

# House Armed Services Committee

Ike Skelton, Chairman

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## House-Senate Committee Agreement Reached On Fiscal Year 2010 Defense Authorization Bill

*Washington, DC – House Armed Services Committee Chairman Ike Skelton (D-MO) announced that the House and Senate Armed Services Committees have reached agreement on the conference report to H.R. 2647, the Fiscal Year 2010 National Defense Authorization Act.*

*The conference report to H.R. 2647 authorizes \$550.2 billion in budget authority for the Department of Defense (DOD) and the national security programs of the Department of Energy (DOE). The bill also authorizes \$130 billion to support overseas contingency operations during fiscal year 2010.*

*Chairman Ike Skelton released the following statement:*

“This defense bill reflects our commitment to support U.S. service members and their families and to provide the necessary resources to keep Americans safe and protect our national interests. The conference report to this year’s defense bill promotes our main policy objectives: restoring military readiness; taking care of our troops and their families; focusing on our strategy in Afghanistan and Pakistan and on redeployment from Iraq; eliminating waste and recovering savings through acquisition reform; and maintaining robust oversight of the Department of Defense.

“After 8 years of war, we must sustain our efforts to restore military readiness in order to meet current military challenges and prepare for the future. The bill provides \$11 billion for Army reset, \$2 billion for Marine Corps reset, and \$6.9 billion to address equipment shortfalls in the National Guard and Reserve. Addressing urgent issues such as dilapidated military barracks and keeping defense facilities in good working order, the bill adds \$350 million for Army training barracks construction and \$200 million to support National Guard and Reserve facilities and infrastructure.

“To boost readiness and reduce the strain on our forces, the bill increases the size of the military by 30,000 Army troops, 8,100 Marines, 14,650 Air Force personnel, and 2,477 Navy sailors in fiscal year 2010, as requested by the President. The bill also authorizes an additional 30,000 Army troops in Fiscal Years 2011 and 2012.

“This bill reflects our efforts to recognize 2009 as the Year of the Military Family. To improve the quality of life for our troops and their families, the bill provides a 3.4 percent pay raise for all service members, continuing our efforts to reduce the pay raise gap between the

uniformed services and the private sector. The bill extends the authority for the Defense Department to offer bonuses and incentive pay, expands TRICARE health coverage to reserve component members and their families for 180 days prior to mobilization, prohibits fee increases on TRICARE inpatient care for one year, and also provides \$2.2 billion for family housing programs to support and expand the quality housing our military families deserve.

“To improve the benefits available to wounded warriors, the bill provides travel and transportation for three designated persons, including non-family members, to visit hospitalized service members. The bill also enables seriously injured service members to use a non-medical attendant for help with daily living or during travel for medical treatment.

“To meet the changing needs of today’s service members and their families, the bill establishes an internship pilot program for military spouses to offer federal government career opportunities that are portable when the time comes to relocate. The bill also authorizes Impact Aid funding to assist schools with large enrollments of military children, and directs the Department of Defense to establish an undergraduate nurse training program to address the critical nursing shortage in our military services.

“At a time when the government needs to attract the best and the brightest to the federal workforce, this bill contains important provisions affecting federal workers. The bill repeals the National Security Personnel System (NSPS) and will transition employees back to the General Schedule (GS) by January 1, 2012, while providing the Department of Defense additional flexibilities to ensure efficient hiring and personnel management. Other reforms will enhance the federal retirement system’s efficiency and effectiveness as a recruiting and management tool. Changes will allow Federal Employees Retirement System (FERS) employees to receive credit for unused sick leave toward their retirement annuity, and will ensure retirement equity by providing locality pay for federal workers in Hawaii, Alaska, and the U.S. Territories. These provisions will result in approximately \$258 million in deficit reduction over 10 years.

“The war in Afghanistan is a critical mission that is finally gaining the attention it demands. The President’s March Afghanistan strategy, which calls for an increase in military and civilian resources and also recognizes the vital importance of Pakistan’s efforts in the region, is a welcome development. To ensure our strategy in both countries is effective and achieves the intended goals within well-defined timelines, the bill requires the President to assess U.S. efforts and report on progress.

“To build partnership capacity, the bill provides funds to train and equip the Afghan National Security Forces (ANSF) and authorizes the Pakistan Counterinsurgency Fund to improve the counterinsurgency capabilities of Pakistan’s security forces. The bill improves accountability and oversight of U.S. assistance by requiring the President to establish a system to register and track all U.S. defense articles provided to the governments of Afghanistan and Pakistan. The bill also allows funds to be used to support the Afghanistan National Solidarity Program, a very successful Afghan-led development program that has reached more than 20,000 Afghan villages, and provides funds to begin a program to help reintegrate former Taliban fighters who have renounced violence against the Government of Afghanistan and bring them back into Afghan society.

“As we redeploy forces from Iraq and build up forces in Afghanistan, the Department of Defense must manage many difficult logistical challenges. To ensure our plans are sound, use realistic assumptions, and carefully assess risk, the bill requires the Secretary of Defense to submit a report on the responsible redeployment of U.S. forces out of Iraq. The bill also permits the Secretary of Defense to transfer certain equipment to the Iraqi Security Forces to ensure the Government of Iraq can address internal security challenges on its own.

“Defense acquisition reform is a top priority for our committee, which has already established a panel to examine this issue and passed weapon systems acquisition reform that the President signed into law. Building on these efforts, this agreement supports the plan to increase the size of the civilian acquisition workforce, reduces the Department of Defense’s reliance on contractors for critical acquisition functions, and eliminates waste, fraud, and abuse through better contract oversight.

“Efforts to prevent the spread of weapons of mass destruction and to reduce the risk that these weapons could fall into terrorists’ hands are critical to our national security. In the area of nonproliferation, the bill increases funding and creates new authorities to strengthen the Department of Defense’s Cooperative Threat Reduction (CTR) Program. The bill also supports the Department of Energy’s nonproliferation programs, which includes funding for the President’s plan to secure and remove all known vulnerable nuclear materials that can be used for weapons.

“Our bill also addresses efforts to combat piracy, another nonconventional threat the committee has closely monitored as pirate attacks have been on the rise. The bill requires vessels carrying Department of Defense cargo in high piracy risk areas to be equipped with appropriate non-lethal defense measures to protect the vessels from seizure. The bill also directs the Department of Defense and the Department of State to report on efforts to ease restrictions on arming ships for self-defense.

“Next year, the Department of Defense will deliver the report of the Quadrennial Defense Review (QDR), which was established to help Congress develop our national security priorities. Because reports from previous QDR’s have not always provided the information expected by Congress, the conference agreement encourages the Department of Defense to closely follow the QDR requirements written in law. Upon completion of the QDR, the agreement directs the Government Accountability Office (GAO) to assess the degree to which the Department of Defense has complied with the law and requires the Secretary of Defense to report to Congress on any shortcomings.

“The agreement also adds eight Congressionally appointed members to DOD’s independent panel charged with reviewing the QDR and requires the Department of Defense to report on the force structure requirements used to guide the QDR process so that Congress may better understand the foundation of the QDR’s analysis.

“The conference agreement prohibits the release of Guantanamo Bay detainees into the United States, its territories, and possessions and restricts detainee transfers to the same until 45

days after the President has submitted a plan to Congress certifying that the detainees will pose little to no risk to the United States if transferred. The agreement also prohibits any non-Department of Justice official from reading Miranda rights to detainees, requires the Secretary of Defense to develop guidelines which mandate videotaping or other electronic recording of non-battlefield detainee interrogations, and requires DOD to give the International Committee of the Red Cross (ICRC) prompt access to detainees held at the Bagram Theater Internment Facility in Afghanistan.

“The conference report revises the Military Commissions Act to clarify rules and improve trial procedures to make military commissions fair and effective and, as a result, significantly reduce the likelihood of convictions from being overturned on technicalities. The adopted reforms, many of which have been endorsed by the Administration or high ranking military lawyers, would prohibit the use of statements alleged to have been secured through cruel, inhuman, or degrading treatment; provide the accused with greater ability to select their own counsel; make hearsay evidence harder to use in court; improve the procedures for the handling of classified information; and permit military commissions to continue existing cases for 90 days or until revisions have been made to supporting court manuals and handbooks.

“Finally, the conference report includes the Hate Crimes Prevention Act, legislation that was added to the defense authorization bill in the Senate, but which is very similar to legislation approved by the House last April. The Hate Crimes Prevention Act provides technical and financial support to local law enforcement and prosecutors so that they can more aggressively try violent crimes which are motivated by a victim’s race, color, religion, national origin, gender, sexual orientation, gender identity, or disability; expands the ability of federal prosecutors to try similar types of cases in federal court if state or local officials are unable or unwilling to prosecute these cases; and criminalizes attacks against U.S. service members on account of their service to our country. The Conference Managers included stronger protections for freedom of speech and association, including religious speech and association, than the House-passed version of this legislation. Consequently, religious leaders will not have to change the expression of their beliefs or how they service their congregations as a result of the enactment of Hate Crimes legislation.

“Each year, members of the House and Senate Armed Services Committees work very hard to make this the best bill possible for our military and for our nation. This is a good bill that will support our troops in the field and their families at home, meet our nation’s immediate military requirements, and preserve our ability to deter and respond to future threats. I urge my colleagues to support this conference report.”

A detailed summary of the conference report to H.R. 2647 is available at <http://armedservices.house.gov/>.

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