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## Legislative Bulletin.....May 27, 2010

### Contents:

#### Amendments to H.R. 5136—FY 2011 National Defense Authorization Act

H.R. 5136, the FY 2011 National Defense Authorization Act (sponsored by *Rep. Skelton, D-MO*), is scheduled to be considered on the House floor on Thursday, May 27, 2010 under a *structured rule* ([H.Res.1404](#)) that provides one hour of general debate, and waives all points of order except for clauses 9 (the earmark rule) and 10 (PAYGO) of Rule XXI, and provides for one motion to recommit. The rule makes in order the 82 amendments summarized below.

The rule allows the chair of the Committee on Armed Services (or his designee) to offer amendments en bloc consisting of amendments made in order under the rule (which would be debatable for 20 minutes).

The rule provides that in the engrossment of H.R. 5136, the text of H.R. 5013, as passed the House earlier this morning, shall be added as a new section to H.R. 5136. [Click here](#), for the legislative bulletin on H.R. 5013.

Finally, the rule provides for same day rule authority for any bill through Tuesday, June 1, 2010, and that measures may be considered under suspension of the rules at any time through Sunday, May 30, 2010.

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### AMENDMENTS MADE IN ORDER UNDER THE RULE

1. ***Skelton (D-MO)***. The manager’s amendment makes several technical changes to the bill.
2. ***Bartlett (R-MD)***. Prohibits the Secretary of the Army from using any funds to procure line-haul tractors unless the source selection is made based on a full and open competition. The amendment provides a waiver for sole source selection if procurement is needed to fulfill mission requirements or is determined to be more cost effective than a full and open competition.
3. ***Smith (D-WA)***. For individuals not covered under the Family Medical Leave Act, the amendment requires an employer to grant employees two weeks of leave if a qualified family member (spouse, dependent, and parent) is deployed in connection with a contingency operation or impending call to active duty in support of a contingency operation. An employer may choose to compensate the employee with or without paid

leave. However, an employee may choose to require the employer to substitute paid accrued vacation leave, personal leave, or family leave for the period absent.

4. **Marshall (D-GA).** Inserts a sense of congress that the Chief of the National Guard Bureau should issue fire-resistant utility ensembles to National Guard personnel who are engaged, or likely to become engaged, in defense support to civil authority missions that routinely involve serious fire hazards, such as wildfire recovery efforts.
5. **Bordallo (D-GU).** The amendment would incorporate the text of H.R. 44, the Guam World War II Loyalty Recognition Act, into the bill as Title XVII. The bill passed the House on February 23, 2009, by a vote of [299 to 99](#). [Click here](#) to review the legislative bulletin for additional background on H.R.44.
6. **Coffman (R-CO)/Ellsworth (D-IN).** The amendment requires that within 90 days, the Secretary of Defense submit a plan to establish a domestic source of sintered neodymium iron boron magnets for use in the defense supply chain.
7. **Shea-Porter (D-NH)/Langevin (D-RI).** The amendment requires a presidential commission, consisting of several cabinet agencies, to assess the need and implications of creating a common alignment of world regions in international organizations between departments of the federal government with international responsibilities.
8. **Courtney (D-CT)/Petri (R-WI).** The amendment transfers bureaucratic control of the [“troops to teachers”](#) program from the Department of Education to the Department of Defense within 180 days of enactment. The amendment also makes several changes to the program expanding eligibility and participation for qualified service members. Additionally, the program requirements target service members to participate in science, technology, engineering, and math courses. The amendment provides for eligible members to be eligible for stipends of up to \$5,000 and to qualify for bonuses of \$10,000 if they become a “highly qualified teacher.” The amendment also establishes an advisory council to improve participation in and awareness of the program.
9. **Giffords (D-AZ).** The amendment permits the DoD to share information gathered during training exercises as it relates to the “Joint Task Force” with the DHS and the DOJ.
10. **Nye (D-VA)/Larsen (D-WA).** The amendment requires the Secretary of Defense to submit a study on “regional advanced technology clusters.” This is a geographic center focused on “building science and technology-base innovation capacity in areas of local and regional strength to foster economic growth and improve quality of life.” The amendment requires the DoD to evaluate the feasibility of public-private partnerships, technology competencies, expansion of existing facilities, and the cost sharing with local and state governments.
11. **Kratovil (D-MD).** The amendment prohibits funds from being used in violation of section 1040 of the FY2010 NDAA. Section 1040 prohibits the reading of Miranda to a foreign national who is captured or detained outside the United States as an enemy belligerent and is in the custody or under the effective control of the Department of Defense or otherwise under detention.
12. **Owens (D-NY).** The amendment updates evaluations of procurement unit costs and Army acquisition objectives to a five year budget window.

- 13. McGovern (D-MA)/Emerson (R-MO)/Bishop (D-GA).** The amendment provides a sense of congress that reducing domestic child obesity and hunger is a matter of national security, obesity and hunger will continue to negatively impact Armed Force recruitment, federal child nutrition program under the National School Lunch Act and Child Nutrition Act should be funded at the Presidents request, and increases in program funding should be properly offset.
- 14. McGovern (D-MA)/Jones (R-NC)/Welch (D-VT).** The amendment prohibits funds authorized under H.R. 5136 from being used to conduct an election in Afghanistan unless the President provides written certification to Congress that the Afghanistan Independent Election Commission:
- ◆ Has the professional capacity, personnel, skill, independence and legal authority to conduct and oversee free, fair, and honest elections.
  - ◆ To the extent possible, has been purges of all members and staff who committed fraud, covered up fraud, or were otherwise negligent in the 2009 election.
  - ◆ Is a generally independent body with all authorities that were investigated under Afghanistan law as of December 31, 2009, and with no members having been appointed by President Karzai.
- 15. Hastings (D-FL).** Requires the DoD in consultation with USAID to submit a report to congress that describes the number of Iraqi's who are employed by the U.S. government or a contracting firm, applied for refugee status, and estimate the number of individuals killed or injured in Iraq. Some conservatives have expressed concern that subsection (c) of the amendment may reduce the oversight of background checks in order to expedite immigration processing.
- 16. Sessions (R-TX)/Platts (R-PA).** Requires the DoD and VA to establish a pilot project to establish a "pay for performance" directly to health care facilities for treatments of Traumatic Brain Injury (TBI) or post-traumatic stress disorder. The amendment provides for payment standards and requires rates to be equivalent to CMS reimbursement rates. The amendment requires outreach efforts to make veterans aware of the program.
- 17. Polis (D-CO)/Langevin (D-RI)/Cohen (D-TN).** The amendment would permit a federal contractor to purchase generally available fuels that are not alternative or synthetic fuel. Essentially, the amendment would *prohibit* purchasing products made from unconventional sources, like crude oil derived from Canadian oil sands. Oil sands are hardly an unconventional fuel as refineries in the U.S. already produce their products from a crude slate derived from Canadian oil sands.
- 18. Dingell (D-MI)/Stupak (D-MI)/Miller (D-NC).** Requires the Secretary of Defense to provide the Agency for Toxic Substances and Disease Registry with information regarding contaminated drinking water at Camp Lejeune, NC.
- 19. Conyers (MI)/Davis (R-KY).** Requires the Secretary of Defense and Secretary of State to submit a report to Congress evaluating the security in the Strait of Hormuz and the Persian Gulf. The report includes an assessment of the bilateral or multilateral negotiations for "Incidents at Sea" agreement between the U.S and Iran.

20. **Burton (R-IN)/Napolitano (D-CA)**. Requires a sense of congress that the current policy that prohibits sending a presidential letter of condolence to the family of a member of the Armed Forces who has died by suicide only serves to perpetuate the stigma of mental illness that pervades the Armed Forces and the President should overturn the policy and treat all military families equally.
21. **Gutierrez (D-IL)**. Pre the amendment, if the Secretary of Defense determines that British Petroleum, or any of its subsidiaries performing any current contract with the Department, is no longer a responsible source, the Secretary shall determine whether BP should be debarred from contracting with the Department.
22. **Holden (D-PA)**. The amendment would require the Secretaries of the Army, Navy, and Air Force to issue a new Combat Medevac Badge, and make qualifications for awarding the badge. Each person who was a member of the Army and served in combat on or after June 25, 1950, as a pilot or crew of a helicopter medical evacuation ambulance would be eligible.
23. **Pomeroy (D-ND)**. The amendment would require the Secretary of Defense to continue to carry out the Joint Family Support Assistance Program. The program would be carried out in at least six different areas of the U.S. that are selected by the Secretary. Up to three locations will be in areas that are isolated from military installations.
24. **Jackson Lee (D-TX)**. The amendment would require the Secretary of Defense to provide a report to the Congressional Black Caucus that includes a list of minority-owned, women-owned, and disadvantaged-owned small business that receive contracts resulting from authorized funding to the Department of Defense. This list shall cover the 10 years prior to the date of the enactment, and shall include the business name, owner, and amount of the contract.
25. **Jackson Lee (D-TX)**. The amendment would require the Secretary of Defense to make available post-traumatic stress disorder counseling to each civilian victim of Fort Hood.
26. **Latham (R-IA)/Boren (D-OK)**. Would express the Sense of Congress that an erroneous interpretation of recent changes to age and service requirements for reserve retirement pay should be corrected, to ensure that members of the Guard and Reserve receive full credit for time spent on deployments in reducing the age at which retirement pay may be received under section 647 of the NDAA for FY08, which sought to modernize reserve retirement benefits to reflect the increased use of the reserved components to support contingency operations.
27. **Kennedy (D-RI)**. The amendment would add neurology to the list of selected residency programs at military medical treatment facilities subject to a program review.
28. **Etheridge (D-NC)/Kissell (D-NC)/Bishop (D-GA)**. The amendment would clarify that the Department of Defense Office of Economic Adjustment's existing grant-making authority for community adjustment and economic diversification to assist communities affected by the 2005 Base Realignment and Closure Process includes development assistance.
29. **Pascrell (D-NJ)/Platts (R-PA),/Andrews (D-NJ)/Cole (R-OK)/Ortiz (D-TX)/Coffman (R-CO)/Wilson (R-SC)**. The amendment would require that the same cognitive

screening tool be used pre-deployment and post-deployment until a new, comprehensive policy for screening our soldiers to detect cognitive injuries is implemented. Additionally, it would require the DOD to complete outstanding studies on the effectiveness of various cognitive assessment tools by September 30, 2011.

- 30. Shadegg (R-AZ).** The amendment prevents veterans and members of the armed forces from receiving ceremonial funeral honors and burial in a VA or DOD cemetery if they are criminals convicted of rape and the most serious sex crimes as determined by the Adam Walsh Act.

In 2001 Jenny Bush was attacked and raped by James Allen Selby. Selby was a serial rapist who attacked at least 10 others, including a 9 year old girl. He was convicted on 27 counts, including armed robbery, rape, kidnapping and attempted murder. However, hours before sentencing, he hung himself in a Tucson jail. Selby was a Persian Gulf War veteran who was buried in Fort Sill National Cemetery with the traditional playing of "Taps" and folding of the American flag by a two-man color guard, to the horror of his victims and their families.

- 31. Lee (D-CA).** The amendment would express the Sense of Congress that there is potential for additional and significant cost savings through further reductions by the Secretary of Defense in waste, fraud, and abuse and that the Secretary should make implementation of remaining Government Accountability Office (GAO) recommendations an utmost priority of the Department of Defense.

- 32. Holt (D-NJ), Tim Bishop (D-NY), Himes (D-CT).** The amendment would require that the Secretary of Defense call every veteran who is a member of the Individual Ready Reserve at least once every 90 days. This call would be a counseling call to determine the emotional, psychological, medical, and career needs and concerns of the veteran member. The amendment seeks to assist veterans who are identified as being at-risk of self-caused harm to the nearest military medical treatment facility of TRICARE provider for immediate evaluation and treatment. This amendment would require a yearly report by the Secretary to Congress on the number of veterans who were referred for counseling, as well as the health and career status of each.

- 33. Schakowsky (D-IL), McGovern (D-MA), Conyers (D-MI), Hinchey (D-NY), Moran, James (D-VA).** Would require the Special Inspector General for Afghanistan Reconstruction, in consultation with the Inspector General of the Department of Defense, the Inspector General of the United States Agency for International Development, and the Inspector General of the Department of State to make recommendations to increase oversight of contractors in Afghanistan that have a record of engaging in waste, fraud or abuse. These recommendations shall include how to reduce the reliance of the U.S. on military and security contractors in Afghanistan that have been responsible for the deaths of Afghan civilians. These recommendations shall also include how to reduce the reliance of the U.S. on Afghan militias or other armed groups that are not party of the Afghan National Security Forces. A report would be required on the status of existing recommendations regarding oversight of those contractors. This report would also contain information on the extent to which military and security contractors contributed to the deaths of Afghan civilians.

- 34. Harman (D-CA).** The amendment would require the Secretary to provide for the expedited consideration and approval of an application for consideration of a permanent

change of station or unit transfer submitted by a member of the armed forces serving on active duty who was a victim of a sexual assault.

- 35. Putnam (R-FL).** The amendment would express a sense of Congress in support of recreational hunting and fishing on military installations. Additionally, the amendment states that military installations that sell recreational hunting and fishing permits should provide a discount to active and retired members of the Armed Forces and veterans with disabilities, and promote access to such facilities to those with disabilities.
- 36. Watson (D-CA)/Langevin (D-RI).** The amendment establishes a National Office for Cyberspace under the Executive Office of the President. The director of this office shall be appointed by the President and confirmed by the Senate. This new office shall serve “as the principal office for coordinating issues relating to achieving an assured, reliable, secure, and survivable information infrastructure and related capabilities for the federal government.” Within the National Office for Cyberspace, there will be a 10 person board, know as the Federal Cyber security Practice Board. This board shall be responsible for developing and updating information security policies and procedures related minimum security controls. The board will also consider opportunities to engage with the international community to set policies, principles, training, standards, or guidelines for information security. An annual report is required from the Director of the National Office for Cyberspace containing a summary of agency progress in implementing its regulations. The Board will not be required to disclose information submitted by agencies to the Board regarding threats, vulnerabilities, and risks. This amendment would require each federal agency to develop an approved information security program. The approved program must provide continuous automated technical monitoring of the agency’s information infrastructure, test the effectiveness of security controls that are at risk, and must contain policies and procedures to mitigate and remediate securities vulnerabilities. Each agency is required to submit an annual report to the National Office for Cyberspace, and the Senate Committee on Homeland Security and Governmental Affairs, and the House Committee on Oversight and Government Reform, and the Comptroller General.
- 37. Chandler (D-KY).** The amendment would strike section 2412(c), which would prohibit funds from being allocated to the Blue Grass Army Depot Chemical Demilitarization program as it is currently contracted.
- 38. Herseth Sandlin (D-SD)/Fleming (R-LA).** The amendment would require the Secretary of the Air Force to submit to the congressional defense committees, the Director of CBO, and the Comptroller General a report. The report would detail the cost, schedule and performance of efforts to modernize and keep workable the existing B-1, B-2, and B-52 bomber fleets. The report will also include the scope of the 2007 Next-Generation Long Range Strike Analysis of Alternatives guidance and Analysis of Alternatives report, as compared to the scope of the 2010 Long Range Strike Study effort. The report will also include the progress of the next generation of long-range strike platform, along with the planning efforts for developing a transformational long-range strike capability in the 2035 timeframe.
- 39. Lipinski (D-IL)/Murphy, (D-CT)/ Edwards (D-MD).** The amendment would require the Department of Defense to solicit bids from domestic suppliers when procuring articles, materials, or supplies for use outside of the United States.

- 40. Brown-Waite (R-FL).** The amendment would expand the eligibility for the Army Combat Action Badge to those soldiers who served during the dates ranging from December 7, 1941, to September 18, 2001. The costs to procure the badges would be borne by these individuals, not the military.
- 41. Braley (D-IA).** The amendment would require the Secretary of Defense, with contributions from the Secretary of State and Secretary of Veterans Affairs, to submit a report on the long-term costs of Operation Iraqi Freedom and Operation Enduring Freedom. It would require the report to make cost projections through Fiscal Year 2020, and specifies scenarios and factors which the Secretary must consider in the report.
- 42. Eshoo (D-CA)/Holt (D-NJ)/Thompson (D-CA)/ Schakowsky (D-IL)/Berman (D-CA)/Tierney (D-MA).** Would grant personnel under the Government Accountability Office with access to all information in the possession of an element of the intelligence community that the Comptroller General determines is necessary for them to carry out their duties when requested by one of the congressional intelligence committees. The Directory of National Intelligence may designate certain reports as sensitive, and those reports would only go to intelligence committees. The amendment sets forth guidelines for confidentiality and security proposes.
- 43. Murphy, Christopher (D-CT), Lipinski (D-IL), Edwards, Donna (D-MD).** Would require the Department of Defense to include in its yearly assessment of waivers granted under the Buy American Act an analysis of the domestic capacity to supply the articles, materials or supplies procured from overseas and an analysis of the reasons for the yearly increase or decrease in Buy American waivers granted.
- 44. Richardson (D-CA).** Would require Transportation Command (TRANSCOM) to update the PORT LOOK 2008 Strategic Seaports study and in that update include consideration of the infrastructure in the vicinity of the strategic port (including bridges, roads, and rail capacity).
- 45. Murphy, Tim (R-PA).** Would direct the Surgeons General of the Army, Navy, and Air Force to submit a report to Congress on whether additional behavioral health professionals are needed to treat members of the Armed Forces for PTSD/TBI. The report will identify the positions in most critical need for additional health care professionals, and will detail what type and how many professionals are needed. It will also offer recommendations for ways to provide incentives for health care professionals to join active and reserve components.
- 46. Space (D-OH).** The amendment would require the Secretary of the VA to send an electronic copy of service members' separation paperwork to the states.
- 47. Sarbanes (D-MD).** The amendment would amend the Office of Federal Procurement Policy Act by requiring the Director of OMB to develop guidance to aid executive agencies in establishing information collections. A report would be required at the Director of OMB detailing the status of these efforts. It would also require an annual report from executive agencies to the OMB detailing annual inventory of service contracts awarded or extended. The amendment sets forth detailed requirements for this report. The inventory in this report shall become public information after 30 days.

48. **Walz (D-MN).** The amendment would revise the language of the Alternative Career Track Pilot Program so that officers are not penalized with regards to promotion for participating in the pilot program.
49. **Childers (D-MS).** The amendment would require a report from the Secretary of Defense on the cost benefits and efficiencies of mine resistant ambush protected vehicles.
50. **Broun (R-GA).** The amendment express a sense that congress that commends the U.S. Armed Forces for their commitment to completing their humanitarian mission in Haiti, and that Congress encourages the President to order the U.S. flag flown over all military and civilian outposts in Haiti that are under jurisdiction of the U.S.
51. **Edwards (D-MD)/Lipinski (D-IL)/Murphy (D-CT).** The amendment would require the Department of Defense to include their impact on domestic jobs in their assessments of defense capability.
52. **Carson (D-IN).** Would amend the Department of Defense pre-separation counseling program to provide spouses of service members with financial and job placement counseling.
53. **Foster (D-IL).** The amendment would require the Secretary of Defense to commission an independent study, from a non-profit assoocation, on the optimal balance between manned and unmanned aerial vehicle forces of the Armed Forces. The study would also detail the ability of each military department to resist attacks by foreign militaries with emphasis on unmanned combat drones. The report would be submitted to the House Oversight and Government Reform Committee, and the Senate Homeland Security and Governmental Affairs Committee.
54. **Hare (D-IL).** The amendment would require the Secretary of the Army to submit a report on the heirloom chest policy of the Army. It would include a detailed explanation of the policy, the plans of the Secretary to continue the program, and an estimate of the procurement costs to expand the number of chests to additional family members.
55. **Luetkemeyer (R-MO).** The amendment would direct the Secretary of each military department to review the service records of eligible Jewish American veterans from World War I to determine whether such veterans should be awarded the Medal of Honor.
56. **Dahlkemper (D-PA).** The amendment would allow the Secretary of Defense to make nonlethal excess supplies of the Department available to support domestic emergency assistance activities.
57. **Price (D-NC)/Spratt (D-SC).** The amendment would require the Secretary of Defense, in coordination with the Secretary of State, to issue regulations to extend and apply certain requirements of the National Defense Authorization Act for FY 2008 to private security contractors in areas within foreign countries not designated as combat operations in which significant military operations are being carried out by the U.S. Armed Services. These areas will include security forces in Iraq, Afghanistan, the Horn of Africa region, Yemen, the Philippines, and Haiti. A report to Congress will be required on these implementations.

- 58. Kirkpatrick (D-AZ).** The amendment would seek to eliminate gaps in existing law that have resulted in unauthorized and improper disposal of Department of Defense property. The amendment would authorize civil or military officers to seize property that was improperly disposed of, wherever found. This would be retroactive and shall apply to any military or Department of Defense property which was the subject of unauthorized disposition any time after January 1, 2002.
- 59. Kosmas (D-FL).** The amendment would require the Secretary of Defense, in conjunction with the Administrator of NASA, to conduct a study on the feasibility of joint usage of the NASA Shuttle Logistics Depot in Cape Canaveral, FL, to supplement requirements for products and services in support of reset initiatives, Advanced Technology Clusters, engineering and reverse engineering analysis, and development of innovative technology and processes in order to reduce risk, cost, and cycle time of system delivery.
- 60. Lujan (D-NM).** The amendment would require the Administrator for Nuclear Security to encourage technology transfer activities at the national securities laboratories that lead to the creation of new private-sector employment opportunities. A report is required to be sent to Congress detailing the number of new private-sector employment opportunities created as a result of the previous year's technology transfer activities at each national security laboratory.
- 61. Markey, Betsy (D-CO).** The amendment would create the Department of Veterans Affairs HONOR Scholarship Program for veterans' pursuit of graduate and post-graduate degrees in behavioral health sciences. The amendment sets eligibility requirements.
- 62. McMahon (D-NY).** The amendment would express a Sense of Congress concerning the implementation of the Congressionally-mandated recommendations of the Institute of Medicine study.
- 63. McMahon (D-NY).** The amendment would express a Sense of Congress to encourage the Secretary of the Navy to name a naval vessel in honor of a Lieutenant in the Navy Chaplain Corps, Navy chaplain, Father Vincent Capodanno.
- 64. Minnick (D-ID).** The amendment would authorize the Secretary of Education to provide support to help cover operating costs of new state programs under the National Guard Youth Challenge Program.
- 65. Perriello (D-VA).** The amendment requires that the Department of Defense not take into consideration the costs of employer-sponsored benefits for health and retirement when determining whether a function should be in-sourced from a private contractor to the Department.
- 66. Schrader (D-OR).** The amendment would require the Secretary of Defense to ensure that each member of a reserve component of the Armed Forces who is mobilized or demobilized is provided a clear and comprehensive statement of the medical care and treatment to which such member is entitled under Federal law by reason of being so mobilized or demobilized.
- 67. Schrader (D-OR).** The amendment would require the Inspector General of the Department of Defense to conduct a study of the treatment of members of the reserve

- components. The study shall include an analysis of the treatment of members of the reserve components, an analysis of the quality of care, treatment, and information that members receive an analysis of patterns of treatment, and an identification of any improvements needed.
- 68. Teague (D-NM).** The amendment would increase the age of children eligible for medical care under CHAMPVA from 23 to 26. CHAMPVA is a program for dependents of permanently and totally disabled veterans, as well as veterans who died from serviced connected disabilities.
- 69. Titus (D-NV)/ Heller (R-NV).** The amendment would provide the Secretary of Defense the flexibility to change the effective date of the Homeowners Assistance Program for members of the armed forces permanently reassigned during the mortgage crisis.
- 70. Tonko (D-NY).** The amendment expresses a sense of congress affirming the importance of DOD participation in the development of next generation semiconductor technologies. According to the sponsor, the next generation of weapons systems, battlefield sensors, and intelligence platforms will need to be lighter, more agile, consume less power, and have greater computational power. The Sense of Congress includes statements that the US should establish research and development facilities to lead in producing the next generation of integrated circuits; the DOD should support the establishment of a public-private partnership of defense laboratory scientists and engineers; and the targeted feature size of integrated circuits for the extreme-ultraviolet lithography development in the US should be 15 nanometer node.
- 71. Critz (D-PA).** The amendment allows military claims offices to pay full replacement value, instead of fair market value, on claims for household goods and items of service members and civilian employees that are moved at the expense of the Department of Defense.
- 72. Hinchey (D-NY).** The amendment would require the Department of Defense to apply the Buy American Act to the procurement of photovoltaic devices purchased through subcontracts. Photovoltaic devices convert light directly into electricity through a solid-state, semiconductor process.
- 73. Hinchey (D-NY).** The amendment requires that any contract in Iraq or Afghanistan for the procurement of private security services hire full, direct employees and not independent contractors. It would only apply to U.S. citizens who are required to have U.S. security clearances for such contracts and contains a national security waiver.
- 74. Klein (D-FL).** The amendment would require companies that are applying for Department of Defense contracts to certify that they do not conduct business in Iran, as defined by Section 5 of the Iran Sanctions Act. It would prohibit any entity that cannot complete this certification from receiving Department of Defense contracts. The amendment also contains the option for a waiver from the Department of Defense under certain circumstances.
- 75. Connolly (D-VA).** The amendment would require the Secretary of Defense to establish monitoring and evaluation mechanisms for its programs in the Horn of Africa. The Secretary of Defense and the Secretary of States shall monitor and evaluate the impact of

the US Africa Command Combined Joint Task Force-Horn of Africa's activities to counter violent extremism in Africa, including civil affairs, psychological operations, humanitarian assistance, and operations to strengthen the capacity of partner nations. A report must be sent to Congress on efforts to disrupt or deny terrorist networks, and combat violent extremism.

- 76. Connolly (D-VA).** The amendment would standardize federal agency and OPM reporting requirements regarding federal internship programs, with the goal of improving the conversion rate of interns to full time federal employees. The head of each agency with an internship program shall appoint an individual to serve as the internship coordinator. The bill also requires each agency to make information on the intern available on the internet through a new centralized electronic database in order to help them get a job (must include name, contact info, and skills of the intern who is seeking full-time federal employment). The agency must also conduct an exit interview of the intern and write a report on the number of interns, their demographic data, a description of the steps taken by the agency to increase the percentage of interns getting a federal job, and more.

Some conservatives might be concerned that this program establishes a new office within each federal agency for internship coordinator and places new requirements on agencies to help interns get federal jobs after they finish the internship.

- 77. Pingree (D-ME).** The amendment would require DOD to continue commissary and exchange stores at the Brunswick Naval Air Station in Maine until September 30, 2011. The air station was included in BRAC.
- 78. Grayson (D-FL).** The amendment would require justification for the use of other factors, apart from cost or price, in evaluating competitive proposals for procurement contracts with the United States Department of Defense.
- 79. Patrick Murphy (D-PA).** The amendment repeals 10 U.S.C. Section 654 (the law that corresponds with the "Don't Ask Don't Tell" policy) despite a pending Pentagon review to determine impacts to military readiness, effectiveness, and unit cohesion, recruiting/retention, and family readiness as a result of the repeal. While the amendment allows for the continuation and completion of the review, it still repeals the law regardless of the results of the review.

Per the amendment, the results of the review will have no influence on this policy, and our troops and officers currently serving in the military will have had no say in whether or not they approve of the repeal. As House Armed Services Chairman Ike Skelton (D-MO) recently stated in a press release; "My position on this issue has been clear – I support the current policy and I will oppose any amendment to repeal 'Don't Ask Don't Tell'. I hope my colleagues will avoid jumping the gun and wait for DOD to complete its work."

Many conservatives would argue that it is irresponsible for Congress to make such a significant shift in our military conduct code during a time that the United States is involved in two wars.

**80. Pingree (D-ME)/Rooney (R-FL).** The amendment requires the Secretary of Defense to certify the Pratt & Whitney engine (F135) and F-35 are meeting certain performance and testing requirements. The amendment also prohibits funds from being used for the development and procurement of an alternative engine program (F136) until the Secretary of Defense can certify that development of an alternative engine will result in reduced costs or improve operational readiness and will not disrupt the operational readiness or result in the procurement of fewer F-35s. The amendment removes the \$485 million reserved for the F136 in the bill and increases funding for the National Guard by \$285 million and reduces the national debt by \$200 million. Finally, the amendment designates the F135 program as a major subprogram at the DoD.

For more information on the background of the F136 program, [click here](#) to review yesterday's legislative bulletin.

**Note:** Citizens Against Government Waste and the National Taxpayer Union are *key voting in favor* of the Pingree/Rooney Amendment.

**81. Shea-Porter (D-NH).** The amendment adds a reporting requirement on prime contractors in Iraq and Afghanistan that do not provide information on a database regarding the terms of the contract.

**82. Inslee (D-WA)/Tiahrt (R-KS).** The amendment requires a report to Congress from the DOD within 60 days regarding the competitive bidding process for Air Force refueling tankers as they relate to bids that are assisted through government subsidies. The amendment also requires the Secretary to take into account the findings of the report and defines an "unfair competitive advantage" as a situation in which the cost of development, production, or manufacturing is not fully borne by the offeror of a contract

This provision relates to the ongoing bidding process between Boeing and EADS to secure a contract worth approximately \$35 billion to build 179 KC-X refueling tanker planes.