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BILL TEXT AND BACKGROUND FOR THE WEEK OF MAY 11, 2009

- H.R. 2187 - 21st Century Green High-Performing Public School Facilities Act
- H.R. __ - Fiscal Year 2009 Supplemental Appropriations Bill
- H.R. 2101 - Weapons Acquisition System Reform Through Enhancing Technical Knowledge and Oversight Act of 2009

[H.R. 2187- 21ST CENTURY GREEN HIGH-PERFORMING PUBLIC SCHOOL FACILITIES ACT](#), (*Rep. Chandler - Education and Labor*) (*Subject to a Rule*)

Bill Text: [HTML Version](#), [PDF Version](#)

[Bill Summary and Status](#)

Rules Committee Meeting: Tuesday, May 12, 2009 at 5:00p.m. in H-313 the Capitol, [Special Announcement](#), **Meeting Time:** 5:00pm Tuesday 5/12, **Amendment Deadline:** 12:30 p.m. Monday 5/11, [Text of the Bill as Ordered Reported](#)

Committee: [House Education and Labor](#)

Committee Staff Contact: 5-3725

BILL SUMMARY & KEY ISSUES:

Key Issues:

- Provide schools with access to funding for modernization, renovation and repair projects
- Encourage energy efficiency and the use of renewable resources in schools
- Provide additional aid to Gulf Coast schools still recovering from Hurricanes Katrina and Rita

THE 21ST CENTURY GREEN HIGH-PERFORMING PUBLIC SCHOOL FACILITIES ACT **Improving Education, Creating Jobs, Fighting Global Warming**

School buildings should be safe and healthy learning environments for children. But according to recent estimates, America's schools are hundreds of billions of dollars short of the funding needed to bring them up to good condition. Research shows a correlation between school facility quality and student achievement. Modernizing school buildings would help

revive our economy by creating jobs and preparing workers for the clean energy jobs of the future. And by upgrading school buildings to make them more energy efficient and more reliant on renewable sources of energy, modernized school buildings can also help reduce the emissions that contribute to global warming. Congress already has endorsed these principles by making green school modernization, renovation and repair part an allowable use of funds under the state fiscal stabilization fund in H.R. 1, the American Recovery and Reinvestment Act.

The 21st Century Green High-Performing Public Schools Facilities Act (H.R. 2187) would:

Provide schools with access to funding for modernization, renovation and repair projects

- Authorizes \$6.4 billion for school facilities projects for fiscal year 2010, and ensures that school districts will quickly receive funds for school modernization, renovation, and repairs that create healthier, safer, and more energy-efficient teaching and learning climates.
- Allocates the same percentage of funds to school districts that they receive under Part A of Title I of the Elementary and Secondary Education Act, except that it guarantees each such district a minimum of \$5,000.

Encourage energy efficiency and the use of renewable resources in schools

- Requires the majority of funds (100 percent by 2015) to be used for projects that meet green building standards.
- Allows states to reserve one percent of funds to administer the program and to develop a plan a statewide database of school facilities, including their modernization and repair needs, energy use, carbon footprints, and an energy efficiency quality plan.
- Requires school districts to publicly report the educational, energy and environmental benefits of projects, how they comply with the green building requirements, and the percentage of funds used for projects at low-income, rural and charter schools.
- Requires the Secretary of Education, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, to disseminate best practices in school construction and to provide technical assistance to states and school districts regarding best practices.

Provide additional aid to Gulf Coast schools still recovering from Hurricanes Katrina and Rita

- Authorizes separate funds – \$600 million over six years – for public schools that were damaged by Hurricanes Katrina and Rita. Many students still attend school in temporary classrooms.

Ensure fair wages and benefits for workers by applying Davis-Bacon protections to all grants for school modernization, renovation, and repair projects

Full Committee on Education and Labor Markup:

[Markup of H.R.2187](#): 21st Century Green High-Performing Public School Facilities Act, May 6, 2009

- [National Journal Report](#): House Education Clears \$20 Billion Green Schools Initiative
- Opening Statement: [Chairman George Miller \(CA\)](#)

Summary of Committee Votes:

- [Rep. Polis, D-Colo. Charter Schools Amendment to the Substitute Amendment \(Text\)](#) — would require an educational agency receiving funds under the bill to distribute to charter schools in its jurisdiction a percentage of the funding equal to the percentage of students enrolled in charter schools. **Adopted by Voice Vote.**
- [Rep. Sestak, D-Pa. Ceilings and Floors Amendment to the Substitute Amendment \(Text\)](#) — would clarify that the funds may be spent on repairing or replacing ceilings and floors. **Adopted by Voice Vote.**
- [Rep. McKeon, R-Calif. Independent Audits Amendment to the Substitute Amendment \(Text\)](#) — would require a local educational agency to conduct an independent audit by a third-party detailing the condition of school facilities and the need for modernization in order to be eligible for funds. **Adopted by Voice Vote.**
- [Rep. Castle, R-Del. Prohibition on Funds Amendment to the Substitute Amendment \(Text\)](#) — would prohibit states from receiving funds for school construction if the state did not receive at least the same amount through Title I of the Elementary and Secondary Education Act (PL 107-110) for all other educational agencies as in fiscal 2007. **Rejected 15-28: R 15-0; D 0-27; I 0-1. (Roll Call Vote)**
- [Rep. J. Kline, R-Minn. Full Funding for IDEA Amendment to the Substitute Amendment \(Text\)](#) — would require that the new programs to be authorized by the substitute amendment are implemented only when the government is able to fully fund Title I schools under the Individuals with Disabilities Education Act. **Rejected 15-28: R 15-0; D 0-27; I 0-1. (Roll Call Vote)**
- **Vote to Report:** Chairman Miller Amendment [\(Text\)](#) Included in Motion to Favorably Report the Bill to the House, as Amended. Favorably Reported to the Full House, as Amended, by a Roll Call Vote of **31-14: R 2-14; D 28-0. (Roll Call Vote)**

CRS Reports:

(TBA)

CBO Report:

(TBA)

Organization Statements:

[American Association of School Administrators](#)

[American Federation of State, County, and Municipal Employees](#)

[American Federation of Teachers](#)

[Council of Educational Facility Planners International](#)

[Council of the Great City Schools](#)

[International Union of Painters and Allied Trades, AFL-CIO](#)

[National Association of Secondary Schools Principals](#)

[National Construction Alliance II](#)

[Rebuild America's Schools](#)

[U.S. Green Building Council](#)

[Other Organizations](#)

Administration Position:

(TBA)

Fact Sheets & Talking Points:

[H.R. 2187 Info Page](#), Committee on Education and Labor

Press Releases, News Articles & Related Information:

[House Education Committee Approves Legislation to Modernize and Green America's Schools](#), Committee on Education and Labor

Other Resources:

[Cosponsors of H.R. 2187](#)

H.R. __ - FISCAL YEAR 2009 SUPPLEMENTAL APPROPRIATIONS BILL (*Rep. Obey – Appropriations*) (*Subject to a Rule*)

Rules Committee Meeting: TBA

Committee: [Committee on Appropriations](#)

Committee Staff Contact: 5-2771

BILL SUMMARY & KEY ISSUES:

Key Issues:

- Provides a total of \$96.7 billion for Iraq, Afghanistan, Pakistan and the Pandemic Flu
- Prohibits any funds from being used for permanent bases or stationing of the United States Armed Forces in Iraq and Afghanistan
- This is the last supplemental appropriations bill that will be utilized to fund the war efforts, as the President has stated

SUMMARY: 2009 SUPPLEMENTAL APPROPRIATIONS FOR IRAQ, AFGHANISTAN, PAKISTAN, AND PANDEMIC FLU

Department of Defense and Intelligence Activities in Iraq and Afghanistan: \$84.5 billion

Stop Loss: \$734.4 million to provide over 170,000 service members who have had their enlistments involuntarily extended since September 11, 2001 with \$500 per month for every month they were held under stop-loss orders.

Ongoing Military Operations

- \$47.7 billion, \$1.1 billion above the request, for operations and maintenance, and military personnel requirements for ongoing military operations in Iraq and Afghanistan.
- \$1.2 billion, \$300 million above the request, for defense health and programs to support military families.
- \$453 million, matching the request, to enable U.S. military commanders to respond to urgent, humanitarian relief and reconstruction needs in their areas of responsibility.

Support for Coalition Partners

- \$3.6 billion, matching the request, to expand and improve capabilities of the Afghan security forces.

- \$810 million, \$240 million below the request, to support Coalition partners who have provided assistance to U.S. military operations in Afghanistan, Pakistan and Iraq.
- \$400 million, as requested, to build the counterinsurgency capabilities of the Pakistani security forces.

Equipment and Force Structure

- \$23 billion, \$3.9 billion above the request, to refurbish or replace equipment worn out or damaged in Iraq and Afghanistan including an additional \$3.1 billion for C-17s and C-130s.
- \$4.8 billion, \$2.2 billion above the request, for lightweight Mine Resistant Ambush Protected vehicles to protect our forces and provide a vehicle suited to the terrain and poor roads in Afghanistan.
- \$1.3 billion, \$150 million below the request, to confront the threat from improvised explosive devices.

Military Construction Projects: \$3.2 billion, \$905 million above the request, to support our troops in Afghanistan and their families at home, including:

- \$1.1 billion, not requested, for hospital construction to address hospitals that are decades old and do not meet current standards for medical care.
- \$488 million, matching the request, for wounded warrior complexes to help soldiers wounded in combat recover and remain on active duty or transition to civilian life and support families through this process.
- \$276 million, matching the request, for child development centers, to provide an additional 5,000 child care spaces and address a top concern of military families.
- \$263 million, matching the request, to accelerate and enhance the construction of new hospitals at Bethesda and Ft. Belvoir to replace Walter Reed, as requested.
- \$1.1 billion, \$191 million above the request, for increased troop strength in Afghanistan.

Rescission: \$2.9 billion of these efforts are paid for by rescinding previous appropriations due to a reduction in world-wide fuel prices.

Department of State and USAID, International Affairs and Stabilization Activities: \$10 billion

Assistance and Operations in Afghanistan, Pakistan, and Iraq

- **Afghanistan:** \$1.52 billion, \$86 million above the request, including: \$980 million to fund economic development and agriculture programs, strengthen national and provincial governance, and expand the rule of law; and \$536 million, \$86 million above the request, for diplomatic operations including additional civilian staff and diplomatic security.
- **Pakistan:** \$1.9 billion, \$591 million above the request, including: \$597 million, \$100 million above the request, to help address the economic crisis including agriculture and food security, assist the displaced population, strengthen national and provincial governance, expand the rule of law, and improve access to and quality of education; \$46 million for diplomatic operations including additional civilian staff and diplomatic security; \$897 million, \$91 million above the request, for a new secure embassy and consulates in Pakistan; and \$400 million for the Pakistan Counterinsurgency Capability Fund, available September 30th 2009, to build the counterinsurgency capabilities of the Pakistani security forces.
- **Iraq:** \$968 million, \$336 million above the request, including: \$482 million to continue

stabilization programs, and strengthen governance and rule of law; and \$486 million, \$336 million above the request, for diplomatic operations.

- **Oversight:** \$20 million, \$13 million above the request, to expand oversight capacity of the State Department, USAID, and the Special Inspector General for Afghanistan to review programs in Afghanistan, Pakistan and Iraq.

Performance Assessment for the Governments of Afghanistan and Pakistan

Because the stability and security of the region is tied more to the capacity and conduct of the Afghan and Pakistani governments and to the resolve of both societies than it is to the policies of the United States, the President shall submit a report to Congress, not later than the date of submission of the fiscal year 2011 budget request, assessing whether the Governments of Afghanistan and Pakistan are, or are not, demonstrating the necessary commitment, capability, conduct and unity of purpose to warrant the continuation of the President's policy announced on March 27, 2009. This report must include five concrete standards of performance:

1. The level of political consensus and unity of purpose to confront the political and security challenges facing the region;
2. The level of government corruption and actions taken to eliminate it;
3. The performance of security forces with respect to counterinsurgency operations;
4. The performance of intelligence agencies in cooperating fully with the U.S. and not undermining the security of our troops and our objectives in the region; and
5. The ability of the government to control the territory within their borders.

Other Efforts in the Middle East

- **West Bank and Gaza:** \$665 million in bilateral economic, humanitarian, and security assistance for the West Bank and Gaza.
- **Jordan:** \$250 million, \$250 million above the request, including \$100 million for economic and \$150 million for security assistance.
- **Egypt:** \$360 million, \$310 million above the request, including \$50 million for economic assistance, \$50 million for border security, and \$260 million for security assistance.
- **Israel:** \$555 million of the \$2.8 billion 2010 request for security assistance, \$555 million above the supplemental request.
- **Lebanon:** \$74 million, \$24 million below the request, for security assistance.

Humanitarian Assistance

- **International Food Assistance:** \$500 million, \$200 million above the request, for PL 480 international food assistance to alleviate suffering during the global economic crisis.
- **Refugee Assistance:** \$343 million, \$50 million above the request, to help displaced people around the world with food, water, shelter and other basic needs, including humanitarian assistance for Gaza. Funding for the UN Relief and Works Agency programs in the West Bank and Gaza is limited to \$119 million.
- **Disaster Assistance:** \$200 million to avert famines and provide life-saving assistance during natural disasters and for internally displaced people around the world, including Somalia, Zimbabwe, Ethiopia, the Middle East and South Asia.

Peacekeeping: \$837 million for United Nations peacekeeping operations, including an expanded mission in the Democratic Republic of the Congo and a new mission in Chad and the Central African Republic.

HIV/AIDS: \$100 million, \$100 million above the request, for the Global Fund to Fight AIDS, Tuberculosis and Malaria to address a funding shortfall for grants in key countries such as Haiti, The Democratic Republic of the Congo, and Afghanistan.

Other International Assistance

- **Africa:** \$151 million, \$18 million above the request, for economic and security assistance for Kenya, Somalia, Southern Sudan, and Zimbabwe.
- **Mexico:** \$470 million, \$404 million above the request, to address growing violence along the United States-Mexico border by supporting the Government of Mexico's war against organized crime and drug-trafficking.
- **Georgia:** \$242 million to fulfill the United States commitment to the people of Georgia.
- **Global Financial Crisis:** \$300 million, \$148 million below the request, to address the global financial crisis in developing countries.

Pandemic Flu Response: \$2 billion

- **HHS and CDC Response:** \$1.5 billion for priority efforts including: supplementing federal stockpiles; developing and purchasing vaccines; and expanding detection efforts.
- **State and Local Response:** \$350 million, not requested, to assist state and local governments in preparing for and responding to a pandemic.
- **Global Efforts:** \$200 million, not requested, to support global efforts to track, contain, and slow the spread of a pandemic.

Other Security and Urgent Needs

Nuclear Non-Proliferation: \$55 million, \$34.5 million below the request, for the National Nuclear Security Administration to safeguard nuclear material in Russia and other sites world-wide.

Department of Justice: \$17 million, matching the request, for counter-terrorism activities and to provide training and assistance for the Iraqi criminal justice system.

Wildfires: \$250 million, matching the request, for wild land fire suppression and emergency rehabilitation of burned areas.

Capitol Police: \$71.6 million, matching the request, for a modern digital radio system because of known security threats.

Guantanamo Bay: Not later than October 1, 2009, the President shall submit to the Congress, in writing, a comprehensive plan regarding the proposed disposition of the detention facility at Naval Station, Guantanamo Bay, Cuba.

Committee on Appropriations Markup:

[Full Committee Markup:](#) FY2009 Supplemental Appropriations Bill, May 7, 2009

- [National Journal Report:](#) Panel Approves \$96.7 Billion Supplemental
- Opening Statement: [Chairman Obey](#)

Summary of Committee Votes:

- [Chairman Obey, D-Wis. Manager's Amendment](#) — would rescind \$71.3 million in unobligated rural development funds in order to support farm loans with the following

funding levels: \$382.9 million for direct farm ownership loans, \$447.2 million for direct operating loans and \$51.5 million for unsubsidized guaranteed operating loans. In addition, the amendment would direct the secretary of State to submit a report to the House and Senate Appropriations committees on the status of a Palestinian government and any related assistance. The amendment also would:

- Move \$100 million from Army to Navy procurement accounts.
- Revise the applicable time period for retroactive payment of stop-loss special pay to begin Sept. 11, 2001, instead of Oct. 1, 2001.
- Allow at least \$146 million (an increase of at least \$1.1 million) to be used for procurement in Israel of defense articles and services.
- Add report language on combat uniforms with suitable camouflage patterns, an Army radio system, replacement wing kits for the Navy's fleet of P-3 Orion aircraft, the F-18 Joint Strike Fighter shortfall, a vision center of excellence, Pakistan's transportation infrastructure, Mexican political opposition and the prohibition on assistance to Hamas.

Adopted by Voice Vote.

- Rep. Jerry Lewis, R-Calif., Requested Pakistan Language Amendment to the Manager's Amendment — would insert the exact language included in President Obama's budget request with respect to the Pakistan Counterinsurgency Fund. **Rejected 22-36: R 22-0; D 0-36; I 0-0.**
- Chairman Obey, D-Wis., Pakistan Counterinsurgency Fund Amendment — would provide \$400 million to the secretary of Defense, with the concurrence of the secretary of State, to help Pakistan's security forces improve their counterinsurgency capability. It would give the Pentagon rather than the State Department control over the \$400 million in counterinsurgency aid to Pakistan. **Adopted by Voice Vote.**
- Rep. Young, R-Fla., Rescind Funds Amendment — would as amended, rescind \$2.5 billion in unobligated fiscal 2009 defense funds to be used for addressing military personnel shortfalls. **Adopted (as amended) by voice vote.**
 - Rep. Murtha, D-Pa., Fiscal 2009 War Supplemental/Rescind Funds Amendment to the Young, Fla., amendment — would rescind \$2.5 billion in unobligated fiscal 2009 defense funds to be used for addressing military personnel shortfalls. The Young amendment would have rescinded \$3 billion in unobligated fiscal 2009 defense funds, in order to provide \$750 million for 280 mine resistant ambush protected (MRAP)-all terrain vehicles, \$848 million for three C-17s and four C-130s, and \$1.4 billion for military personnel shortfalls. **Adopted by Voice Vote.**
- Rep. Farr, D-Calif., Troop Drawdown Amendment — would require reports to Congress on presidential troop draw downs. **Adopted by Voice Vote.**
- Rep. Lee, D-Calif., Afghanistan Operations Amendment — would require the president to report to Congress by Dec. 31, 2009, on a plan for ending U.S. military operations in Afghanistan and withdrawing U.S. military forces participating in Operation Enduring Freedom. **Withdrawn.**
- Rep. Tiahrt, R-Kan., Guantanamo Transfer Prohibition Amendment — would prohibit the use of funds for the transfer or release of detainees at the Guantanamo Bay naval Station to the United States. **Rejected 21-36: R 21-0; D 0-36; I 0-0.**
- Rep. H. Rogers, R-Ky., Mexican Border Security Amendment — would provide \$200 million in funds for Justice and Homeland Security department programs aimed at securing the U.S.-Mexico border, including: \$15 million for detention efforts. \$5 million

for the U.S. Marshals Service. \$75 million for interagency crime and drug enforcement. \$5 million for courts and judicial services. \$27.2 for Customs and Border Protection. \$52.8 for Immigration and Customs Enforcement. \$10 million for the Coast Guard. \$10 million for Federal Emergency Management Agency state and local programs. The increases would be offset by \$200 million in reductions in foreign assistance funds, including: \$126.5 million from assistance to developing countries affected by the global financial crisis. \$50 million from the Global Fund to Fight AIDS. \$23.5 million from non-proliferation and disarmament funds. **Rejected 22-35: R 22-0; D 0-35; I 0-0.**

- Rep. Crenshaw, R-Fla., Navy Ship Repair Amendment — would provide \$262 million for Navy ship maintenance requirements. **Withdrawn.**
- Rep. Kingston, R-Ga., E-Verify Amendment — would prohibit the use of funds to enter into contracts with entities not participating in the E-Verify program, an electronic system to check employee eligibility. **Rejected by Voice Vote.**
- Rep. Frelinghuysen, R-N.J., Army and Marine Shortfalls Amendment — would address Army and Marine shortfalls. **Rejected 22-35: R 22-0; D 0-35; I 0-0.**
- Rep. Wolf, R-Va., Fiscal 2009 War Supplemental/Guantanamo Plan Amendment — would place a moratorium on the transfer or release of any Guantanamo detainee into the United States until Oct. 1, 2009, and require submission of a plan for each detainee proposed to be transferred or released into the United States. The plan would include a risk assessment and mitigation plan and the consent of the appropriate state government where the detainee is to be transferred or released. The amendment also would:
 - Require certification that the transfer of an individual to the United States will not preclude or prejudice the ability of the U.S. government to pursue detention or prosecution of the individual.
 - Condition the transfer or release of any detainee to another country on the submission of a plan, including the terms of any agreement with another country for acceptance of the individual.
 - Require the submission of a detailed analysis of the total estimated costs related to closing the Guantanamo Bay detention facility and disposing of the detainee cases, including the costs of detention, prosecution, security and incarceration in the United States, and any costs of transfers or releases to other countries.

Rejected 20-32: R 20-0; D 0-32; I 0-0.

- Rep. Obey, D-Wis., Guantanamo Disposition Amendment — would require the president to submit to Congress a plan on the proposed disposition of the Guantanamo Bay Naval Station by Oct. 1, 2009, to include: A proposed disposition of individuals detained as of April 30, 2009. A determination that such disposition does not pose a risk that cannot be mitigated if such individual is prosecuted, transferred or released, including a plan for such mitigation. A detailed analysis of the total estimated direct costs of closing the detention facility and any related costs, including the estimated costs of detention, prosecution, security and incarceration in the United States of the individuals detained at such facility. **Adopted by Voice Vote.**
- Rep. Bonner, R-Ala., Coast Guard Amendment — would direct the secretary of the department in which the Coast Guard is operating to issue certificates of documentation for: Engaging in the coastwise trade for the drydock Alabama, with appropriate endorsement. The vessel Maryland Independence, with a coastwise endorsement, as amended. The endorsement would be terminated if the vessel, or controlling interest in the person that owns the vessel, is conveyed after the date of

enactment, or if any repairs or alterations are made to the vessel outside of the United States. **Adopted, as Amended, by Voice Vote.**

- Rep. Ruppertsberger, D-Md., Maryland Independence Vessel Amendment to the Bonner, Ala., Amendment — would direct the secretary of the department in which the Coast Guard is operating to issue certificates of documentation for the vessel Maryland Independence, with a coastwise endorsement. The endorsement would be terminated if the vessel, or controlling interest in the person that owns the vessel, is conveyed after the date of enactment, or if any repairs or alterations are made to the vessel outside of the United States.

Adopted by Voice Vote. Note: The committee agreed to allow the inclusion of the Rep. Ruppertsberger amendment retroactively.

- **Vote to Report:** Favorably Reported to the Full House, as Amended, by **Voice Vote.**

CRS Reports:

[CRS Report R40531](#), FY2009 Spring Supplemental Appropriations for Overseas Contingency Operations

[CRS Report RL31339](#), Iraq: Post-Saddam Governance and Security

[CRS Report RL30588](#), Afghanistan: Post-Taliban Governance, Security, and U.S. Policy

[CRS Report RL34509](#), Zimbabwe: The Power Sharing Agreement and Implications for U.S. Policy

[CRS Report RL32686](#), Afghanistan: Narcotics and U.S. Policy

CBO Report:

(TBA)

Organization Statements:

(TBA)

Administration Position:

(TBA)

Fact Sheets & Talking Points:

[Fact Sheet: Afghanistan and Pakistan](#), Appropriations Committee

[Fact Sheet: Compensating our Troops for Stop-Loss](#), Appropriations Committee

[Fact Sheet: Preparing for Pandemic Flu](#), Appropriations Committee

[Summary](#), Appropriations Committee

Press Releases, News Articles & Related Information:

[Hoyer Statement on Floor Schedule for the Supplemental Appropriations Bill](#), Office of Majority Leader Hoyer

H.R. 2101 - WEAPONS ACQUISITION SYSTEM REFORM THROUGH ENHANCING TECHNICAL KNOWLEDGE AND OVERSIGHT ACT OF 2009 (*Rep. Skelton – Armed Services*)

Bill Text: [HTML Version](#), [PDF Version](#)

[Bill Summary and Status](#)

Committee: [House Armed Services](#)

Committee Staff Contact: 5-4151

BILL SUMMARY & KEY ISSUES:

Key Issues:

- Ensuring Accuracy of Information for Performance Assessment
- Providing Intensive Care to Sick Programs
- Tracking Cost Growth in the Early Stages of Development

WASTE-TKO ACT OF 2009

- **We must continue providing a strong national defense**, while reining in out of control cost growth in the development of major weapons programs.
- **Taxpayers deserve to get the most bang for their buck** – especially when national security matters are involved.
- **Cost overruns in major defense weapons systems are a huge drain on the defense budget.** GAO found that as of 2009 the Department of Defense (DOD) had \$296 billion of cost growth on 96 major weapons systems. *This figure is more than the amount we spend on salaries and health care for the entire American military for two full years.* While some at DOD have disputed that figure, they concede that cost growth is at least \$166 billion. *Just a 20% improvement could save the taxpayer as much as \$30 billion.*

This bill tackles cost growth in three major ways:

- **Ensuring Accuracy of Information for Performance Assessment**
Requires the Secretary of Defense to designate an official as the Department’s principal expert on performance assessment in acquisition. This official will provide the Department and Congress with unbiased evaluations of just how successful (or unsuccessful) our acquisition programs are.
 - Too often there is conflicting information on program performance from the Office of the Secretary of Defense (OSD), the military services, and contractors. This individual will ensure that Congress has the most accurate information to evaluate.
- **Providing Intensive Care to Sick Programs**
Mandates that weapons systems not meeting the standards set in statute for entering system development or with critical Nunn-McCurdy breaches will get additional annual reviews from oversight officials, and additional scrutiny from Congress.
 - These programs need more than just a little nudge to get back on track. This bill provides a full ICU to ensure they do.
- **Tracking Cost Growth in the Early Stages of Development**
Requires the Department to set up a new system to track the cost growth and schedule changes that happen prior to milestone B, the decision point where system development begins.

- By the time a program reaches milestone B, 75% of its costs are already locked in place. Currently, there is no process to review alternative solutions when cost or schedule growth occurs during this period.

CRS Reports:

[CRS Report R40516](#), Competition in Federal Contracting: An Overview of the Legal Requirements

CBO Report:

(TBA)

Administration Position:

[Statement of Administration Policy on S 454](#)

Fact Sheets & Talking Points:

Section by Section, Armed Services Committee

Other Resources:

[Cosponsors of H.R. 2101](#)

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