

ganization to undertake a year-long study of the national security interagency system and to make suggestions about reforming that process. The section authorizes the use of up to \$4.0 million for this purpose.

The committee understands that the Secretary of Defense has expressed interest in undertaking a study like the one described above, but has hesitated to enter into such an agreement without the agreement of other cabinet secretaries. The committee supports the Secretary of Defense’s efforts to interest his colleagues in the cabinet in reforming the national security interagency process. The committee hopes that the secretaries of other agencies of the U.S. Government that are involved in national security will support the effort authorized by this section both with their full and complete cooperation and, if necessary, with financial assistance. The Department of Defense has much to gain from reforming and improving the national security interagency process, but so do other agencies and the nation as a whole, and other agencies will hopefully recognize this and act accordingly.

TITLE X—GENERAL PROVISIONS

ITEMS OF SPECIAL INTEREST

COUNTER-DRUG ACTIVITIES

Overview

The budget request contained \$936.8 million for drug interdiction and counter-drug activities, in addition to \$193.3 million, for operational tempo, which is contained within the operating budgets of the military services. The budget is organized in fiscal year 2008 to address four broad national priorities: (1) international support; (2) domestic support; (3) intelligence and technology; and (4) demand reduction.

The committee recommends an authorization for fiscal year 2008 Department of Defense counter-drug activities as follows (in millions of U.S. dollars):

FY08 Drug Interdiction and Counter-Drug Request	\$936.8
International Support	\$431.5
Domestic Support	\$206.2
Intelligence Technology and Other Demand Reduction	\$162.9
Demand Reduction	\$136.2
Recommended Decreases	
International Support	\$12.0
Recommended Increases	
Southwestern Border Fence	\$8.0
Airborne Counter-Narcotics/Terrorism Threat Protection	\$4.0
Recommendation	\$936.8

Items of Special Interest

Budget Requests

The budget request contained \$936.8 million for drug interdiction and counter-drug activities, including all counter-drug resources in the Department of Defense (DOD) with the exception of those resources in the operating budget for the military services and those resources which are appropriated or requested in emergency budgets. For fiscal year 2007 alone, the committee notes that counter-

drug activities in Afghanistan and Central Asia will be funded with at least \$63.6 million, which was appropriated in the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234) and remains unexpended. The fiscal year 2007 budget request for ongoing military operations contained an additional \$259.1 million for counter-drug efforts in Afghanistan, Central Asia, and other countries, and an additional \$257.6 million was contained in the fiscal year 2008 budget request for ongoing military operations, both of which were presented this year to Congress. The committee notes that the fiscal year 2008 budget request represents the fourth year of emergency budget requests for counter-drug activities in Afghanistan and the rest of Central Asia without the inclusion of any funding for these activities in a regular budget request.

International Support

The budget request contained \$431.5 million for international support. The committee understands the importance of international support and notes that this request for international support will result in increased operational support for all four military services. This support includes detection and monitoring platforms and assets; command and control support; and the training, equipment, and supplies intended for other nations that are key to the U.S. national drug strategy and defense security cooperation goals.

The committee recommends \$419.5 million, a decrease of \$12.0 million, for international support. The committee notes that this small decrease will not result in diminished activities as the international support program continues to receive funding from emergency budget requests. The budget requests for ongoing military operations contained an additional \$259.1 million for fiscal year 2007 and \$257.6 million for fiscal year 2008 to support counter-drug activities in other countries.

The committee is particularly concerned about the level of counter-drug support for the Colombian military. In March, 2007, the Department of State reported that some former members of the United Self-Defense Forces of Colombia, a foreign terrorist organization, continue to engage in drug trafficking. There are also increasingly troubling reports of collusion between a number of Colombian military units and senior officers and elements of the United Self-Defense Forces of Colombia.

Southwest Border Fence

The committee remains concerned that the southwest border with Mexico continues to be a major corridor for drug and human smuggling. The committee understands that since 1990, when the Department of Defense became involved in addressing the heavily used smuggling corridor in San Diego, California, by implementing physical barriers throughout the region, drug “drive-throughs” have been eliminated. The number of apprehensions of unauthorized migrants has diminished greatly as the infrastructure matured into an effective law enforcement tool. The committee believes that border infrastructure is a force multiplier, which allows counter-drug assets and personnel to be more effectively employed.

The committee recommends an increase of \$8.0 million for drug interdiction and counter-drug activities to continue the work on the 14-mile Border Infrastructure System near San Diego, California, and to construct at least 10 miles of double fencing at the Marine Corps Station in Yuma, Arizona.

Airborne Counter-Narcotics/Terrorism Threat Protection System

The committee notes that the Federal Bureau of Investigations (FBI) operates aircraft with operational “hot” spare electro-optic infrared turret systems as a means of detecting, identifying, and monitoring suspected narcotics-traffickers and terrorists nationwide. Additional funding would enable the FBI to purchase operational spares, return non-operational systems to operational status quickly, and, thereby, minimize the downtime of a critical asset. Additional funding would also permit the FBI to conduct performance upgrades to allow for greater standoff range to, and accuracy on, target.

The committee recommends an increase of \$4.0 million in domestic support of detection and interdiction of illicit narcotics trafficking throughout the United States.

LEGISLATIVE PROVISIONS

SUBTITLE A—FINANCIAL MATTERS

Section 1001—General Transfer Authority

This section would allow the Secretary of Defense to make transfers between any amounts of authorizations for fiscal year 2008 in division A of this Act. This section would limit the total amount of transferred under this authority to \$4.5 billion. This section would also require prompt notification to Congress of each transfer made. This section would prohibit funds from being transferred out of an account of the National Guard or other reserve components of the armed forces to a different account other than another account of the National Guard or other reserve component.

Section 1002—United States Contribution to NATO Common-Funded Budgets in Fiscal Year 2008

This section would authorize the United States contribution to the North Atlantic Treaty Organization common-funded budgets for fiscal year 2008, including the use of unexpended balances.

SUBTITLE B—POLICY RELATING TO VESSELS AND SHIPYARDS

Section 1011—Limitation on Leasing of Foreign-Built Vessels

This section would amend section 2401 of title 10, United States Code, to prohibit the secretary of a military department from entering into a contract for lease or charter of a vessel for a term of more than 24 months. This would include all options to renew or extend the contract, if the hull or superstructure of that vessel was constructed in a foreign shipyard.

Section 1012—Policy Relating to Major Combatant Vessels of the
Strike Forces of the United States Navy

This section would require that all new ship classes of submarines, cruisers, and aircraft carriers be built with nuclear power systems unless the Secretary of Defense notifies the committee that it is not in the national interest to do so.

The committee believes that the mobility, endurance, and electric power generation capability of nuclear powered warships is essential to the next generation of Navy cruisers. The Navy's report to Congress on alternative propulsion methods for surface combatants and amphibious warfare ships, required by section 130 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163), indicated that the total lifecycle cost for medium-sized nuclear surface combatants is equivalent to conventionally powered ships. The committee notes that this study only compared acquisition and maintenance costs and did not analyze the increased speed and endurance capability of nuclear powered vessels.

The committee believes that the primary escort vessels for the Navy's fleet of aircraft carriers should have the same speed and endurance capability as the aircraft carrier. The committee also notes that surface combatants with nuclear propulsion systems would be more capable during independent operations because there would be no need for underway fuel replenishment.

SUBTITLE C—COUNTER-DRUG ACTIVITIES

Section 1021—Extension of Authority for Joint Task Forces to Provide Support to Law Enforcement Agencies Conducting Counter-Terrorism Activities

This section would extend the authority provided in section 1022b of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136), which expires at the end of fiscal year 2007, through fiscal year 2008. The current authority provides that a joint task force of the Department of Defense, which is providing support to law enforcement agencies conducting counter-drug activities, may also provide, subject to all applicable laws and regulations, these law enforcement agencies with support for their counter-terrorism activities.

SUBTITLE D—REPORTS

Section 1031—Extension and Modification of Report Relating to
Hardened and Deeply Buried Targets

This section would extend by six years the requirement for the Secretary of Defense, the Secretary of Energy, and the Director of Central Intelligence to submit jointly a report on the research and development, procurement, and other activities undertaken to develop military capabilities to defeat hardened and deeply buried targets to the congressional defense committees, the Senate Select Committee on Intelligence, and the House Permanent Select Committee on Intelligence. Further, this section would change the reporting requirement from annually to biennially, and would require that the report include activities of the preceding two fiscal years, as well as provide a plan for the current fiscal year and the next

fiscal year. This section would change the signatory from the Director of Central Intelligence to the Director of National Intelligence.

Section 1032—Comptroller General Review of the Joint Improvised Explosive Device Defeat Organization

This section would require the Comptroller General to conduct a review of the activities and operations of the Joint Improvised Explosive Device Defeat Organization (JIEDDO).

The committee recognizes that improvised explosive devices (IEDs) continue to be a primary cause of casualties for U.S. armed forces in Operation Iraqi Freedom and Operation Enduring Freedom. The committee supports the Department of Defense's (DOD) efforts to defeat these lethal threats. To date, the Congress has provided over \$6.0 billion for JIEDDO, which was created by the Deputy Secretary of Defense to lead, advocate, and coordinate all DOD actions to defeat IEDs. The committee believes that JIEDDO has demonstrated marginal success in achieving its stated mission to eliminate the IED as a weapon of strategic influence. The committee understands that this is a complex and difficult mission, but the committee has not had sufficient insight into JIEDDO's efforts to determine if adequate effort is being applied to the full spectrum of tasks required to defeat the IED.

The committee intends to work with the Comptroller General to define the scope and focus of the review. This section would require the Comptroller General to submit a report summarizing the findings of this review to the congressional defense committees within 180 days after the enactment of this Act.

Section 1033—Report on a National Joint Modeling and Simulation Development Strategy

This section would require the Secretary of Defense to submit a report within nine months after the enactment of this Act to the congressional defense committees that would provide for the development and implementation of a joint modeling and simulation concept to support the full spectrum of Department of Defense modeling and simulation requirements and that outlines a plan that details the Department's modeling and simulation coordination efforts.

SUBTITLE E—OTHER MATTERS

Section 1041—Enhancement of Corrosion Control and Prevention Functions Within the Department of Defense

This section would amend section 2228 of title 10, United States Code, to provide for a permanent Director of the Office of Corrosion Policy and Oversight as an independent activity within the Office of the Under Secretary of Defense for Acquisition, Technology and Logistics (USD(ATL)). This section would establish qualifications for the Director, assign duties, and provide additional authorities. It also would require the Secretary of Defense to submit with the annual fiscal-year budget request a report detailing the long-term strategy developed under section 2228(c) of title 10, United States Code, the return on investment achieved by implementing the strategy, and an explanation of the funding request versus funding

requirement. The Government Accountability Office (GAO) would be required to review the Secretary's report within 60 days of submission.

Section 1067 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314) required the Department of Defense to establish a corrosion prevention and mitigation program. Five years later, the Department has made limited progress toward implementing a corrosion prevention strategy and applying policy across the Department, according to the GAO. The Corrosion Office was established in 2003 as an independent activity within the Office of the USD(ATL), reporting directly to the Corrosion Executive. However, the Corrosion Office is now situated in the Systems and Software Engineering Directorate, three layers removed from the statutorily mandated Corrosion Executive.

The committee is aware that the Office of Corrosion Policy and Oversight has achieved a significant level of technical progress. However, the committee remains concerned about the Department's commitment to the Corrosion Prevention and Control (CPAC) program. The fiscal year 2008 budget request contained \$14.0 million allocated toward a problem that costs the Department \$10.0 billion in documented corrosion. In light of the \$3.6 billion lifecycle cost avoidance achieved by the CPAC program's efforts and a 49.6-to-1 return on investment, the Department appears to be missing an opportunity for greater corrosion prevention and mitigation. By giving the Director direct reporting authority to the USD(ATL) and assigning the Director the duties specified in section 2228 of title 10, United States Code, the committee anticipates progress toward achieving the policy, funding and savings goals envisioned in section 1067 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314).

Section 1042—Support by National Guard for National Special Security Events and Other Critical National Security Activities

This section would authorize federal departments to provide reimbursement to the Department of Defense in cases when National Guard personnel are deployed under the authority of title 32, United States Code, in support of National Special Security Events and other activities determined significant by the Secretary of Defense. Such deployments shall be in support and at the request of civil authorities, as well as approved by the Secretary of Defense.

Section 1043—Improved Authority To Provide Rewards for Assistance in Combating Terrorism

This section would amend section 127b of title 10, United States Code, to increase the size of payments allowed under the Department of Defense combating terrorism rewards program and provide new authority for U.S. Government personnel to provide rewards through government personnel of coalition or partnered nations. Consistent with existing authority, such payments would be authorized to a person who provides information or nonlethal assistance directly or indirectly to the forces of the United States. Such third-party payments would be authorized only if the Secretary of Defense has instituted procedures for such activities, including accountability measures for such transactions. This section would re-

quire a report to the congressional defense committees by April 1, 2008, on the use of the expanded authority it would provide, and would require annual reporting requirements.

Section 1044—Revision of Proficiency Flying Definition

This section would provide a definition of “proficiency flying.” This section also would allow the Department of Defense (DOD) to cancel outdated guidance on flying proficiency and its related elements for participating rated personnel. Current DOD policy on flying proficiency is now included in Department of Defense Instruction 7730.57, “Aviation Career Incentives Act of 1974 and Required Annual Report” (July 18, 2003).

Section 1045—Support for Non-Federal Development and Testing of Material for Chemical Agent Defense

This section would provide the Secretary of Defense the authority to provide small quantities of toxic chemicals or precursors to private industry for the development and testing of materials designed to be used for protective purposes.

Section 1046—Congressional Commission on the Strategic Posture of the United States

This section would repeal section 1051 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163); establish a new, congressionally appointed, bipartisan commission to examine the strategic posture of the United States; and authorize \$5.0 million for the commission’s activities.

The Nuclear Posture Review (NPR) of 2001 raised fundamental questions about U.S. nuclear weapons policy, and the committee believes that there is an urgent need for a debate over the role of nuclear weapons in U.S. strategic posture. The committee notes that although the Administration has proposed renewed development of nuclear warheads, it has not articulated its views on the role of nuclear weapons in U.S. strategic posture since issuance of the NPR. The committee believes clear policy objectives should be established before Congress commits to ambitious new programs.

This section would charge the commission with examining the role of deterrence in the 21st century, assessing the role of nuclear weapons in U.S. national security strategy, and making recommendations as to the most appropriate strategic posture for the United States. This section would require the commission to submit a report to the President, the Secretary of Defense, the Secretary of Energy, the Secretary of State, the Senate Committee on Armed Services, and the House Committee on Armed Services by December 1, 2008.

Section 1047—Technical and Clerical Amendments

This section would make a number of technical and clerical amendments to existing law of a non-substantive nature.

Section 1048—Repeal of Certification Requirements

This section would repeal section 1063 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–183). This

would reaffirm state procurement authority over the Abraham Lincoln National Airport Commission, University Park, Illinois, and would remove restrictive representation requirements consistent with the Illinois Attorney General's opinion File #05-010, dated December 16, 2005.

Section 1049—Prohibition on Sale by Department of Defense of Parts for F-14 Fighter Aircraft

This section would prohibit the Department of Defense from selling F-14 parts to any entity other than a museum or similar organization in the United States acquiring the parts to preserve aircraft for historical purposes. This section would also prohibit the granting of an export license for any F-14 part.

Section 1050—Maintenance of Capability for Space-Based Nuclear Detection

This section would require the Secretary of Defense to maintain, at a minimum, the current space-based nuclear detection capability in the future planning for national space systems. The committee notes that the Air Force was considering removing the national nuclear detection system payload from a future satellite development. This future satellite system will replace the existing satellite system that carries the nuclear detection capability. The committee strongly supports the need for space-based nuclear detection, and this section would require the Department of Defense to maintain it, at least at the current capability, in the future.

Section 1051—Additional Weapons of Mass Destruction Civil Support Teams

This section would modify existing authority governing the overall number of national guard civil support teams (CSTs), increasing from 55 to 57 the total number of teams. This section would modify section 1403 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314) and would authorize an additional team in Florida and New York.

Section 1052—Sense of Congress Regarding Need To Replace Army M109 155mm Self-Propelled Howitzer

This section would express a sense of Congress that the Army should replace the M109 artillery system with the Non-Line-of-Sight Cannon system.

Section 1053—Sense of Congress Regarding Detainees at Naval Station, Guantanamo Bay, Cuba

This section would express the sense of Congress that:

- (1) The Nation extends its gratitude to the military personnel who guard and interrogate some of the world's most dangerous men every day at Naval Station, Guantanamo Bay, Cuba;
- (2) The international community, in general, and in particular, the home countries of the detainees who remain in detention despite having been ordered released by a Department of Defense administrative review board, should work with the

Department of Defense to facilitate and expedite the repatriation of such detainees;

(3) Detainees at Guantanamo Bay, to the maximum extent possible, should be charged and expeditiously prosecuted for crimes committed against the United States; and

(4) Operations at Guantanamo Bay should be carried out in a way that upholds the national interest and core values of the American people.

Section 1054—Repeal of Provisions in Section 1076 of Public Law 109–364 Relating to Use of Armed Forces in Major Public Emergencies

This section would amend section 333 of title 10, United States Code, and essentially repeal recent modifications to that section, as contained in section 1076 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364). This section would reverse the expansion of executive authority granted in Public Law 109–364 with respect to the employment of active and reserve military personnel during domestic response incidents. This section would return to state governors ultimate law enforcement authority in the wake of public, natural, or terrorist-related domestic emergencies.

TITLE XI—CIVILIAN PERSONNEL MATTERS

ITEM OF SPECIAL INTEREST

Incentives for Deployed Civilians

The Department of Defense (DOD) provides various special pay and benefits to its deployed federal civilian personnel (including non-appropriated fund instrumentality employees), which differ in type and/or amount from those provided to deployed military personnel. A September, 2006, General Accountability Office report (GAO–06–1085) highlighted these special provisions, which include post differential, and danger pay. While federal civilian employees are entitled also to premium pay, they do not receive a family separation allowance and a combat zone tax exclusion as do deployed military service members. The committee is aware that attracting federal civilian personnel to deploy in contingency operations may be difficult at a time when DOD personnel are undertaking a range of critical missions in support of ongoing military operations. The committee directs the Secretary of Defense to review the benefits available to deployed federal civilian personnel to determine if such benefits provide adequate incentives to encourage federal civilian personnel to volunteer for a deployed position. This review shall also encompass a discussion of survivor benefits, to include matters related to the life insurance coverage, as well as relocation allowances for families of federal civilian personnel who die while deployed in support of military forces. The committee directs the Secretary of Defense to submit a report of the findings, along with recommendations including any necessary statutory changes, to the congressional defense committees by March 30, 2008.