accountability Office reports, as is confirmed in the APA budget exhibits, that only 24 of these 36 aircraft will be delivered over a single year period, and that, therefore, the budget request reflects substantial forward funding. The committee strongly supports the ERMP program, but agrees that the Army should budget only for a single year’s worth of aircraft production and deliveries. The committee recommends a reduction to the request of 12 ERMP aircraft and \$200.0 million.

CH–47 multiyear procurement execution

The budget request included \$1,001.3 million in Aircraft Procurement, Army (APA), for the purchase of CH–47 Chinook cargo helicopters. The Army informed the committee that funds requested are insufficient to support the multiyear procurement contract. The committee recommends a decrease of \$22.0 million in APA, line 22 for the modification of CH–47 Chinook helicopters and an increase of \$22.0 million in APA, line 13 to support CH–47 Chinook multiyear procurement.

Apache AH–64 fuselage manufacturing

The budget request included \$426.4 million in Aircraft Procurement, Army (APA) for Apache AH–64 helicopter modifications. The

committee recommends an increase of \$5.5 million in APA to procure one set of the special tooling required to qualify a domestic source for the manufacture of the Apache AH-64 fuselage.

Blackhawk UH-60A conversion to UH-60L

The budget request included \$66.7 million in Aircraft Procurement, Army (APA) for utility helicopter modifications. The committee recommends an increase of \$20.4 million in APA to accelerate the conversion of older UH-60A model aircraft to the newer, more capable UH-60L model.

Air warrior ensemble generation III

The budget request included \$52.7 million in Aircraft Procurement, Army (APA) for aircrew integrated systems. The committee recommends an increase of \$3.0 million in APA for air warrior ensemble generation III systems.

Patriot command and control modifications

The budget request included \$44.8 million in Missile Procurement, Army, for modification of Patriot missile systems. The committee recommends an increase of \$5.0 million to modify the Patriot Tactical Command System/Battery Command Post to meet the threshold requirements of the Patriot Advanced Capability 3 system. This upgrade will help improve the Patriot system capability until the follow-on Medium Extended Air Defense System is fielded.

60mm mortars Army

The budget request included \$21.6 million in Procurement of Ammunition, Army (PAA) for 60mm mortars, all types. The committee recommends an increase of \$3.0 million in PAA for the procurement of additional mortars.

Bomb line modernization

The budget request included \$151.9 million in Procurement of Ammunition, Army (PAA) for the provision of industrial facilities, but provided no funds for bomb line modernization at the McAlester Army Ammunition Plant, Oklahoma. The committee recommends an increase of \$5.0 million in PAA for bomb line modernization.

Mine protection vehicle family

The budget request includes \$134.7 million in Other Procurement, Army (OPA), for 93 medium mine protected vehicles (MMPV). The committee notes that mine resistant ambush protected (MRAP) category 2 (Cat II) vehicles, of which the Army currently has approximately 2,000 in its inventory, and which have not yet been incorporated into Army doctrine, organization, or materiel, meet the Army's requirement for a medium mine protected vehicle. The committee is aware that, instead of deploying with vehicles organic to their formations, engineer and explosive ordnance disposal (EOD) units receive Cat II vehicles in theater. Therefore, the committee believes that procuring 93 more of an eventual 443 new Cat II MRAP vehicles which would principally be used for

training, is imprudent, especially in light of the draw-down in forces from Iraq and the future availability of excess MRAP vehicles.

In the interim, the committee recommends a decrease of \$90.0 million in OPA to slow the production of these vehicles in fiscal year 2010 so that the Army may perform an assessment of its requirement and current inventory.

Joint tactical radio system

The budget request includes \$55.2 million in Other Procurement, Army (OPA), for the procurement of engineering design model four-channel joint tactical radio system ground mobile radios for use in a multi-service operational test and evaluation. The committee understands that these tests will not occur until fiscal year 2011 due to ongoing technical complexities in the program's testing schedule and a recent shift in the program's milestone C decision. The committee also understands that both the Department's Defense Contract Management Agency and its cost analysis improvement group have conducted assessments indicating the schedule may slip further. Therefore, the committee recommends a decrease in OPA of \$55.2 million due to program delays.

Night vision devices

The budget request includes \$250.6 million in Other Procurement, Army (OPA) for the procurement of enhanced night vision goggles (ENVG). The committee strongly supports the Army's ongoing efforts to equip soldiers with the most advanced night vision devices available and the ongoing work at the Army's night vision lab to maintain and extend the U.S. military's strategic advantage in this technology area. ENVGs permit superior tactical mobility and engagement during limited visibility conditions and enable soldiers to see, understand, and act first on the battlefield. This advantage is critical to current and future operations.

The committee understands that the ENVG production line is significantly behind on its production schedule and has a backlog of systems due to failures found during monthly quality control testing of ENVG systems. Additionally, the committee understands that the ENVG contractor has notified the Army of a reduction in their capacity in the second quarter of 2009. The committee is aware of the Army's plan to award contracts to other suppliers in order to increase capacity; however, even with this mitigation strategy, the Army will not be able to execute all of the funding requested for fiscal year 2010.

The committee recommends a decrease of \$100.0 million in OPA due to ENVG production delays.

Fido explosives detector

The budget request included \$56.1 million in Other Procurement, Army (OPA) for ground standoff mine detection systems, but provided no funds for the Fido explosives detector. The Fido explosives detector is deployed and in use by units in Iraq to counter improvised explosive devices and land mines. The committee recommends an increase of \$7.0 million in OPA for additional Fido explosives detectors.

Combat casualty care equipment upgrade program

The budget request included \$33.7 million in Other Procurement, Army (OPA) for medical combat support equipment. The committee recommends an increase of \$8.3 million in OPA to accelerate the upgrade of Army field medical equipment.

Operator driving simulators

The budget request included \$261.3 million in Other Procurement, Army (OPA) for non-system training devices. Additional driving simulators would allow deploying soldiers to maximize their training time while providing a realistic experience without risk to personnel or equipment. The committee recommends an increase of \$5.0 million in OPA for operator driving simulators.

Immersive Group Simulation Virtual Training System

The budget request included \$261.3 million in Other Procurement, Army (OPA) for non-system training devices, but provided no funding for the Immersive Group Simulation Virtual Training System (IGS-VTS). The IGS-VTS is a fully immersive, interactive virtual reality platform that supports soldier vehicle training. The committee recommends an increase of \$5.5 million in OPA for the IGS-VTS.

Joint Fires and Effects Trainer System

The budget request included \$3.1 million in Other Procurement, Army (OPA) for the Call for Fire Trainer, but included no funds for the Joint Fires and Effects Trainer System (JFETS) project. JFETS is a next-generation, virtual reality call for fire training simulation. The committee recommends an increase of \$5.0 million in OPA for JFETS.

Urban training center instrumentation

The budget request included \$261.3 million in Other Procurement, Army (OPA) for non-system training devices. The committee notes that the Army's readiness and rotation training strategies call for units to accomplish more of their mission training and rehearsals at their local training areas and facilities. The Army is using several technologies to increase the flexibility and value of local training ranges and facilities including the Deployable Range Package, the Homestation Instrumentation System, and the Integrated Military Operations in Urbanized Terrain Training System. The committee recommends an increase of \$2.0 million in OPA for the instrumentation of a regional urban operations training center.

Virtual Interactive Combat Environment System

The budget request included \$261.3 million in Other Procurement, Army (OPA) for non-system training devices, but included no funds for the Virtual Interactive Combat Environment (VICE) system. VICE is a team tactics, techniques, and procedures training system for dismounted infantry tasks. The committee recommends an increase of \$4.9 million in OPA for VICE.

Joint Improvised Explosive Device Defeat Fund

Joint Improvised Explosive Device Defeat Fund

The budget request includes \$564.9 million for the Joint Improvised Explosive Device Defeat Fund (JIEDDF), which funds the operations of the Joint Improvised Explosive Device Defeat Organization (JIEDDO), including \$203.1 million for JIEDDO's attack the network line of operation; \$199.1 million for JIEDDO's defeat the device operation; \$41.1 million for JIEDDO's train the force operation; and \$121.6 million for JIEDDO's staff and infrastructure line of operation. The committee recommends full funding for JIEDDO, but recommends transferring all of JIEDDF funds from title I to the same budget activities in title XV, which funds the overseas contingency operations of the Department.

Navy

F/A-18E/F

The budget request included \$1,009.5 million to purchase nine F/A-18E/F aircraft. This is nine fewer aircraft than the Navy had planned to buy in fiscal year 2010 in the fiscal year 2009 future-years defense program.

The committee has expressed concern that the Navy is facing a sizeable gap in aircraft inventory as older F/A-18A-D Hornets retire before the aircraft carrier variant (F-35C) of the Joint Strike Fighter (JSF) is available. The committee raised this issue in the committee reports accompanying S. 1547 (S. Rept. 110-77) of the National Defense Authorization Act for Fiscal Year 2008 and accompanying S. 3001 (S. Rept. 110-335) of the National Defense Authorization Act for Fiscal Year 2009. The committee is disappointed that the Navy has failed to provide the report comparing single versus multiyear procurement costs mandated by the second of those committee reports.

Last year, the committee received testimony from the Navy of a projected shortfall in Navy tactical aviation. The Navy indicated that, under assumptions current at that time, it would experience a shortfall of 69 tactical aircraft in the year 2017, a number that swells to 125 when requirements of the United States Marine Corps are included. The committee believes that the Navy's projection of this shortfall was, however, based on a series of questionable assumptions.

This year, the Chief of Naval Operations said that the projected gap may be as high as 250 aircraft total for the Department of the Navy. The committee believes that the Navy has failed to present a budget in fiscal year 2010 that takes effective action to deal with this substantially increased projected shortfall in the Department of the Navy's tactical air fleet and is concerned about the potential risk such a shortfall could pose to national security. The committee also notes that this shortfall figure is still predicated on an initial operation capability of the F-35C in 2015 but that achieving this is considered optimistic by many observers. The Navy's delay in taking action causes concern that it: (1) is continuing to accept the substantial security risks associated with the projected shortfall; (2) remains overly reliant on a potentially costly service life exten-

sion program (SLEP) for legacy F/A-18s as a means to mitigate the gap until the Joint Strike Fighter achieves full operational capability; and (3) is not adequately considering realistic, fiscally responsible long-range procurement plans to address the carrier strike aircraft shortfall, such as a multiyear procurement of F/A-18E/F aircraft as opposed to a series of single year purchases.

The committee is concerned that, in response to possible further delays, expanding costs and technological immaturity with the JSF, the Navy appears increasingly reliant on its proposal to extend the life of select legacy F/A-18's from 8,600 to 10,000 flight hours through a SLEP currently estimated to cost on average \$26.0 million per plane. This life extension would be in addition to the 2,600-hour service life extension that the Navy already plans for most legacy F/A-18s. By the Navy's own testimony, it is unclear how many of the planes are capable of reaching 10,000 flight hours even with a SLEP. The committee is concerned that the cost uncertainties of a SLEP achieving an additional 1,400 flight hours make such a plan risky. In any case, the committee believes such SLEP may be inefficient when compared with the benefits of procuring new F/A-18E/F's, which might cost less than \$50.0 million each in 2009 constant dollars under a multiyear procurement acquisition strategy. Normalizing costs for the expected return in additional service life, a SLEP to achieve the additional 1,400 hours would cost approximately \$18,571 per flight hour gained, versus \$8,333 per flight hour provided by a new F/A-18E/F (at a 6,000 flight hour life, the cost per flight hour of a new F/A-18E/F would fall even further to \$5,814 if those planes are similarly extended to 8,600 flight hours as have legacy F/A-18s). In light of such costs, the committee believes the Navy must more carefully evaluate costs and benefits of new F/A-18E/F procurements, compared to investing in a SLEP of legacy aircraft.

The committee further notes that new F/A-18E/F models come equipped with improved technological capabilities over the legacy F/A-18's, including active electronically scanned array radar, modernized avionics, advanced aerial refueling system capability, and added weapon hard points, among other features that would not be part of a SLEP upgrade package for the older aircraft. These factors would tend to increase the benefit of purchasing new F/A-18E/Fs compared to conducting a SLEP on legacy aircraft. The Navy projects that the F/A-18E/F will remain in the fleet until at least 2040, and should be able to use most or all of the full service life of any newly purchased aircraft.

The committee understands that the Department of Defense intends to review the whole issue of tactical aircraft forces in the pending Quadrennial Defense Review. The committee expects the Department to conduct and submit the analysis of multiyear procurement for the F/A-18 as directed in the committee report last year to include cost differentials between single year and multiyear procurement strategies and tradeoffs between a SLEP and new procurements of the F/A-18E/F. The Department should include such information derived from that analysis in deciding how to implement the results on the ongoing Quadrennial Defense Review regarding tactical aviation.

The committee expects that the Department's tactical aviation procurement strategies will be informed by the Quadrennial Defense Review. In light of the significant increase in the strike-fighter shortfall testified to before the committee this year, additional actions to address that shortfall cannot be delayed too long. The committee emphasizes, as it did last year, that if purchasing new F/A-18E/F aircraft proves to be the preferred method of resolving the shortfall, not acquiring those aircraft under a multiyear contract could lead to the loss of "substantial savings" to the government—subject to the outcome of required independent cost estimates. The committee notes that a request for a multiyear procurement must fully comply with the requirements of section 2306b of title 10, United States Code, as amended by section 811 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181).

In the interim, the committee fails to see the wisdom in cutting planned F/A-18E/F procurement with potential shortfalls this large. Therefore, the committee recommends an increase of \$560.0 million to buy 18 F/A-18E/F aircraft in fiscal year 2010 as originally planned.

UH-1Y/AH-1Z

The budget request included \$835.4 million in Aircraft Procurement, Navy (APN), for the UH-1Y/AH-1Z helicopter program. These funds would support purchasing 16 new UH-1Ys, 2 new AH-1Zs, and remanufacturing 12 existing AH-1Ws to the AH-1Z configuration. This compares to the program for fiscal year 2009 of 15 new UH-1Ys, and remanufacturing 5 existing AH-1Ws to the AH-1Z configuration.

In conjunction with the plan to increase the size of the Marine Corps, the total program quantities have been increased to 123 UH-1Ys and 226 AH-1Zs. A total of 58 of the programmed 226 AH-1Zs will be new production to reduce the impact on operational forces of taking operational helicopters off the line and inducting them into the remanufacturing effort. Fiscal year 2010 would be the first year of buying new AH-1Zs.

Operational testing for the UH-1Y has been completed, which resulted in a positive Milestone B decision in September 2008. Operational testing for the AH-1Z has been delayed, mainly due to issues surrounding the targeting sight system. The program office now predicts that operational testing for the AH-1Z configuration will not be completed until late in fiscal year 2010. Despite these delays, the fiscal year 2010 request reflects an increase of two AH-1Z aircraft since the plan last year.

Also since last year, the Secretary of the Navy notified Congress that the Service Acquisition Executive had determined the program had breached the significant cost growth threshold of 15 percent, compared to the baseline average procurement unit cost.

The committee supports the Marine Corps plans to expand the size of the force, but also believes that the Department should not proceed too quickly in ramping up this program absent successful operational testing.

The committee recommends a decrease of \$282.9 million to keep the UH-1Y/AH-1Z program at the same level of effort as fiscal year 2009.

Weapons industrial facilities

The budget request included \$3.2 million for various activities at government-owned, contractor-operated weapons industrial facilities. The committee recommends an increase of \$30.0 million to accelerate the facilities restoration program at the Allegany Ballistics Laboratory.

Multiple User Objective System

The committee recommends an increase of \$32.0 million in Weapons Procurement, Navy, line 18 for the Multiple User Objective System (MUOS). A complete discussion of the MUOS program is contained in title II of this Act.

Smart valves

The budget request included \$11.4 million in Other Procurement, Navy (OPN), for firefighting equipment, but included no funding to expand the application of “smart valves” for firefighting systems to support the DDG-51 modernization program.

The Navy developed smart valve technology as part of the DDG-1000 autonomic fire suppression system (AFSS). These systems support reducing crew sizes because they can automatically reconfigure a ship’s firefighting system to route around damaged sections of piping without human intervention.

The current DDG-51 modernization program is upgrading various systems on the DDGs, including the hull, mechanical and electrical systems. If the Navy were to make appropriate engineering changes, this smart valve technology could be backfit to the DDG-51 during this modernization period, and provide the opportunity to reduce crew sizes.

Therefore, the committee recommends an increase of \$4.0 million in OPN for expanding the application of smart valve technology.

TB-33 thinline towed array

The budget request included \$28.2 million in Other Procurement, Navy (OPN), for purchasing various components of the thinline towed systems. Installing these arrays holds the promise of providing much better acoustics performance for our submarines.

The committee understands that additional funding would permit the Navy to accelerate initial qualification testing, implement automated manufacturing processes, qualify commercial suppliers for critical components, and improve acceptance testing methods.

Therefore, the committee recommends an increase of \$4.0 million in OPN for the TB-33 thinline towed array.

Man overboard indicators

The budget request included \$55.3 million in Other Procurement, Navy (OPN), for command support equipment, but no funding to procure man overboard indicators (MOBI).

The Navy has tested a one-per-person MOBI transmitter. Additionally, at least two expeditionary strike groups recommended the

Navy procure MOBI transmitters for each embarked sailor, marine, and airman. The committee understands that a large majority of ship commanding officers having MOBI systems installed have requested additional MOBI transmitters in order to protect all embarked personnel. In addition, the U.S. Navy Safety Center has recommended that each embarked sailor and marine be afforded MOBI protection.

Therefore, the committee recommends an increase of \$4.0 million for the procurement of additional MOBI systems.

Air Force

F-22A fighter aircraft

The budget request included \$95.2 million in Aircraft Procurement, Air Force (APAF), for the F-22A aircraft program, including \$64.0 million for shutting down the production line.

The committee recommends an increase of \$1.75 billion to purchase an additional seven F-22A aircraft in fiscal year 2010. The committee also directs that the production shutdown costs be applied to other program requirements.

The Air National Guard is charged with providing homeland aerial defense for the United States and is primarily responsible for executing the air sovereignty alert (ASA) mission as part of the National Defense Strategy. In carrying out this mission on a daily basis, the Air National Guard relies on more than 1,600 Air National Guard men and women who operate legacy F-15 and F-16 fighter aircraft. The committee has been informed that the projected retirements of these legacy aircraft with which the Air National Guard currently executes the ASA mission will leave the Guard short of the required number of aircraft to execute this mission. Additionally, the Government Accountability Office has commented that “unless the Air Force modifies its current fielding schedules or extends the service lives of its F-15s and F-16s . . . it will lack viable aircraft to conduct ASA operations at some of the 18 current ASA sites after fiscal year 2015.”

The committee is concerned that no plan has been developed to fill this shortfall, either through modernizing legacy aircraft or buying new aircraft. Of specific concern is the fact that 80 percent of the F-16s will be gone in 8 years and since the majority of the ASA mission is accomplished by these F-16s, this will negatively impact the Air National Guard’s ability to execute the ASA mission.

In a recent letter, the Director of the Air National Guard commented, “While a variety of solutions abound, I believe the nature of the current and future asymmetric threats to our Nation, particularly from seaborne cruise missiles, requires a fighter platform with the requisite speed and detection to address them. The F-22’s unique capability in this arena enables it to handle a full spectrum of threats that the Air National Guard’s current legacy systems are not capable of addressing . . . basing F-22 (and eventually F-35s) at strategic Air National Guard locations throughout the United States while simultaneously making them available to rotationally support worldwide contingency operations is the most responsible approach to satisfying all of our Nation’s needs.”

For these reasons, the committee directs the Secretary of the Air Force to develop a plan, including force structure and basing requirements, for executing the ASA mission over the next 2 decades. The Secretary shall deliver that plan to the congressional defense committees no later than March 1, 2010. The plan shall give full consideration toward: (1) stationing the additional F-22s procured in fiscal year 2010 at strategic Air National Guard locations; (2) creating new or expanding current Active/Guard associate units in which both active-duty and Air National Guard personnel could operate these additional aircraft, as well as F-22s and F-35s procured in the future; and (3) transitioning earlier model F-22s as well as F-35s procured in the future to the Air National Guard at the first possible opportunity.

Global Hawk

The budget request included \$554.8 million for procurement of the Global Hawk high-altitude unmanned aerial system. The Government Accounting Office recommends a reduction to the request to slow production because of continued delays in the program, including operational testing. Accordingly, the committee recommends a reduction of \$50.0 million to the request.

C-130 Avionics Modernization Program

The budget request included \$354.4 million in Aircraft Procurement, Air Force (APAF), for the C-130 Modifications Program, including \$209.5 million for the C-130 Avionics Modernization Program (AMP). The C-130 AMP effort suffered a Nunn-McCurdy breach in February 2007, which caused the Department of Defense to significantly restructure and recertify the program in June 2007. Since last year, there have been additional delays in starting production, primarily because of software testing issues and a failure to complete required documentation. The milestone decision review to authorize production is at least 1 year later than the projected date of June, 2008. This means that production funds from fiscal years 2008 and 2009 will be awarded, at the earliest, sometime late this summer.

While the committee remains supportive of the program, the committee sees no need to provide additional kit and installation funding in fiscal year 2010, with the program running at least a full year behind the planned schedule and not requiring additional production funds until fiscal year 2011.

The committee recommends a reduction of \$209.5 million in APAF for the C-130 AMP Modification Program.

Advanced targeting pod

The budget request included \$103.3 million in Aircraft Procurement, Air Force (APAF), for other aircraft modifications, including \$0.9 million for modifications of advanced targeting pods (ATP), also known as precision attack systems.

The Air Force and the contractor team for the Litening ATP program have devised a spiral enhancement kit for existing Litening ATPs that will provide:

- (1) a new fourth generation forward-looking infrared sensor;

(2) a new fourth generation charged coupled device camera that enables targeting acquisition and identification;

(3) a C-Band video downlink capability which will provide exceptional standoff capability outside of most surface-to-air threats at twice the distance of the earlier Litening ATPs; and

(4) a laser spot tracker and a laser target imaging processor which yield much improved performance for targeting at long-ranges using precision weapons.

The committee recommends an increase of \$24.0 million in APAF for the procurement of spiral upgrade kits for Litening ATPs.

Evolved Expendable Launch Vehicle

The budget request included \$1.3 billion for the Evolved Expendable Launch Vehicle (EELV), in Missile Procurement, Air Force, line 24. The committee recommends a reduction of \$88.0 million as a result of the delay of the Global Positioning System IIF satellite number 8 (GPS IIF-8). The EELV booster for GPS IIF-8 will have to be purchased in fiscal year 2011.

Evolved Expendable Launch Vehicle

The budget request included \$1.3 billion for the Evolved Expendable Launch Vehicle (EELV), in Missile Procurement, Air Force, line 24. The committee recommends a reduction of \$105.0 million as a result of the ability of the Air Force to utilize a previously purchased booster for AFSPC-4. As a result the funds requested for the AFSPC-4 booster in the fiscal year 2010 budget request are excess.

Halvorsen loaders

The budget request included \$19.6 billion for Other Procurement, Air Force, but did not include any funds for Halvorsen loaders. The committee recommends an increase of \$12.0 million for the procurement of 15 Halvorsen loaders to assist the Air Force to meet its requirement of 538 loaders.

Unmanned modular threat emitter modernization

The budget request included \$40.6 million in Other Procurement, Air Force, for Combat Training Ranges, but no funds to sustain the Unmanned Modular Threat Emitter (UMTE) modernization program. Current threat emitters supporting the Air Warfare Center Nellis Range Complex are out of date and inadequate for training, particularly with the F-22 and F-35. The UMTE modernization program will provide affordable and realistic threats at the required density, and the upgraded performance and extended life of existing assets needed at the Nevada Test and Training Range. The committee recommends authorization of \$43.6 million, \$3.0 million above the request for UMTE.

Joint threat emitter

The budget request included \$40.6 million in Other Procurement, Air Force (OPAF), for making improvements at combat training ranges, including \$7.1 million for the joint threat emitter (JTE) program. These improvements are aimed at increasing the capability to support realistic air-to-air, air-to-ground, ground-to-air,

and electronic warfare training, along with the ability to record and play-back events for aircrew debriefing and analysis.

The Air Force has developed a new infrared threat simulator for augmenting the JTE system, called the aviation crew trainer (ACT). The Air Force needs to buy additional ACT systems to be able to field that system to all of its training ranges.

Therefore, the committee recommends an increase of \$3.2 million in OPAF for buying additional ACT systems for the JTE program.

Application software

The budget request included \$111.3 million in Other Procurement, Air Force (OPAF), line 37, for Milsatcom Space but no funds for the Application Software Assurance Center of Excellence. The committee recommends an increase of \$9.0 million for the Center to assess and strengthen defenses against cyber attacks at the software application level.

Mine Resistant Ambush Protected Vehicle Fund

Mine Resistant Ambush Protected Vehicle Fund

The base budget request included no funding for the Mine Resistant Ambush Protected Vehicle (MRAP) Fund to procure MRAP all-terrain-vehicles (M-ATV). The overseas contingency operations (OCO) budget request, however, included \$5,456.0 million to procure approximately 2,080 M-ATVs and sustain the approximately 15,000 MRAP vehicles in the Department's existing inventory, much of which is in Iraq.

The committee is aware that the Department is close to a decision to increase the M-ATV requirement to more than 5,200 M-ATVs to support combat operations in Afghanistan. This process was spurred by the inadequate armor protection of the High Mobility Multipurpose Wheeled Vehicle and the poor mobility of the MRAP vehicles in Afghanistan's rugged terrain. In anticipation of an increase in the M-ATV requirement, the committee recommends an increase of \$1,200.0 million for the MRAP Fund, thereby bringing the total funding in the base and OCO components to \$6,956.0 million for M-ATVs.

The committee is aware that the MRAP program office has funds available from lower-than-expected MRAP sustainment costs that can be shifted to begin production of additional M-ATVs. The committee is committed to ensuring that this critical force protection program proceeds rapidly with all the necessary resources.

The committee also continues to monitor closely the Army's ongoing assessment of its MRAP fleet and how it plans to incorporate the more than 12,000 MRAPs it has procured over the past 2 years into its current force structure and fleet of tactical wheeled vehicles, as directed by the Secretary of Defense.

Defense-wide

MC-130W multi-mission modifications

The budget request included \$31.6 million in Procurement, Defense-wide for MC-130 Multi-Mission Modifications. These modifications fulfill an urgent combat requirement to rapidly arm and

field multi-mission precision strike platforms. These aircraft will provide an enhanced armed-overwatch capability utilizing various sensors, communications systems, precision guided munitions, and a medium-caliber gun. The Commander of the U.S. Special Operations Command has identified an \$85.0 million shortfall in funding for these aircraft modifications.

The committee recommends an increase of \$85.0 million in Procurement, Defense-wide, C-130 Modifications, for the U.S. Special Operations Command.

Advanced lightweight grenade launcher

The budget request included no funding in Procurement, Defense-wide, for advanced lightweight grenade launchers for special operations forces. These grenade launchers provide special operations forces with a vehicle and man-portable weapon to defeat personnel and lightly armored targets from extended distances. U.S. Special Operations Command has a basis of issue requirement for 926 advanced lightweight grenade launchers, but has only fielded 709 toward that requirement.

The committee recommends an increase of \$5.0 million in Procurement, Defense-wide, Small Arms and Weapons, to help the U.S. Special Operations Command meet its basis of issue requirement.

Special operations visual augmentation systems

The budget request included \$33.7 million in Procurement, Defense-wide, for the special operations forces (SOF) visual augmentation, lasers, and sensor systems. However, no funding was included for the special operations visual augmentation systems hand-held imager/long-range. These hand-held imagers allow special operators to detect, recognize, and identify targets under varying conditions or at ranges at which the operator would not normally be able to see the target. The Commander of the U.S. Special Operations Command has identified a \$15.4 million shortfall in funding for these hand-held imagers.

The committee recommends an increase of \$15.4 million in Procurement, Defense-wide, SOF Visual Augmentation, Lasers and Sensor Systems, for the U.S. Special Operations Command.

Special operations forces multi-band inter/intra team radio

The budget request included \$32.9 million in Procurement, Defense-wide for Multi-band Inter/Intra Team Radios for special operations forces (SOF). These radios provide SOF with a lightweight, hand-held communications capability adequate for the air, ground, and maritime missions they are tasked to perform. The Commander of the U.S. Special Operations Command has identified a \$31.3 million shortfall in funding for these radios.

The committee recommends an increase of \$31.3 million in Procurement, Defense-wide, SOF Tactical Radio Systems, for the U.S. Special Operations Command.

M53 Joint Chemical Biological Protective Mask

The budget request included \$92.0 million in Procurement, Defense-wide for chemical and biological individual protection equip-

ment, including \$48.4 million for the Joint Service General Purpose Mask (JSPGM). However, there was no funding for the special operations forces variant of the JSPGM, the M53 Joint Chemical Biological Protective Mask (JCBPM). The committee recommends an increase of \$4.0 million in Procurement, Defense-wide, Line 93, for M53 JCBPM.

United States Special Operations Command (SOCOM) has a validated requirement for 14,601 JCBPMs, but only 70 percent of that requirement has been procured to date. Additional funding for this program would allow the purchase of the remaining 30 percent of the JCBPMs that are required by SOCOM.

Procurement of computing services

The committee recommends a total reduction of \$300.0 million from service and defense-wide operation and maintenance accounts that support the procurement and delivery of computing services. The reductions include a \$75.0 million decrease from each of the Army, Navy, Air Force, and defense-wide accounts. The committee does not intend for these reductions to be assessed against Defense Information Systems Agency (DISA) computing services activities.

The committee directs the services to aggressively explore increased opportunities to utilize DISA computing services and eliminate redundant, wasteful service-specific computing services activities. The committee notes that consolidation of computing services activities, such as reductions in numbers of computing centers, data storage systems, and electronic file servers, has saved the Department of Defense an estimated \$200.0 million or more annually since 1990, according to DISA. Further, a June 2007 independent assessment of DISA's computing services noted that they "...provided world-class computing services that enable the DOD community to better execute their missions," and compared DISA's services favorably to general government, federal, and workload peers. The assessment also recommended continuing assessment of organizational staffing, structure, and realignment, as well as continued maturation of data center processes. Finally, the committee notes that uncoordinated, Department-wide deployment of servers, mainframes, data warehouses, websites, and other computing services has resulted in inefficiencies, underutilization of computing infrastructure, and interoperability difficulties.

The committee recommends that the Assistant Secretary of Defense for Networks and Information Integration initiate independent, comparative benchmarking studies of computing services across the Department of Defense to inform and accelerate the consolidation of the provision of computing services to increase efficiency, improve services, and reduce costs.

Items of Special Interest

Body armor protocol and requirements

The committee concurs with the Department of Defense Inspector General's recommendation that the Department should establish standardization for testing and evaluation of all body armor components. Standard protocols by all military departments will improve confidence in the level of ballistic protection provided by

the Department and will better facilitate rapid procurement and fielding. The committee believes the use of common test and evaluation standards will also enable commercial ballistic test facilities and body armor component producers to more quickly and effectively respond to the Department's requirements.

Additionally, the committee recommends the Department consult a peer review of any proposed standardized test and evaluation procedures from ballistics experts in other federal agencies and departments prior to publication. The committee is aware that such expertise resides in the Department of Commerce, the National Institute of Standards and Technology, and in the National Institute of Justice. The committee would also recommend that representatives from commercial ballistics test facilities be given an opportunity to comment on the draft test and evaluation standards before final versions are issued.

The committee believes body armor requirements for the military services should be coordinated through the Joint Capabilities Integration and Development System process. The committee encourages the Joint Requirements Oversight Council to review and determine if an update to the current body armor requirements is necessary.

The committee echoes the testimony of the Vice Chief of Staff of the Army and the Assistant Commandant of the Marine Corps, that there is an urgent need to lighten the warfighter's combat load. The committee urges the Secretary of Defense to consider establishing and funding a Department-wide task force which could expedite efforts and advancements in weight reduction for body armor. The committee highlights similar task forces such as the Mine Resistant Ambush Protected Vehicle Task Force and the Intelligence, Surveillance, and Reconnaissance Task Force which were created to confront the urgent operational requirements for Iraq and Afghanistan.

Irregular warfare in the Navy

In prepared statements before the committee on the posture of the Department of Defense regarding the authorization request for fiscal year 2010, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff both observed that the Department of Defense (DOD) needed to shift relative emphasis in resource allocations towards the threats we face today and will likely face tomorrow.

One of those threats encompasses the irregular warfare (IW) mission area. The committee is concerned that DOD has not shifted enough emphasis quickly enough in certain areas. One such area is in the Department of the Navy's budget for IW programs, which may be inadequate to achieve the objectives the Secretary has laid out.

A major component of the Navy's ability to contribute to the IW mission area is the Naval Expeditionary Combat Command (NECC). A large proportion of NECC force structure is ground equipment (i.e., SEABEE equipment and vehicles), underwater demolition and diving equipment, small boats, riverine craft and maritime expeditionary force equipment. These categories of equipment have seen persistent use and have been exposed to the harsh elements in Iraq, Afghanistan, and elsewhere in the Central Com-

mand theater of operations. The committee understands that much of that equipment will be left behind or given to local forces, such as the Iraqi National Army or police forces, when the U.S. withdraws the bulk of its forces.

The committee expects that the Quadrennial Defense Review will review this situation and help inform DOD on the requirements to fully fund NECC modernization and sustainment requirements, and that the Navy will adequately apply resources to those requirements in future budgets. In addition, the committee believes that any such review of NECC requirements should account for equipment shortfalls due to: (1) transferring equipment to local forces; (2) changing force structure requirements; (3) changing threat levels requiring equipment modifications or different equipment entirely; (4) losing equipment in combat; (5) operating beyond economic service life; and (6) operating in environments which result in excessive wear and tear.

Joint cargo aircraft

The budget request included \$319.1 million in Aircraft Procurement, Air Force (APAF), to purchase eight C-27J Joint Cargo Aircraft (JCA).

Over the past several years, the Department of Defense (DOD) has produced a number of studies for Joint Cargo Aircraft, including an Analysis of Alternatives, which the Army conducted in 2005–2006. More recent studies produced by the RAND Corporation as late as 2009 suggest that the requirement for the JCA program would be 78 aircraft. Originally, both the Army and Air Force planned to buy JCA aircraft, with 54 and 24 aircraft in the future-years defense program for the Army and Air Force, respectively.

This year, DOD, the Army, and the Air Force are recommending that the Air Force assume sole responsibility for the JCA program and mission set. Against that backdrop, the committee heard testimony from DOD and Air Force officials on their commitment to replace the Army National Guard's C-23 Sherpa aircraft. That testimony reflected the Army's need for less than a full load of cargo carrying capacity for the "last tactical mile," where the C-27J may be able to operate more effectively and efficiently than other Army or Air Force aircraft.

This year, both the Secretary and the Chief of Staff of the Air Force testified that the correct number of C-27J aircraft is at least 38, and that the goal for the program as identified in the budget request for a program of 38 C-27s was a floor, not the ceiling.

The committee understands that DOD intends to review the whole issue of intra-theater airlift in terms of relative balance between heavy-lift helicopters, C-27s, and C-130s in the pending Quadrennial Defense Review (QDR). The committee believes that any complete review of intra-theater airlift requirements and programs must give due consideration to the potential requirements for and contribution of these systems to the homeland security mission.

The committee will continue to follow this program through the QDR process and provide oversight to ensure that: (1) the program's schedule is maintained during transition from Army to Air Force management; (2) the Air Force meets flight test and aircraft

worthiness certification schedules; (3) that the Department meets all Operational Test and Evaluation objectives in 2010; and (4) the Air Force satisfies the Army's direct support airlift requirements.

In addition, the committee directs the Secretary of the Air Force, in conjunction with the Chief of the National Guard Bureau, to submit a report to the congressional defense committees within 120 days of enactment of this Act on the Air Force's plans for: (1) integrating these aircraft in the Department of the Air Force's force structure; (2) deploying these aircraft to support combatant commander requirements; and (3) permanent stationing for these aircraft.

Reports to Congress on up-armored high mobility multipurpose wheeled vehicles and mine resistant ambush protected vehicle

The Emergency Supplemental Appropriations Act for Defense, Global War on Terror, and Tsunami Relief, 2005 (Public Law 109-13) directed the Secretary of Defense to submit a report to the congressional defense committees not later than 60 days after enactment, and every 60 days thereafter until the termination of Operation Iraqi Freedom, setting forth the current requirements of the armed forces for Up-Armored High Mobility Multipurpose Wheeled Vehicles (HMMWVs). The U.S. Troop Readiness, Veteran's Care, Katrina Recovery, and Iraq Accountability Act (House Report 110-104) directed the military services to jointly report on the mine resistant ambush protected (MRAP) vehicle program's status, requirements, and execution of funds.

While both of these reports provide helpful information to the congressional defense committees, the committee believes the picture remains incomplete. As such, the committee directs the military services to consolidate these two reports into one single report that details the following information for operations in Iraq and Afghanistan: (1) current requirements for up-armored HMMWVs, MRAPs, and MRAP all-terrain-vehicles; (2) status of theater equipment (i.e., quantities and vehicles readiness levels); and (3) execution of funds to support these programs.

Unmanned aerial vehicle planning

The Air Force is required to acquire and maintain enough Predator and Reaper unmanned aerial vehicles (UAVs), along with the processing, exploitation, and dissemination (PED) capacity, for 50 combat air patrols (CAP). The committee is aware that U.S. Strategic Command is conducting a force mix study that may well result in an increase in the required number of CAPs.

The Air Force has produced a plan to achieve the 50-CAP requirement by September 2011. The UAV Task Force in the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) is concerned that the Air Force plan is substantially underfunded, specifically in sustainment of the Predator portion of the planned fleet, the money for which was re-directed to Reaper procurement. While the Air Force states that it will fully fund the plan in the next budget cycle, the Task Force expects that budget pressures on the Air Force will make it very difficult for the Air Force to make good on this pledge.

The Air Force plan also shows that there will be a shortage of the number of aircraft required to fully equip the number of CAPs the Air Force is pledged to provide between 2010 and 2013. The Air Force plan is to compensate for the shortage by maintaining a “surge” profile, whereby less than the four aircraft standard for a CAP will be operated at higher tempo. The reason for this “flat spot” in the aircraft inventory is that funds appropriated in fiscal year 2009 for production of 18 Predators have not been obligated and the Air Force indicates that the funds will be reprogrammed for other activities.

The committee regards this as unacceptable and will not be favorably inclined towards a future reprogramming request. The committee urges the Secretary of Defense to resolve the issues between the Air Force and USD (AT&L) promptly and proceed to procure the Predator aircraft approved by Congress.

The committee directs the USD (AT&L) to report to the congressional intelligence and defense committees coincident with the submission of the fiscal year 2011 budget request on:

- The number of endurance UAV CAPs required by date through the Future Years Defense Program;
- The Department’s plans, including funding, to achieve the required CAP levels;
- The mix of Predators and Reapers over time, including the mix of Predator 1Bs and 1Cs;
- The adequacy of data relay and PED resources to support the CAPs, including appropriately cleared analysts to support sensitive special operations; and
- How the Department intends to manage the relationship between the Air Force Global Hawk and the Navy Broad-Area Maritime Surveillance version of the RQ-4, in terms of interoperability and data relays.

The report also should include an update on the Department’s efforts to engage the Federal Aviation Administration (FAA) on all aspects of integrating UAVs into the national airspace control system. The committee is discouraged that the FAA has yet to establish a UAV program office to work jointly with DOD on this critical challenge. The committee believes that an FAA program office with a separate funding line and adequate resources is essential for the FAA to meet its obligations in this area.