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Conversation: NEWS: Conference Report Finalized on National Defense Authorization Act for Fiscal Year 2010

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News from Congresswoman Madeleine Z. Bordallo

Conference Report Finalized on National Defense Authorization Act for Fiscal Year 2010

Bill Continues Rigorous Oversight of Guam Military Build-up

FOR IMMEDIATE RELEASE – October 7, 2009 – Washington, D.C. –

Congresswoman Madeleine Z. Bordallo today announced that the final conference report for H.R. 2647, the National Defense Authorization Act for Fiscal Year 2010 (FY10 NDAA), was signed by conferees this morning. The conference report has now been referred to the House Committee on Rules and will subsequently be debated and voted on by the full House of Representatives on Thursday afternoon. The House of Representatives is expected to pass the legislation. The conference report will then be sent to the Senate for their consideration and vote. No date has been set for the Senate's consideration of the bill. After Senate passage, the bill will be sent to President Obama for his signature.

H.R. 2647 authorizes spending and sets policy for the Department of Defense for fiscal year 2010. H.R. 2647 would also provide the Department of Defense with \$550.2 billion in budget authority while authorizing \$130 billion to support defense operations overseas. Servicemembers will receive a 3.4% increase in their pay, a 0.5% increase over the President's Budget. Moreover, the FY10 NDAA provides for significant military construction funding for Guam in support of the Guam International Agreement.

"The Congress is clear in its support for the military build-up on Guam,"

Congresswoman Madeleine Z. Bordallo said today. **"The final conference committee report has significant funding commitments for military construction on Guam. More importantly, I worked closely with Committee leadership including Chairman Solomon Ortiz of Texas and with Congressman Neil Abercrombie of Hawaii to find a compromise on the matter of Davis-Bacon and limits on H-2 workers on Guam. We will not extend Hawaii's Davis-Bacon wages to Guam but we do have a provision that requires contractors to be diligent and ensure that reasonable efforts are taken to hire U.S. workers. The conference committee also adopted protections against worker abuses and enhanced reporting requirements on workforce issues."**

"The defense bill also continues the commitment of this Congress to properly ensure that our servicemembers in harms way have the equipment and access to training that makes them so capable," added Congresswoman Bordallo. **"We also continue to honor our commitment to the Reserve Components through substantial funding of the National Guard & Reserve Equipment Account. I supported, and the Congress authorized, the authorization for several programs important to the National Guard including the State Partnership Program and increase in the federal cost share for the Youth Challenge program. These provisions demonstrate Congress's understanding of the important contributions of our citizen soldiers and airmen."**

A table of the President's requests and a summary of Congresswoman Bordallo's requested and supported provisions included in the National Defense Authorization Act for Fiscal Year 2010 are listed below.

- Codifies the charter of the Guam Executive Council within the Department of Defense and makes the Deputy Secretary of Defense the lead agent from the Department of Defense for coordination of all interagency efforts;
- Establishes an Interagency Group of Inspectors General to conduct and supervise audits and investigations regarding programs and operations related to the military build-up on Guam;
- Extends Davis-Bacon wage protections to all military construction projects on Guam and requires the U.S. Department of Labor to conduct yearly wage surveys on Guam during the period of major construction for the military build-up. The provision does not tie Davis-Bacon wages rates on Guam to those set for Hawaii;
- Requires contractors performing work on military construction projects on Guam to develop a recruitment plan that is submitted to the U.S. Department of Labor that details their efforts to hire local and other U.S. citizens and nationals. It also requires that the contractors submit a follow-up report that details why any U.S. citizen or national was not hired for a specific project. Finally, it also maintains the Governor of Guam's ability to certify the need for H-2B workers but he must submit an additional certification to the Secretary of Defense for military construction projects only;
- Prohibits any inpatient fee increases for TRICARE beneficiaries for fiscal year 2010 and was added in response to recent Department of Defense announcement that it was increasing the inpatient co-pay by 20% for retirees on TRICARE Standard;
- Parity for federal employees in Alaska, Hawaii and the U.S. territories by phasing out cost of living allowances and phase in locality comparability pay in place of the allowances. In particular, the language protects wages for federal employees on Guam;
- Funds the procurement of 8 Joint Cargo Aircraft (JCA) for Fiscal Year 2010;
- Requires the Government Accountability Office (GAO) to report on alcohol and liquor procurement policy for resale at commissaries and exchanges on Guam;
- Suspends A-76 studies for three years until the Administration reviews the process and reports back to Congress;
- Reauthorizes the Sikes Act for an additional five years from 2009 through 2013 which provides for cooperation by the Departments of the Interior and Defense with local agencies in planning, developing and maintaining fish and wildlife

resources on military reservations throughout the United States (this provision also extends a requirement that DoD manage for invasive species on its installations on Guam);

- Increases DoD funding support from 60% to 75% for the National Guard Youth Challenge Program and allows the states and territories to include in-kind, non-cash support as part of the statutorily mandated State share of the cost of operating the program;
- Requires the Secretary of the Army to report to Congress on the feasibility of establishing an Army National Guard Trainees, Transients, Holders, and Students (TTHS) account;
- Adds \$600 million to the National Guard and Reserve Equipment Account and a total of \$6.9 billion in National Guard and Reserve equipment for Fiscal Year 2010;
- Requires a report on the implementation guidance for Special Purpose Entities (SPE) and also requires that all construction of facilities be done in accordance with U.S. building standards;
- Requires the Secretary of Defense to report to Congress Grants the Office of Economic Adjustment (OEA) with the authority to assist local communities with public infrastructure improvements;
- Authorizes the Secretary of Defense to use Department of Defense funds to pay costs associated with the National Guard's State Partnership Program and requires the Department of Defense to prescribe regulations governing the expenditure of future funding for this program;
- **MILITARY CONSTRUCTION** – The Conference committee fully authorized several projects on Guam and incrementally funded them for fiscal year 2010. Fully authorizing the projects allows each respective service to issue a contract for the total cost of the project and begin construction incrementally. Projects that were fully authorized were the new Navy Hospital at \$446 million; Apra Harbor Wharf Improvements at \$167 million; Andersen AFB North Ramp infrastructure improvements at \$183 million and Andersen AFB North Ramp utility improvements at \$101 million.

Fiscal Year 2010 Military Construction Authorizations

Service Project Cost

Air Force	Andersen AFB - Commando Warrior Operations Facility	\$4,200,000
Air Force	Andersen AFB - Northwest Field Perimeter Fence and Road	\$4,752,000
Air Force	Andersen AFB - Northwest Field Combat Support Vehicle Maintenance Facility	\$15,500,000
Air Force	Andersen AFB - Electrical Infrastructure Hardening	\$33,750,000
Defense Logistics Agency	Agana Naval Air Station - Gas Storage Facility	\$4,900,000
Army National Guard	Barrigada Readiness Center	\$30,000,000

Navy Marine Aviation - AAFB North Ramp Improvements Phase 1 \$88,797,000
Navy Marine Aviation - AAFB North Ramp Utilities Phase 1 \$21,500,000
Navy Apra Harbor Wharves Improvement Phase 1 \$127,033,000
Navy Consolidated Training Facility \$45,309,000
Navy Defense Access Road Improvements \$48,860,000
Navy Military Working Dog Relocation \$14,000,000
Navy Torpedo Exercise Support Building \$15,627,000
Navy Family Housing - Replace N. Tipalao Phase 3 \$20,730,000
Defense Health Programs Hospital Replacement Phase 1 \$259,196,000
Grand Total \$734,154,000

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