



COMPTROLLER

OFFICE OF THE UNDER SECRETARY OF DEFENSE
1100 DEFENSE PENTAGON
WASHINGTON, DC 20301-1100

OCT 31 2008

MEMORANDUM FOR ASSISTANT SECRETARY OF THE ARMY (FINANCIAL
MANAGEMENT AND COMPTROLLER)
ASSISTANT SECRETARY OF THE NAVY (FINANCIAL
MANAGEMENT AND COMPTROLLER)
ASSISTANT SECRETARY OF THE AIR FORCE
(FINANCIAL MANAGEMENT AND COMPTROLLER)
COMPTROLLER, THE JOINT STAFF
ASSISTANT SECRETARY OF DEFENSE (HEALTH
AFFAIRS)
COMPTROLLER, U. S. SPECIAL OPERATIONS COMMAND
DIRECTOR, OPERATIONAL TEST AND EVALUATION
INSPECTOR GENERAL OF THE DEPARTMENT OF
DEFENSE
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTOR, WASHINGTON HEADQUARTERS SERVICES

SUBJECT: Guidance on the Execution of FY 2009 Earmarks

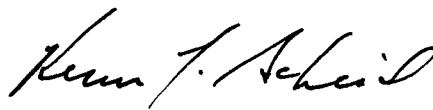
The purpose of this memorandum is to provide guidance on implementing P.L. 110-329 in accordance with Executive Order 13457 on "Protecting American Taxpayers From Government Spending on Wasteful Earmarks."

Cited in the Enrolled Bill, H.R. 2638/Public Law 110-329, Division C, Department of Defense Appropriations Act 2009, sec. 8006 is statutory guidance permitting the execution of earmarks cited in the explanation of project level adjustments in the Committee Print (legislative text and explanatory statement). Any earmarks in these tables may be executed.

Cited in the Enrolled Bill, H.R. 2638/Public Law 110-329, Division E, Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2009, cited in each account there is the following example: "That the amount appropriated in this paragraph shall be for the projects and activities, and in the amounts, specified under the heading 'Military Construction, Army' and under the headings 'Army' in the table entitled 'Military Construction,' in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act)." Any earmarks in these tables may be executed.

The Department of Defense is also required per Executive Order 13457 and OMB guidance M-09-03 (attached) to post written communications to the agency website within 30 days of receipt. Each Service or Agency will set up on their public website a link with the title "Earmarks" and have a folder underneath titled "FY 2009 Earmark Correspondence" to post all written correspondence in reference to FY 2009 earmarks. The address for the link needs to be forwarded to Kim.Laurance@osd.mil by NLT November 7, 2008. This link will then be posted on the Office of the Under Secretary of Defense Deputy Comptroller Public website for easy access by anyone wishing to view the information.

Any questions concerning this matter can be directed to Ms. Pam Bell at (703) 697-0733 or Pamela.Bell@osd.mil.

A handwritten signature in black ink, appearing to read "Kevin J. Scheid". The signature is written in a cursive, flowing style.

Kevin J. Scheid
Acting Principal Deputy

Attachment:
As stated