

110TH CONGRESS
1ST SESSION

H. R. 4156

AN ACT

Making emergency supplemental appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated,

1 for the fiscal year ending September 30, 2008, and for
2 other purposes, namely:

3 TITLE I—POLICY ON REDEPLOYMENT AND
4 CONDUCT OF OPERATIONS IN IRAQ

5 SEC. 101. It is the sense of the Congress that—

6 (1) the war in Iraq should end as safely and
7 quickly as possible and our troops should be brought
8 home;

9 (2) the performance of United States military
10 personnel in Iraq and Afghanistan should be com-
11 mended, their courage and sacrifice have been excep-
12 tional, and when they come home, their service
13 should be recognized appropriately; and

14 (3) the primary purpose of funds made avail-
15 able by this Act should be to transition the mission
16 of United States Armed Forces in Iraq and under-
17 take their redeployment, and not to extend or pro-
18 long the war.

19 SEC. 102. (a) No person in the custody or under the
20 effective control of the United States Government shall be
21 subject to any treatment or technique of interrogation not
22 authorized by and listed in the United States Army Field
23 Manual FM2–22.3 Human Intelligence Collector Oper-
24 ations.

1 (b) Subsection (a) shall not apply with respect to any
2 person in the custody or under the effective control of the
3 United States Government pursuant to a criminal law or
4 immigration law of the United States. Nothing in this sec-
5 tion shall be construed to affect the rights under the
6 United States Constitution of any person in the custody
7 or under the physical jurisdiction of the United States.

8 SEC. 103. None of the funds made available in this
9 Act may be used in contravention of the following laws
10 enacted or regulations promulgated to implement the
11 United Nations Convention Against Torture and Other
12 Cruel, Inhuman or Degrading Treatment or Punishment
13 (done at New York on December 10, 1984)—

14 (1) section 2340A of title 18, United States
15 Code;

16 (2) section 2242 of the Foreign Affairs Reform
17 and Restructuring Act of 1998 (division G of Public
18 Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231
19 note) and regulations prescribed thereto, including
20 regulations under part 208 of title 8, Code of Fed-
21 eral Regulations, and part 95 of title 22, Code of
22 Federal Regulations; and

23 (3) sections 1002 and 1003 of the Department
24 of Defense, Emergency Supplemental Appropriations
25 to Address Hurricanes in the Gulf of Mexico, and

1 Pandemic Influenza Act, 2006 (Public Law 109–
2 148).

3 SEC. 104. (a) The Congress finds that United States
4 military units should not enter into combat unless they
5 are fully capable of performing their assigned mission. The
6 Congress further finds that this is the policy of the De-
7 partment of Defense.

8 (b) None of the funds appropriated or otherwise
9 made available by this Act may be used to deploy any unit
10 of the Armed Forces to Iraq unless the President has cer-
11 tified in writing to the Committees on Appropriations and
12 the Committees on Armed Services of the Senate and the
13 House of Representatives at least 15 days in advance of
14 the deployment that the unit is “fully mission capable”.

15 (c) For the purposes of subsection (b) the term “fully
16 mission capable” means capable of performing a unit’s as-
17 signed mission to the prescribed standards under the con-
18 ditions expected in the theater of operation, consistent
19 with the guidelines set forth in the Department of De-
20 fense’s Defense Readiness Reporting System.

21 (d) The President, by certifying in writing to the
22 Committees on Appropriations and the Committees on
23 Armed Services of the Senate and the House of Represent-
24 atives that the deployment to Iraq of a unit that is not
25 assessed fully mission capable is required for reasons of

1 national security and by submitting along with a certifi-
2 cation a report in classified and unclassified form detailing
3 the particular reason or reasons why the unit's deployment
4 is necessary, may waive the limitations prescribed in sub-
5 section (b) on a unit-by-unit basis.

6 SEC. 105. (a) Notwithstanding any other provision
7 of law, funds appropriated or otherwise made available by
8 this Act are available immediately for obligation to plan
9 and execute a safe and orderly redeployment of United
10 States Armed Forces from Iraq.

11 (b) Within 30 days after enactment of this Act, the
12 President shall commence an immediate and orderly rede-
13 ployment of United States Armed Forces from Iraq, which
14 shall be implemented as part of the comprehensive re-
15 gional stability plan described in subsection (g). The
16 President shall endeavor to begin such redeployment with
17 units of the Armed Forces that have been deployed in ex-
18 cess of 365 days, except to the extent those units are need-
19 ed to provide for the safe withdrawal of other units of the
20 Armed Forces or to protect United States and Coalition
21 personnel and infrastructure.

22 (c) The reduction in United States Armed Forces re-
23 quired by this section shall be implemented in conjunction
24 with a comprehensive diplomatic, political and economic
25 strategy that includes sustained engagement with Iraq's

1 neighbors and the international community for the pur-
2 pose of working collectively to bring stability to Iraq.

3 (d) The goal for the completion of the transition of
4 United States Armed Forces to a limited presence and
5 missions as described in subsection (e) shall be a date that
6 is not later than December 15, 2008.

7 (e) After the conclusion of the reduction and transi-
8 tion of United States Armed Forces to a limited presence
9 as required by this section, the Secretary of Defense may
10 deploy or maintain members of the Armed Forces in Iraq
11 only for the following missions:

12 (1) Protecting United States diplomatic facili-
13 ties, United States Armed Forces, and American
14 citizens.

15 (2) Conducting limited training, equipping, and
16 providing logistical and intelligence support to the
17 Iraqi Security forces.

18 (3) Engaging in targeted counterterrorism op-
19 erations against al-Qaeda, al-Qaeda affiliated
20 groups, and other terrorist organizations in Iraq.

21 (f) Not later than February 1, 2008, and every 90
22 days thereafter, the Secretary of Defense shall submit to
23 the congressional defense committees a report setting
24 forth the following:

1 (1) The current plan for and the status of the
2 reduction of United States Armed Forces in Iraq
3 and the transition of the Armed Forces in Iraq to
4 a limited presence whose missions do not exceed the
5 missions specified in subsection (e), including the as-
6 sociated force reductions and adjustments and ex-
7 pectations with respect to timelines and the force
8 levels anticipated to perform those missions.

9 (2) A comprehensive current description of ef-
10 forts to prepare for the reduction and transition of
11 United States Armed Forces in Iraq in accordance
12 with this section and to limit any destabilizing con-
13 sequences of such reduction and transition, including
14 a description of efforts to work with the United Na-
15 tions and countries in the region toward that objec-
16 tive.

17 (g) Not later than February 15, 2008, the President
18 shall submit to the Congress in classified and unclassified
19 form a comprehensive regional stability plan for the Mid-
20 dle East, which shall include a military, diplomatic, polit-
21 ical and economic strategy that provides for the national
22 security interests of the United States in the region and
23 for the engagement of targeted counterterrorism oper-
24 ations. The plan shall include a detailed description of the
25 projected United States military force presence in and

1 around the Middle East region for the 5-year period begin-
2 ning on October 1, 2008.

3 SEC. 106. The amounts appropriated by this Act are
4 sufficient to fully meet the immediate needs of the United
5 States Armed Forces deployed to Iraq. Congressional con-
6 sideration of additional funding shall be deferred until the
7 first report required by section 105(f) is submitted to the
8 Congress.

9 TITLE II—SUPPLEMENTAL APPROPRIATIONS

10 DEPARTMENT OF DEFENSE—MILITARY

11 MILITARY PERSONNEL

12 MILITARY PERSONNEL, ARMY

13 For an additional amount for “Military Personnel,
14 Army”, \$713,700,000.

15 MILITARY PERSONNEL, NAVY

16 For an additional amount for “Military Personnel,
17 Navy”, \$95,624,000.

18 MILITARY PERSONNEL, MARINE CORPS

19 For an additional amount for “Military Personnel,
20 Marine Corps”, \$56,050,000.

21 MILITARY PERSONNEL, AIR FORCE

22 For an additional amount for “Military Personnel,
23 Air Force”, \$138,037,000.

1 OPERATION AND MAINTENANCE

2 OPERATION AND MAINTENANCE, ARMY

3 For an additional amount for “Operation and Main-
4 tenance, Army”, \$27,429,490,000.

5 OPERATION AND MAINTENANCE, NAVY

6 For an additional amount for “Operation and Main-
7 tenance, Navy”, \$2,071,560,000.

8 OPERATION AND MAINTENANCE, MARINE CORPS

9 For an additional amount for “Operation and Main-
10 tenance, Marine Corps”, \$2,429,323,000.

11 OPERATION AND MAINTENANCE, AIR FORCE

12 For an additional amount for “Operation and Main-
13 tenance, Air Force”, \$3,582,560,000.

14 OPERATION AND MAINTENANCE, DEFENSE-WIDE

15 For an additional amount for “Operation and Main-
16 tenance, Defense-Wide”, \$1,330,540,000, of which not to
17 exceed \$333,000,000, to remain available until expended,
18 may be used for payments to reimburse key cooperating
19 nations, for logistical, military, and other support provided
20 to United States military operations, notwithstanding any
21 other provision of law: *Provided*, That such payments may
22 be made in such amounts as the Secretary of Defense,
23 with the concurrence of the Secretary of State and in con-
24 sultation with the Director of the Office of Management
25 and Budget, may determine, in his discretion, based on

1 documentation determined by the Secretary of Defense to
2 adequately account for the support provided, and such de-
3 termination is final and conclusive upon the accounting
4 officers of the United States, and 15 days following notifi-
5 cation to the appropriate congressional committees: *Pro-*
6 *vided further*, That the Secretary of Defense shall provide
7 quarterly reports to the congressional defense committees
8 on the use of funds provided in this paragraph.

9 OPERATION AND MAINTENANCE, ARMY RESERVE

10 For an additional amount for “Operation and Main-
11 tenance, Army Reserve”, \$61,223,000.

12 OPERATION AND MAINTENANCE, NAVY RESERVE

13 For an additional amount for “Operation and Main-
14 tenance, Navy Reserve”, \$47,500,000.

15 OPERATION AND MAINTENANCE, MARINE CORPS

16 RESERVE

17 For an additional amount for “Operation and Main-
18 tenance, Marine Corps Reserve”, \$26,157,000.

19 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

20 For an additional amount for “Operation and Main-
21 tenance, Air Force Reserve”, \$8,089,000.

22 OPERATION AND MAINTENANCE, ARMY NATIONAL

23 GUARD

24 For an additional amount for “Operation and Main-
25 tenance, Army National Guard”, \$378,381,000.

1 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

2 For an additional amount for “Operation and Main-
3 tenance, Air National Guard”, \$34,422,000.

4 AFGHANISTAN SECURITY FORCES FUND

5 (INCLUDING TRANSFER OF FUNDS)

6 For the “Afghanistan Security Forces Fund”,
7 \$500,000,000: *Provided*, That such funds shall be avail-
8 able to the Secretary of Defense, notwithstanding any
9 other provision of law, for the purpose of allowing the
10 Commander, Office of Security Cooperation Afghanistan,
11 or the Secretary’s designee, to provide assistance, with the
12 concurrence of the Secretary of State, to the security
13 forces of Afghanistan, including the provision of equip-
14 ment, supplies, services, training, facility and infrastruc-
15 ture repair, renovation, and construction, and funding:
16 *Provided further*, That the authority to provide assistance
17 under this heading is in addition to any other authority
18 to provide assistance to foreign nations: *Provided further*,
19 That the Secretary of Defense may transfer such funds
20 to appropriations for military personnel; operation and
21 maintenance; Overseas Humanitarian, Disaster, and Civic
22 Aid; procurement; research, development, test and evalua-
23 tion; and defense working capital funds to accomplish the
24 purposes provided herein: *Provided further*, That this
25 transfer authority is in addition to any other transfer au-

1 thority available to the Department of Defense: *Provided*
2 *further*, That upon a determination that all or part of the
3 funds so transferred from this appropriation are not nec-
4 essary for the purposes herein, such amounts may be
5 transferred back to this appropriation: *Provided further*,
6 That contributions of funds for the purposes provided
7 herein from any person, foreign government, or inter-
8 national organization may be credited to this Fund, and
9 used for such purposes: *Provided further*, That the Sec-
10 retary of Defense shall notify the congressional defense
11 committees in writing upon the receipt and upon the
12 transfer of any contribution, delineating the sources and
13 amounts of the funds received and the specific use of such
14 contributions: *Provided further*, That the Secretary of De-
15 fense shall, not fewer than 5 days prior to making trans-
16 fers from this appropriation account, notify the congres-
17 sional defense committees in writing of the details of any
18 such transfer: *Provided further*, That the Secretary of De-
19 fense shall submit a report no later than 30 days after
20 the end of each fiscal quarter to the congressional defense
21 committees summarizing the details of the transfer of
22 funds from this appropriation.

1 IRAQ SECURITY FORCES FUND

2 (INCLUDING TRANSFER OF FUNDS)

3 For the “Iraq Security Forces Fund”, \$500,000,000:

4 *Provided*, That such funds shall be available to the Sec-
5 retary of Defense, notwithstanding any other provision of
6 law, for the purpose of allowing the Commander, Multi-
7 National Security Transition Command—Iraq, or the Sec-
8 retary’s designee, to provide assistance, with the concur-
9 rence of the Secretary of State, to the security forces of
10 Iraq, including the provision of equipment, supplies, serv-
11 ices, training, facility and infrastructure repair, renova-
12 tion, and construction, and funding, and to provide train-
13 ing, reintegration, education and employment programs
14 for concerned local citizens, former militia members and
15 detainees and former detainees: *Provided further*, That the
16 authority to provide assistance under this heading is in
17 addition to any other authority to provide assistance to
18 foreign nations: *Provided further*, That the Secretary of
19 Defense may transfer such funds to appropriations for
20 military personnel; operation and maintenance; Overseas
21 Humanitarian, Disaster, and Civic Aid; procurement; re-
22 search, development, test and evaluation; and defense
23 working capital funds to accomplish the purposes provided
24 herein: *Provided further*, That this transfer authority is
25 in addition to any other transfer authority available to the

1 Department of Defense: *Provided further*, That upon a de-
2 termination that all or part of the funds so transferred
3 from this appropriation are not necessary for the purposes
4 provided herein, such amounts may be transferred back
5 to this appropriation: *Provided further*, That contributions
6 of funds for the purposes provided herein from any person,
7 foreign government, or international organization may be
8 credited to this Fund, and used for such purposes: *Pro-*
9 *vided further*, That the Secretary of Defense shall notify
10 the congressional defense committees in writing upon the
11 receipt and upon the transfer of any contribution, delin-
12 eating the sources and amounts of the funds received and
13 the specific use of such contributions: *Provided further*,
14 That the Secretary of Defense shall, not fewer than 5 days
15 prior to making transfers from this appropriation account,
16 notify the congressional defense committees in writing of
17 the details of any such transfer: *Provided further*, That
18 the Secretary of Defense shall submit a report no later
19 than 30 days after the end of each fiscal quarter to the
20 congressional defense committees summarizing the details
21 of the transfer of funds from this appropriation.

22 IRAQ FREEDOM FUND

23 (INCLUDING TRANSFER OF FUNDS)

24 For “Iraq Freedom Fund”, \$3,168,000,000, to re-
25 main available for transfer only to support operations in

1 Iraq and to fight terrorism: *Provided*, the Secretary of De-
2 fense and the Director of National Intelligence shall, no
3 fewer than 30 days prior to making transfers under this
4 authority, notify the Committees on Appropriations in
5 writing of the details of any such transfer made for intel-
6 ligence activities: *Provided further*, That funds transferred
7 shall be merged with and be available for the same pur-
8 poses and for the same time period as the appropriation
9 or fund to which transferred.

10 JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

11 (INCLUDING TRANSFER OF FUNDS)

12 For an additional amount for “Joint Improvised Ex-
13 plosive Device Defeat Fund”, \$1,638,500,000, to remain
14 available until September 30, 2010: *Provided*, That such
15 funds shall be available to the Secretary of Defense, not-
16 withstanding any other provision of law, for the purpose
17 of allowing the Director of the Joint Improvised Explosive
18 Device Defeat Organization to investigate, develop and
19 provide equipment, supplies, services, training, facilities,
20 personnel and funds to assist United States forces in the
21 defeat of improvised explosive devices: *Provided further*,
22 That within 60 days of enactment of this Act, a plan for
23 the intended management and use of the Fund is provided
24 to the congressional defense committees: *Provided further*,
25 That the Secretary of Defense shall submit a report not

1 later than 60 days after the end of each fiscal quarter
2 to the congressional defense committees providing assess-
3 ments of the evolving threats, individual service require-
4 ments to counter the threats, individual service require-
5 ments to counter the threats, the current strategy for
6 predeployment training of members of the Armed Forces
7 on explosive devices, and details on the execution of this
8 Fund: *Provided further*, That the Secretary of Defense
9 may transfer funds provided herein to appropriations for
10 operation and maintenance; procurement; research, devel-
11 opment, test and evaluation; and defense working capital
12 funds to accomplish the purpose provided herein: *Provided*
13 *further*, That this transfer authority is in addition to any
14 other transfer authority available to the Department of
15 Defense: *Provided further*, That upon determination that
16 all or part of the funds so transferred from this appropria-
17 tion are not necessary for the purpose provided herein,
18 such amounts may be transferred back to this appropria-
19 tion: *Provided further*, That the Secretary of Defense shall,
20 not fewer than 5 days prior to making transfers from this
21 appropriation, notify the congressional defense committees
22 in writing of the details of any such transfer.

1 PROCUREMENT

2 AIRCRAFT PROCUREMENT, ARMY

3 For an additional amount for “Aircraft Procurement,
4 Army”, \$302,200,000, to remain available until Sep-
5 tember 30, 2010.

6 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

7 VEHICLES, ARMY

8 For an additional amount for “Procurement of Weap-
9 ons and Tracked Combat Vehicles, Army”,
10 \$1,574,217,000, to remain available until September 30,
11 2010.

12 PROCUREMENT OF AMMUNITION, ARMY

13 For an additional amount for “Procurement of Am-
14 muniton, Army”, \$154,000,000, to remain available until
15 September 30, 2010.

16 OTHER PROCUREMENT, ARMY

17 For an additional amount for “Other Procurement,
18 Army”, \$1,976,100,000, to remain available until Sep-
19 tember 30, 2010.

20 AIRCRAFT PROCUREMENT, NAVY

21 For an additional amount for “Aircraft Procurement,
22 Navy”, \$25,300,000, to remain available until September
23 30, 2010.

1 OTHER PROCUREMENT, NAVY

2 For an additional amount for “Other Procurement,
3 Navy”, \$88,281,000, to remain available until September
4 30, 2010.

5 PROCUREMENT, MARINE CORPS

6 For an additional amount for “Procurement, Marine
7 Corps”, \$729,232,000, to remain available until Sep-
8 tember 30, 2010.

9 AIRCRAFT PROCUREMENT, AIR FORCE

10 For an additional amount for “Aircraft Procurement,
11 Air Force”, \$147,800,000, to remain available until Sep-
12 tember 30, 2010.

13 OTHER PROCUREMENT, AIR FORCE

14 For an additional amount for “Other Procurement,
15 Air Force”, \$42,125,000, to remain available until Sep-
16 tember 30, 2010.

17 PROCUREMENT, DEFENSE-WIDE

18 For an additional amount for “Procurement, De-
19 fense-Wide”, \$102,588,000, to remain available until Sep-
20 tember 30, 2010.

21 OTHER DEPARTMENT OF DEFENSE PROGRAMS

22 DEFENSE HEALTH PROGRAM

23 For an additional amount for “Defense Health Pro-
24 gram”, \$649,001,000; of which \$599,001,000 shall be for
25 operation and maintenance; and of which \$50,000,000

1 shall be for research, development, test and evaluation, to
2 remain available until September 30, 2009, only for peer
3 reviewed research on traumatic brain injury and psycho-
4 logical health, including post-traumatic stress disorder.

5 GENERAL PROVISIONS

6 SEC. 201. Appropriations provided in this Act are
7 available for obligation until September 30, 2008, unless
8 otherwise provided in this Act.

9 (TRANSFER OF FUNDS)

10 SEC. 202. (a) Upon a determination by the Secretary
11 of Defense that such action is necessary in the national
12 interest, the Secretary may transfer between appropria-
13 tions up to \$4,000,000,000 of the funds made available
14 to the Department of Defense in this Act.

15 (b) The Secretary shall notify the Congress promptly
16 of each transfer made pursuant to the authority in this
17 section.

18 (c) The authority provided in this section is in addi-
19 tion to any other transfer authority available to the De-
20 partment of Defense and is subject to the same terms and
21 conditions as the authority provided in section 8005 of the
22 Department of Defense Appropriations Act, 2008, except
23 for the fourth proviso.

24 SEC. 203. Funds appropriated in this Act, or made
25 available by the transfer of funds in or pursuant to this

1 Act, for intelligence activities are deemed to be specifically
2 authorized by the Congress for purposes of section
3 504(a)(1) of the National Security Act of 1947 (50 U.S.C.
4 414(a)(1)).

5 SEC. 204. None of the funds provided in this Act may
6 be used to finance programs or activities denied by the
7 Congress in fiscal years 2007 or 2008 appropriations to
8 the Department of Defense or to initiate a procurement
9 or research, development, test and evaluation new start
10 program unless such program or project must be under-
11 taken immediately in the interest of national security and
12 after written prior notification to the congressional de-
13 fense committees.

14 SEC. 205. (a) From funds made available for oper-
15 ation and maintenance in this Act to the Department of
16 Defense, not to exceed \$500,000,000 may be used, not-
17 withstanding any other provision of law, to fund the Com-
18 mander's Emergency Response Program, for the purpose
19 of enabling military commanders in Iraq and Afghanistan
20 to respond to urgent humanitarian relief and reconstruc-
21 tion requirements within their areas of responsibility by
22 carrying out programs that will immediately assist the
23 Iraqi and Afghan people.

24 (b) Not later than 15 days after the end of each fiscal
25 year quarter, the Secretary of Defense shall submit to the

1 congressional defense committees a report regarding the
2 source of funds and the allocation and use of funds during
3 that quarter that were made available pursuant to the au-
4 thority provided in this section or under any other provi-
5 sion of law for the purposes of the programs under sub-
6 section (a).

7 SEC. 206. (a) During fiscal year 2008, funds avail-
8 able in this Act to the Department of Defense for oper-
9 ation and maintenance may be used, notwithstanding any
10 other provision of law, to provide supplies, services, trans-
11 portation, including airlift and sealift, and other logistical
12 support to Coalition forces supporting military and sta-
13 bility operations in Iraq and Afghanistan.

14 (b) The Secretary of Defense shall provide quarterly
15 reports to the congressional defense committees regarding
16 support provided under this section.

17 SEC. 207. (a) Supervision and administration costs
18 associated with a construction project funded with appro-
19 priations available for operation and maintenance, Af-
20 ghanistan Security Forces Fund, or Iraq Security Forces
21 Fund, and executed in direct support of the Global War
22 on Terror only in Iraq and Afghanistan, may be obligated
23 at the time a construction contract is awarded.

1 (b) For purposes of this section, the term “super-
2 vision and administration costs” includes all in-house Gov-
3 ernment costs.

4 SEC. 208. Each amount appropriated or otherwise
5 provided in this Act is designated as an emergency re-
6 quirement and necessary to meet emergency needs pursu-
7 ant to subsections (a) and (b) of section 204 of S. Con.
8 Res. 21 (110th Congress), the concurrent resolution on
9 the budget for fiscal year 2008.

10 SEC. 209. (a) Not later than January 15, 2008 and
11 every 90 days thereafter through the end of fiscal year
12 2008, the Secretary of Defense shall set forth in a report
13 to the Congress a comprehensive set of performance indi-
14 cators and measures for progress toward military and po-
15 litical stability in Iraq.

16 (b) The report shall include performance standards
17 and goals for security, economic, and security force train-
18 ing objectives in Iraq, together with a notional timetable
19 for achieving these goals.

20 (c) The report shall include, at a minimum, the fol-
21 lowing specific provisions:

22 (1) With respect to stability and security in
23 Iraq, the following:

1 (A) Key measures of political stability, in-
2 cluding the important political milestones that
3 must be achieved over the next several years.

4 (B) The primary indicators of a stable se-
5 curity environment in Iraq, such as number of
6 engagements per day, numbers of trained Iraqi
7 forces, trends relating to numbers and types of
8 ethnic and religious-based hostile encounters,
9 and progress made in the transition to Provin-
10 cial Iraqi Control (PIC).

11 (C) An assessment of the estimated
12 strength of the insurgency in Iraq and the ex-
13 tent to which it is composed of non-Iraqi fight-
14 ers.

15 (D) A description of all militias operating
16 in Iraq, including the number, size, equipment
17 strength, military effectiveness, sources of sup-
18 port, legal status, and efforts to disarm or re-
19 integrate each militia.

20 (E) Key indicators of economic activity
21 that should be considered the most important
22 for determining the prospects of stability in
23 Iraq, including—

24 (i) unemployment levels;

1 (ii) electricity, water, and oil produc-
2 tion rates; and

3 (iii) hunger and poverty levels.

4 (F) The criteria the Administration will
5 use to determine when it is safe to begin with-
6 drawing United States forces from Iraq.

7 (2) With respect to the training and perform-
8 ance of security forces in Iraq, the following:

9 (A) The training provided Iraqi military
10 and other Ministry of Defense forces and the
11 equipment used by such forces.

12 (B) Key criteria for assessing the capabili-
13 ties and readiness of the Iraqi military and
14 other Ministry of Defense forces, goals for
15 achieving certain capability and readiness levels
16 (as well as for recruiting, training, and equip-
17 ping these forces), and the milestones and no-
18 tional timetable for achieving these goals.

19 (C) The operational readiness status of the
20 Iraqi military forces, including the type, num-
21 ber, size, and organizational structure of Iraqi
22 battalions that are—

23 (i) capable of conducting
24 counterinsurgency operations independ-

1 ently, without any support from Coalition
2 forces;

3 (ii) capable of conducting
4 counterinsurgency operations with the sup-
5 port of United States or Coalition forces;
6 or

7 (iii) not ready to conduct
8 counterinsurgency operations.

9 (D) The amount and type of support pro-
10 vided by Coalition forces to the Iraqi Security
11 forces at each level of operational readiness.

12 (E) The number of Iraqi battalions in the
13 Iraqi Army currently conducting operations and
14 the type of operations being conducted.

15 (F) The rates of absenteeism in the Iraqi
16 military forces and the extent to which insur-
17 gents have infiltrated such forces.

18 (G) The training provided Iraqi police and
19 other Ministry of Interior forces and the equip-
20 ment used by such forces.

21 (H) Key criteria for assessing the capabili-
22 ties and readiness of the Iraqi police and other
23 Ministry of Interior forces, goals for achieving
24 certain capability and readiness levels (as well
25 as for recruiting, training, and equipping), and

1 the milestones and notional timetable for
2 achieving these goals, including—

3 (i) the number of police recruits that
4 have received classroom training and the
5 duration of such instruction;

6 (ii) the number of veteran police offi-
7 cers who have received classroom instruc-
8 tion and the duration of such instruction;

9 (iii) the number of police candidates
10 screened by the Iraqi Police Screening
11 Service, the number of candidates derived
12 from other entry procedures, and the suc-
13 cess rates of those groups of candidates;

14 (iv) the number of Iraqi police forces
15 who have received field training by inter-
16 national police trainers and the duration of
17 such instruction;

18 (v) attrition rates and measures of ab-
19 senteeism and infiltration by insurgents;
20 and

21 (vi) the level and effectiveness of the
22 Iraqi Police and other Ministry of Interior
23 forces in provinces where the United
24 States has formally transferred responsi-
25 bility for the security of the province to the

1 Iraqi Security forces under the Provincial
2 Iraqi Control (PIC) process.

3 (I) The estimated total number of Iraqi
4 battalions needed for the Iraqi Security forces
5 to perform duties now being undertaken by Co-
6 alition forces, including defending the borders
7 of Iraq and providing adequate levels of law
8 and order throughout Iraq.

9 (J) The effectiveness of the Iraqi military
10 and police officer cadres and the chain of com-
11 mand.

12 (K) The number of United States and Co-
13 alition advisors needed to support the Iraqi Se-
14 curity forces and associated ministries.

15 (L) An assessment, in a classified annex if
16 necessary, of United States military require-
17 ments, including planned force rotations,
18 through the end of calendar year 2008.

19 SEC. 210. None of the funds appropriated or other-
20 wise made available by this or any other Act shall be obli-
21 gated or expended by the United States Government for
22 a purpose as follows:

23 (1) To establish any military installation or
24 base for the purpose of providing for the permanent
25 stationing of United States Armed Forces in Iraq.

1 (2) To exercise United States control over any
2 oil resource of Iraq.

3 SEC. 211. None of the funds appropriated or other-
4 wise made available by this Act may be obligated or ex-
5 pended to provide award fees to any defense contractor
6 contrary to the provisions of section 814 of the John War-
7 ner National Defense Authorization Act for Fiscal Year
8 2007 (Public Law 109–364).

9 SEC. 212. During the current fiscal year, appropria-
10 tions made available to the Department of Defense for op-
11 eration and maintenance in this Act may, upon determina-
12 tion by the Secretary of Defense that such action is nec-
13 essary to meet the operational requirements of a Com-
14 mander of Combatant Command engaged in contingency
15 operations overseas, be used to purchase items having an
16 investment item cost of not more than \$500,000.

17 SEC. 213. Section 3303(c) of Public Law 110–28
18 shall apply to funds appropriated in this Act.

19 This Act may be cited as the “Orderly and Respon-
20 sible Iraq Redeployment Appropriations Act, 2008”.

 Passed the House of Representatives November 14,
2007.

Attest:

Clerk.

110TH CONGRESS
1ST SESSION

H. R. 4156

AN ACT

Making emergency supplemental appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes.