



FY2010 Defense Appropriations Bill (H.R. 3326) *Passed by the House*

On July 30, 2009, the House passed the 2010 Defense Appropriations bill, which makes critical investments in the needs of our troops serving in harm's way, their families here at home, and in jobs in Connecticut.

For eastern Connecticut, the bill supports Congressman Courtney's efforts to start building two Virginia-class submarines a year starting in 2011, as well as supporting the design and engineering industrial base at Electric Boat by starting development of the next-generation SSBN.

CT-2/Connecticut Perspective

The bill includes funding for the following projects requested by Congressman Courtney:

- **Continuous Active Sonar (CAS) for Torpedo DCL Systems, Alion Science and Technology, Mystic; \$4.5 million.** The requested funding is for initial development, demonstration and evaluation of a Continuous Active Sonar (CAS) system, which would provide the military with a high-performance sonar system that operates with lower power and smaller size. Successful development of this system would provide US Navy vessels with a previously unachievable self-defense capability against high threat torpedoes.
- **Common Command and Control System (CCCS) Module, General Dynamics Electric Boat, Groton; \$4 million.** Requesting funding would begin development of a common command and control system module for use on Virginia Class (Block IV/V) submarines, SSGN, and Ohio Replacement submarines. This project would enable the Navy to maximize savings opportunities through common construction, test and maintenance processes among three classes of submarines.
- **Advanced Affordable Turbine Engine (AATE) Program, United Technologies Corporation (UTC), East Hartford; \$4 million.** Requested funding would be used to develop and test a new engine for US Army Blackhawk helicopters. This project would help achieve the U.S. Army's goal of developing the next generation utility and attack helicopter 3,000 shaft horsepower attack helicopter engine with reduced fuel consumption, increased lift capability, reduction in production and maintenance costs, while fitting in existing UH-60 Blackhawk and AH-64 Apache Aircraft.

- **Unmanned Hybrid Projectiles, University of Hartford, West Hartford; \$3 million.** Requested funding would be used to develop and test a hybrid unmanned aerial systems (UAS) projectile. Work on this effort would be conducted by several Connecticut partners, including the University of Connecticut, the University of Bridgeport, GKN Composites, Kaman Fuzing and Ensign-Bickford Aerospace and Defense, and the Connecticut Center for Advanced Technologies (CCAT). Currently there is a gap in the ability of soldiers to fire projectiles providing combined functionalities such as target identification, battlefield assessment and surveillance, and provide a scalable lethality to enemy targets of opportunity. Project would meet the Army's requirement to provide low cost multi-functional projectiles that have guidance capabilities to hit targets with low collateral damage from line-of-sight and beyond line of sight.

Bill Summary

HR 3326 appropriates \$636.3 billion in FY 2010, \$3.8 billion less than the president's request but \$4.4 billion (0.7%) more than the current level, which includes supplemental spending.

Major Connecticut Defense Programs

Virginia Class Submarines. The bill provides \$3.9 billion for the Virginia-class submarine, of which \$1.96 billion supports the procurement of one submarine in FY2010 and \$1.96 billion supports the required advanced procurement funding necessary to build two submarines a year starting in 2011. This plan supports Rep. Courtney's successful two-year effort to increase submarine production to two a year in 2011, which will reduce the future shortfall in attack submarines and support the workforce at Electric Boat.

Development of the replacement Ohio-Class SSBN. The bill supports the President's request for \$495 million to begin research and development of the replacement of the Ohio-class SSBN, which serves as a key part of our nation's strategic deterrent. Start of this work in 2010 will focus on the development of the nuclear reactor and the missile compartment, which the US is working on jointly with the UK. Designers and engineers at Electric Boat will be put to work on this critical program.

On July 14, 2009, Congressman Courtney led a letter signed by a dozen members of Congress supporting the President's request for SSBN development funding.

C-17 Globemaster. The bill provides \$674 million for three C-17 Globemaster Aircraft. Pratt and Whitney produces four F-119 engines for each C-17. The president's budget proposed ending the C-17 program; however, military officials have testified to Congress that the existing fleet is being worn out faster than expected because of increased use in Afghanistan and Iraq.

F-22A Raptor. Following the Senate's 58-40 vote against continued production of the F-22, as well the Obama administration's push to cancel the program and threat to veto

any bill that reverses that decision, the bill provides no funding for further production of the F-22 beyond the 187 already purchased.

However, Congressman Courtney voted for an amendment to fund 15 additional spare engines for the F-22 and C-17 that will be built by Pratt and Whitney. When combined with other additional aircraft procurement included in this bill and the 2009 Supplemental Appropriations Act (PL 111-3), this bill – if enacted into law – would provide a total of 175 engines for Pratt and Whitney in Fiscal Year 2010, an increase of 45 engines from the President’s original budget. This production level would keep the Pratt workforce stable into Fiscal Year 2011, and Congressman Courtney will continue to work with the Connecticut Delegation to secure the future of the skilled men and women of our Connecticut aerospace industrial base.

- **Foreign Sales to Japan.** Rep. Courtney passed an amendment to the defense authorization bill (H.R. 2647) that would require the Secretary of Defense, in coordination with the Secretary of State and the Secretary of the Air Force, to provide Congress with an evaluation of the potential sale of the F-22A to Japan. However, Sec. 8057 of the defense appropriations bill continues a long-standing prohibition on the sale of the F-22 to a foreign government. Congressman Courtney opposes this provision, and will work to end the ban to allow for the option of future production of F-22s for foreign sale.

F-35 Joint Strike Fighter (JSF). The bill provides \$5.6 billion for 28 F-35s, two less than the budget request but double the number of aircraft authorized in 2009. Of the total, 14 F-35Bs are for the Marine Corps, four F-35Cs for the Navy, and 10 F-35As for the Air Force.

- **Alternate Engine.** The bill provides \$560 million for the JSF alternate engine program, which was not requested by the President or Department of Defense. Continued funding for the alternate engine, which benefits UK’s Rolls Royce, takes away funding for the core program; namely, procurement of actual aircraft. On July 28, 2009, the administration issued a “statement of administration policy” in which it opposed “the addition of \$130 million to produce, and \$430 million to continue the development of, the Joint Strike Fighter (JSF) alternate engine, which was proposed for termination by the President. Expenditures on an alternate engine for the JSF are unnecessary and divert resources from the overall JSF program. The current engine is performing well, and the risks associated with a single engine provider are manageable.” The statement also said that “if the final bill presented to the President would seriously disrupt the F-35 program, the President’s senior advisors would recommend that he veto the bill.” Congressman Courtney agrees, and strongly opposes the alternate JSF engine.

VH-71 Presidential Helicopter. The bill provides \$400 million to make the five existing "increment 1" VH-71 helicopters operational. The President’s budget requested only \$85 million to shut down the VH-71 line, after the cost of the program grew from \$6.1 billion to \$13 billion and the program was delayed by six years. Instead, the

President proposed starting from scratch and reevaluating the needs of the presidential helicopter fleet.

On July 28, 2009, the administration issued a statement opposing this funding, saying that “these helicopters currently have no mission equipment and would require in excess of \$2 billion to complete and to operate as Presidential helicopters, yet would still not meet full operational requirements for that mission. DOD and the White House are conducting a requirements analysis, and the outcome of this effort should not be pre-empted.” The statement also said that “If the final bill were to include funds that continue the existing VH-71 program, or would prejudge the plan to re-compete the Presidential helicopter program, the President’s senior advisors would recommend that he veto the bill.”

C-27J Joint Cargo Aircraft (JCA). The bill funds \$319 million for eight Air Force JCAs, matching the President’s budget request. This year, the administration proposed significant changes to the JCA program, shifting it from a joint Army-Air Force program to one controlled only by the Air Force, as well as reducing the total number of aircraft from 78 to 38. The Connecticut Air National Guard is expected to be assigned the C-27J as its future flying mission, to replace the A-10s they lost in BRAC 2005.

Helicopters. The bill provides \$2.5 billion for procurement of 121 helicopters built by Sikorsky, including:

- **UH-60 Black Hawk** — \$1.3 billion for 79 Black Hawks for the Army and Guard, equal to the president's request. The measure also authorizes \$99 million in advanced procurement funds.
- **MH-60S Knighthawk** — \$414 million for 18 Navy Knighthawk helicopters, equal to the president's request. The multi-mission Sikorsky MH-60S is used by the Navy for combat search-and-rescue, special-warfare support and airborne mine countermeasures.
- **MH-60R Seahawk** — \$818 million for 24 Navy Seahawk helicopters, equal to the president's request. The MH-60R is an SH-60B or F that has undergone a "remanufacturing" or "R" process and will feature advanced radar, missiles, and low frequency sonar. The measure also appropriates \$132 million for advanced procurement.

Other key provisions

Military Pay Raise. The bill funds a 3.4% pay increase for military personnel, effective January 1, as well as targeted pay raises for a variety of enlisted personnel and officer grades. The increase is half a percentage point more than the president's request.

Shipbuilding. The bill appropriates \$15.8 billion for 10 new Navy ships, including the following:

- **Ford-Class Carrier.** The bill appropriates the president's request of \$739 million for the USS Gerald R. Ford (CVN-78) in FY 2010 and \$484 million in advance procurement funding. The Navy plans to procure at least three *Ford*-class carriers — the CVN-78, CVN-79, and CVN-80.
- **Assault Ship.** \$1.1 billion in advanced procurement for the Navy's next-generation surface combat ship, the DDG-1000, and \$2.2 billion for the DDG-51, its predecessor.
- **LPD-17 Amphibious Ship.** \$1.1 billion in procurement funding for the LPD-17 *San Antonio*-class amphibious ship.
- **Littoral Combat Ship.** \$2.2 billion for four Littoral Combat Ships, \$780 million and one more ship than requested. The vessel is a small, specialized variant of the DDG family of future surface-combat ships.
- **Defense Sealift.** The bill appropriates the president's request of \$1.1 billion for two new T-AKE ships. The T-AKE is a new class of cargo supply ship that is able to deliver ammunition, provisions, stores, spare parts, potable water, and petroleum products to the Navy's carrier and expeditionary strike groups and other naval forces.

Stop Loss. The bill provides \$8.3 million in additional funds to compensate the last personnel subject to "stop loss" requirements. The policy, which the Pentagon has pledged to end in FY 2010, involuntarily retains certain personnel in the military who were scheduled to end their service.

Supporting Military Families. The bill provides \$2.6 billion for support for military families, \$237 million (10%) more than requested. The total includes funding for department dependent schools. The total includes \$472 million for family advocacy programs. Such programs help children and families managing the difficult challenges of military service, including professional counseling to help alleviate the mental stresses associated with deployments.

Impact Aid. The bill provides \$44 million for impact aid. The Education Department's Impact Aid program provides supplementary funds to school districts nationwide to support the education of nearly 600,000 children of servicemembers.

Military Health Care. The bill appropriates \$29.9 billion for defense health-care programs, \$2 billion (7%) more than the president's request. Much of this funding goes towards the military's TRICARE health system for military personnel, their families, and retirees. The measure makes no changes in the Tricare fees and co-payments.

This includes \$500 million, \$128 million above the request, for traumatic brain injury and psychological health. The bill also includes a total of \$2.2 billion for the wounded, ill and injured programs. The bill includes \$636 million for peer-reviewed research programs: \$150 million for breast cancer research; \$80 million for prostate cancer research; \$30 million for orthopedic research; \$25 million for ovarian cancer research; \$15 million for spinal cord research; and \$10 million for ALS research.

Closure of Guantanamo Bay. While the president requested \$100 million to begin closing the facility, the bill provides no funds for the closure of the detention facility at Guantanamo Bay Naval base. The measure also prohibits the use of funds in the bill to transfer a detainee for further detention or prosecution in the United States until two months after the president submits a plan to Congress on the detainee. The plan would have to include the following:

- The findings of an analysis of any risk to U.S. national security posed by a transfer, and a certification that any such risk has been mitigated and a description of how;
- The costs associated with not transferring the individual;
- The legal rationale and associated court demands for transfer; and
- A certification that the president has submitted to the governor and legislature of the state or territory (or, in the case of the District of Columbia, to the mayor) to which the detainee would be transferred, a written certification, at least 30 days prior to a transfer, that the individual does not pose a security risk to the United States.

The bill also prohibits the use of funds to transfer or release a detainee to any other country unless the president submits to Congress the name and destination of the detainee, a risk assessment, and the terms of any agreement reached with the receiving country.

Iraq, Afghanistan and global terrorism. The bill appropriates \$128.2 billion for the wars in Iraq, Afghanistan, and the general military effort against terrorism. This is the first time that funding for the wars have been included in the regular defense funding bill, reflecting the commitment of President Obama and Congress to end the use of “emergency” supplemental to fund the wars.

- **Equipment.** Within the total, the bill appropriates \$3.6 billion for Mine Resistant Ambush Protected (MRAP) Vehicles, \$1.5 billion to procure and develop countermeasures to prevent IED attacks, \$1.3 billion for 8,444 Humvee vehicles and \$983 million for new trucks.
- **Commanders' Emergency Response Program (CERP).** CERP is a program provides U.S. military commanders with funds for use in small humanitarian and reconstruction projects in their areas of responsibility, including building schools, roads, and water projects, and compensating families of civilians killed in combat operations. Questions, however, have been raised about the management of CERP and that it has grown from an incisive counter-insurgency tool to an alternative U.S. development program with few limits and little management. The bills directs the Defense secretary, in consultation with the National-Security Advisor, to conduct a thorough review of CERP, its purpose, use and scope, and to report to the congressional defense committees not later than 90 days after enactment. The bill also withholds \$500 million of the program's funding until the Pentagon completes reports on CERP's management.

- **Bases & Oil.** The measure continues the prohibition on the use of funds in the bill to establish permanent military bases in Iraq or U.S. control of Iraqi oil resources.
- **Report on Withdrawal of U.S. Forces from Iraq.** The bill requires the Defense secretary to report to Congress on troop drawdown status and goals relating to the withdrawal of U.S. forces from Iraq by the end of 2011. The report, which is due 90 days after enactment and every 90 days thereafter, must include the following:
 - A detailed, month-by-month description of the transition of U.S. military forces and equipment out of Iraq;
 - A detailed, month-by-month description of the transition of U.S. contractors out of Iraq; and
 - How the Iraqi government is assuming the responsibility for reconciliation initiatives as the U.S. role transitions.

Nuclear Proliferation. The bill provides \$404 million for the Cooperative Threat Reduction program, known as CTR or Nunn-Lugar, to assist in the denuclearization and demilitarization of the states of the former Soviet Union. The total is equal to the president's request.

POW/MIA. The bill provides \$21 million for the Pentagon's Prisoner of War (POW)/missing persons office.