

December 1, 2011

Ordered to be printed as passed

In the Senate of the United States,

December 1, 2011.

Resolved, That the bill from the House of Representatives (H.R. 1540) entitled “An Act to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “National Defense Au-*
3 *thorization Act for Fiscal Year 2012”.*

4 ***SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF***
5 ***CONTENTS.***

6 *(a) DIVISIONS.—This Act is organized into four divi-*
7 *sions as follows:*

1 (1) *Division A—Department of Defense Author-*
 2 *izations.*

3 (2) *Division B—Military Construction Authoriza-*
 4 *tions.*

5 (3) *Division C—Department of Energy National*
 6 *Security Authorizations and Other Authorizations.*

7 (4) *Division D—Funding Tables.*

8 (5) *Division E—SBIR and STTR Reauthoriza-*
 9 *tion.*

10 (b) *TABLE OF CONTENTS.—The table of contents for*
 11 *this Act is as follows:*

Sec. 1. Short title.

Sec. 2. Organization of Act into divisions; table of contents.

Sec. 3. Congressional defense committees.

Sec. 4. Scoring of budgetary effects.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Navy Programs

Sec. 121. Multiyear procurement authority for mission avionics and common cockpits for Navy MH-60R/S helicopters.

Subtitle C—Air Force Programs

Sec. 131. Procurement of advanced extremely high frequency satellites.

Sec. 132. Availability of fiscal year 2011 funds for research and development relating to the B-2 bomber aircraft.

Sec. 133. Availability of fiscal year 2011 funds to support alternative options for extremely high frequency terminal Increment 1 program of record.

Sec. 134. Limitations on use of funds to retire B-1 bomber aircraft.

Sec. 135. Limitation on retirement of U-2 aircraft.

Sec. 136. Strategic airlift aircraft force structure.

Sec. 137. Limitation on retirement of C-23 aircraft.

Subtitle D—Joint and Multiservice Matters

- Sec. 151. Inclusion of information on approved Combat Mission Requirements in quarterly reports on use of Combat Mission Requirement funds.*
- Sec. 152. F-35 Joint Strike Fighter aircraft.*
- Sec. 153. Report on plan to implement Weapon Systems Acquisition Reform Act of 2009 measures within the Joint Strike Fighter aircraft program.*
- Sec. 154. Multiyear procurement authority for airframes for Army UH-60M/HH-60M helicopters and Navy MH-60R/MH-60S helicopters.*
- Sec. 155. Designation of undersea mobility acquisition program of the United States Special Operations Command as a major defense acquisition program.*
- Sec. 156. Transfer of Air Force C-12 Liberty Intelligence, Surveillance, and Reconnaissance aircraft to the Army.*
- Sec. 157. Joint Surveillance Target Attack Radar System aircraft re-engining program.*
- Sec. 158. Report on probationary period in development of short take-off, vertical landing variant of the Joint Strike Fighter.*
- Sec. 159. Authority for exchange with United Kingdom of specified F-35 Lightning II Joint Strike Fighter aircraft.*

*TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**Subtitle A—Authorization of Appropriations*

- Sec. 201. Authorization of appropriations.*

Subtitle B—Program Requirements, Restrictions, and Limitations

- Sec. 211. Prohibitions relating to use of funds for research, development, test, and evaluation on the F136 engine.*
- Sec. 212. Limitation on use of funds for Increment 2 of B-2 bomber aircraft extremely high frequency satellite communications program.*
- Sec. 213. Unmanned Carrier Launched Airborne Surveillance and Strike.*
- Sec. 214. Marine Corps ground combat vehicles.*

Subtitle C—Missile Defense Matters

- Sec. 231. Enhanced oversight of missile defense acquisition programs.*
- Sec. 232. Ground-based Midcourse Defense Program.*
- Sec. 233. Missile defense cooperation with Russia.*
- Sec. 234. Report on the United States missile defense hedging strategy.*

Subtitle D—Reports

- Sec. 251. Extension of requirements for biennial roadmap and annual review and certification on funding for development of hypersonics.*

Subtitle E—Other Matters

- Sec. 261. Contractor cost-sharing in pilot program to include technology protection features during research and development of certain defense systems.*
- Sec. 262. Laboratory facilities, Hanover, New Hampshire.*

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Operation and maintenance funding.

Subtitle B—Energy and Environmental Provisions

Sec. 311. Modification of energy performance goals.

Sec. 312. Streamlined annual report on defense environmental programs.

Sec. 313. Payment to Environmental Protection Agency of stipulated penalties in connection with Jackson Park Housing Complex, Washington.

Sec. 314. Requirements relating to Agency for Toxic Substances and Disease Registry investigation of exposure to drinking water contamination at Camp Lejeune, North Carolina.

Sec. 315. Discharge of wastes at sea generated by ships of the Armed Forces.

Sec. 316. Consideration of energy security and reliability in development and implementation of energy performance goals.

Sec. 317. Installation energy metering requirements.

Sec. 318. Training policy for Department of Defense energy managers.

Subtitle C—Workplace and Depot Issues

Sec. 321. Minimum capital investment for certain depots.

Sec. 322. Limitation on revising the definition of depot-level maintenance.

Sec. 323. Designation of military industrial facilities as Centers of Industrial and Technical Excellence.

Sec. 324. Reports on depot-related activities.

Subtitle D—Reports

Sec. 331. Study on Air Force test and training range infrastructure.

Sec. 332. Study on training range infrastructure for special operations forces.

Sec. 333. Guidance to establish non-tactical wheeled vehicle and equipment service life extension programs to achieve cost savings.

Sec. 334. Modified deadline for annual report on budget shortfalls for implementation of operational energy strategy.

Subtitle E—Other Matters

Sec. 341. Extension of authority for Army industrial facilities to enter into cooperative agreements with non-Army entities.

Sec. 342. Working-capital fund accounting.

Sec. 343. Commercial sale of small arms ammunition and small arms ammunition components in excess of military requirements, and fired cartridge cases.

Sec. 344. Authority to accept contributions of funds to study options for mitigating adverse effects of proposed obstructions on military installations.

Sec. 345. Utility disruptions to military installations.

Sec. 346. Eligibility of active and reserve members, retirees, gray area retirees, and dependents for space-available travel on military aircraft.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.

Subtitle B—Reserve Forces

- Sec. 411. End strengths for Selected Reserve.*
Sec. 412. End strengths for Reserves on active duty in support of the Reserves.
Sec. 413. End strengths for military technicians (dual status).
Sec. 414. Fiscal year 2012 limitation on number of non-dual status technicians.
Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.

Subtitle C—Authorization of Appropriations

- Sec. 421. Military personnel.*

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy Generally

- Sec. 501. Increase in authorized strengths for Marine Corps officers on active duty.*
Sec. 502. Voluntary retirement incentive.
Sec. 503. National Defense University outplacement waiver.
Sec. 504. Modification of definition of “joint duty assignment” to include all instructor assignments for joint training and education.

Subtitle B—Reserve Component Management

- Sec. 511. Authority for order to active duty of members of the Selected Reserve and certain members of the Individual Ready Reserve for preplanned missions.*
Sec. 512. Modification of eligibility for consideration for promotion for certain reserve officers employed as military technicians (dual status).
Sec. 513. Modification of time in which preseparation counseling must be provided to reserve component members being demobilized.
Sec. 514. Report on termination of military technician as a distinct personnel management category.
Sec. 515. Authority to order army reserve, navy reserve, marine corps reserve, and air force reserve to active duty to provide assistance in response to a major disaster or emergency.

Subtitle C—General Service Authorities

- Sec. 521. Repeal of mandatory high-deployment allowance.*
Sec. 522. Prohibition on denial of reenlistment of members for unsuitability based on the same medical condition for which they were determined to be fit for duty.
Sec. 523. Expansion of regular enlisted members covered by early discharge authority.
Sec. 524. Extension of voluntary separation pay and benefits.
Sec. 525. Employment skills training for members of the Armed Forces on active duty who are transitioning to civilian life.
Sec. 526. Policy on military recruitment and enlistment of graduates of secondary schools.
Sec. 527. Freedom of conscience of military chaplains with respect to the performance of marriages.

Subtitle D—Education and Training

- Sec. 541. Enhancement of authorities on joint professional military education.*

- Sec. 542. Grade of commissioned officers in uniformed medical accession programs.*
- Sec. 543. Reserve component mental health student stipend.*
- Sec. 544. Enrollment of certain seriously wounded, ill, or injured former or retired enlisted members of the Armed Forces in associate degree programs of the Community College of the Air Force in order to complete degree program.*
- Sec. 545. Consolidation of military department authority to issue arms, tentage, and equipment to educational institutions not maintaining units of Junior ROTC.*
- Sec. 546. Temporary authority to waive maximum age limitation on admission to the military service academies.*
- Sec. 547. Pilot program on receipt of civilian credentialing for skills required for military occupational specialties.*

Subtitle E—Military Justice and Legal Matters Generally

- Sec. 551. Reform of offenses relating to rape, sexual assault, and other sexual misconduct under the Uniform Code of Military Justice.*
- Sec. 552. Authority to compel production of documentary evidence.*
- Sec. 553. Procedures for judicial review of certain military personnel decisions.*
- Sec. 554. Department of Defense support for programs on pro bono legal representation for members of the Armed Forces.*

Subtitle F—Sexual Assault Prevention and Response

- Sec. 561. Director of the Sexual Assault Prevention and Response Office.*
- Sec. 562. Sexual Assault Response Coordinators and Sexual Assault Victim Advocates.*
- Sec. 563. Access of sexual assault victims to legal assistance and services of Sexual Assault Response Coordinators and Sexual Assault Victim Advocates.*
- Sec. 564. Requirement for privilege in cases arising under Uniform Code of Military Justice against disclosure of communications between sexual assault victims and Sexual Assault Response Coordinators, Sexual Assault Victim Advocates, and certain other persons.*
- Sec. 565. Expedited consideration and decision-making on requests for permanent change of station or unit transfer of victims of sexual assault.*
- Sec. 566. Department of Defense policy and procedures on retention and access to evidence and records relating to sexual assaults involving members of the Armed Forces.*

Subtitle G—Defense Dependents' Education

- Sec. 571. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.*
- Sec. 572. Impact aid for children with severe disabilities.*
- Sec. 573. Three-year extension and enhancement of authorities on transition of military dependent students among local educational agencies.*

Subtitle H—Military Family Readiness

- Sec. 576. Modification of membership of Department of Defense Military Family Readiness Council.*
- Sec. 577. Comptroller General of the United States report on Department of Defense military spouse employment programs.*

Subtitle I—Other Matters

- Sec. 581. Cold War Service Medal.*
- Sec. 582. Enhancement and improvement of Yellow Ribbon Reintegration Program.*
- Sec. 583. Report on process for expedited determination of disability of members of the Armed Forces with certain disabling conditions.*
- Sec. 584. Report on the achievement of diversity goals for the leadership of the Armed Forces.*
- Sec. 585. Specification of period in which application for voter registration or absentee ballot from an overseas voter is valid.*
- Sec. 586. Authorization and request for award of Medal of Honor to Emil Kapaun for acts of valor during the Korean War.*
- Sec. 587. Authorization for award of the distinguished service cross for captain Fredrick L. Spaulding for acts of valor during the Vietnam War.*

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS*Subtitle A—Bonuses and Special and Incentive Pays*

- Sec. 611. One-year extension of certain expiring bonus and special pay authorities.*
- Sec. 612. Modification of qualifying period for payment of hostile fire and imminent danger special pay and hazardous duty special pay.*

Subtitle B—Consolidation and Reform of Travel and Transportation Authorities

- Sec. 621. Consolidation and reform of travel and transportation authorities of the uniformed services.*
- Sec. 622. Transition provisions.*

Subtitle C—Disability, Retired Pay, and Survivor Benefits

- Sec. 631. Repeal of automatic enrollment in Family Servicemembers' Group Life Insurance for members of the Armed Forces married to other members.*
- Sec. 632. Limitation on availability of certain funds pending report on provision of special compensation for members of the uniformed services with injury or illness requiring assistance in everyday living.*
- Sec. 633. Repeal of sense of Congress on age and service requirements for retired pay for non-regular service.*
- Sec. 634. Death gratuity and related benefits for Reserves who die during an authorized stay at their residence during or between successive days of inactive duty training.*
- Sec. 635. Repeal of requirement of reduction of Survivor Benefits Plan survivor annuities by dependency and indemnity compensation.*

Subtitle D—Pay and Allowances

- Sec. 641. No reduction in basic allowance for housing for National Guard members who transition between active duty and full-time National Guard duty without a break in active service.*

TITLE VII—HEALTH CARE PROVISIONS

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- Sec. 701. Annual cost-of-living adjustment in enrollment fees in TRICARE Prime.*
- Sec. 702. Maintenance of the adequacy of provider networks under the TRICARE program.*
- Sec. 703. Transition enrollment of uniformed services family health plan Medicare-eligible retirees to TRICARE for Life.*
- Sec. 704. Modification of authorities on surveys on continued viability of TRICARE Standard and TRICARE Extra.*
- Sec. 705. Extension of time limit for submittal of claims under the TRICARE program for care provided outside the United States.*

Subtitle B—Other Health Care Benefits

- Sec. 711. Travel for anesthesia services for childbirth for command-sponsored dependents of members assigned to remote locations outside the continental United States.*
- Sec. 712. Transitional health benefits for certain members with extension of active duty following active duty in support of a contingency operation.*
- Sec. 713. Codification and improvement of procedures for mental health evaluations for members of the Armed Forces.*

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- Sec. 721. Expansion of State licensure exceptions for certain mental health-care professionals.*
- Sec. 722. Clarification on confidentiality of medical quality assurance records.*

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- Sec. 801. Waiver of requirements relating to new Milestone approval for certain major defense acquisition programs experiencing critical cost growth due to change in quantity purchased.*
- Sec. 802. Modification of certain requirements of the Weapon Systems Acquisition Reform Act of 2009.*
- Sec. 803. Assessment, management, and control of operating and support costs for major weapon systems.*
- Sec. 804. Clarification of responsibility for cost analyses and targets for contract negotiation purposes.*
- Sec. 805. Modification of requirements for guidance on management of manufacturing risk in major defense acquisition programs.*
- Sec. 806. Management of developmental test and evaluation for major defense acquisition programs.*
- Sec. 807. Assessment of risk associated with development of major weapon systems to be procured under cooperative projects with friendly foreign countries.*

Subtitle B—Acquisition Policy and Management

- Sec. 821. Inclusion of data on contractor performance in past performance databases for source selection decisions.*

- Sec. 822. Implementation of recommendations of Defense Science Board Task Force on Service Contracting.*
- Sec. 823. Temporary limitation on aggregate annual amount available for contract services.*
- Sec. 824. Annual report on single-award task and delivery order contracts.*
- Sec. 825. Incorporation of corrosion prevention and control into requirements applicable to development and acquisition of weapon systems.*
- Sec. 826. Prohibition on use of funds for certain programs.*
- Sec. 827. Applicability of Buy American Act to procurement of photovoltaic devices by Department of Defense.*

*Subtitle C—Amendments Relating to General Contracting Authorities,
Procedures, and Limitations*

- Sec. 841. Treatment for technical data purposes of independent research and development and bid and proposal costs.*
- Sec. 842. Limitation on defense contractor compensation.*
- Sec. 843. Covered contracts for purposes of requirements on contractor business systems.*
- Sec. 844. Compliance with defense procurement requirements for purposes of internal controls of non-defense agencies for procurements on behalf of the Department of Defense.*
- Sec. 845. Prohibition on collection of political information.*
- Sec. 846. Waiver of “Buy American” requirement for procurement of components otherwise producible overseas with specialty metal not produced in the United States.*
- Sec. 847. Comptroller General of the United States reports on noncompetitive and one-offer contracts awarded by the Department of Defense.*
- Sec. 848. Detection and avoidance of counterfeit electronic parts.*
- Sec. 849. Report on authorities available to the Department of Defense for multiyear contracts for the purchase of advanced biofuels.*
- Sec. 850. Comptroller General of the United States reports on Department of Defense implementation of justification and approval requirements for certain sole-source contracts.*

Subtitle D—Provisions Relating to Wartime Contracting

- Sec. 861. Prohibition on contracting with the enemy in the United States Central Command theater of operations.*
- Sec. 862. Additional access to contractor and subcontractor records in the United States Central Command theater of operations.*
- Sec. 863. Joint Urgent Operational Needs Fund to rapidly meet urgent operational needs.*
- Sec. 864. Inclusion of associated support services in rapid acquisition and deployment procedures for supplies.*
- Sec. 865. Reach-back contracting authority for Operation Enduring Freedom and Operation New Dawn.*
- Sec. 866. Inclusion of contractor support requirements in Department of Defense planning documents.*

Subtitle E—Other Matters

- Sec. 881. Extension of availability of funds in the Defense Acquisition Workforce Development Fund.*

- Sec. 882. Modification of delegation of authority to make determinations on entry into cooperative research and development agreements with NATO and other friendly organizations and countries.*
- Sec. 883. Rate of payment for airlift services under the Civil Reserve Air Fleet program.*
- Sec. 884. Clarification of Department of Defense authority to purchase right-hand drive passenger sedan vehicles and adjustment of threshold for inflation.*
- Sec. 885. Extension and expansion of small business programs of the Department of Defense.*
- Sec. 886. Three-year extension of test program for negotiation of comprehensive small business subcontracting plans.*
- Sec. 887. Five-year extension of Department of Defense Mentor-Protege Program.*
- Sec. 888. Report on alternatives for the procurement of fire-resistant and fire-retardant fiber and materials for the production of military products.*
- Sec. 889. Oversight of and reporting requirements with respect to Evolved Expendable Launch Vehicle program.*
- Sec. 890. Department of Defense assessment of industrial base for night vision image intensification sensors.*
- Sec. 891. Implementation of acquisition strategy for Evolved Expendable Launch Vehicle.*
- Sec. 892. Report on impact of foreign boycotts on the defense industrial base.*

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

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- Sec. 902. Designation of Department of Defense senior official with principal responsibility for airship programs.*
- Sec. 903. Memoranda of agreement on synchronization of enabling capabilities of general purpose forces with the requirements of special operations forces.*
- Sec. 904. Enhancement of administration of the United States Air Force Institute of Technology.*
- Sec. 905. Defense laboratory matters.*
- Sec. 906. Assessment of Department of Defense access to non-United States citizens with scientific and technical expertise vital to the national security interests.*
- Sec. 907. Sense of Congress on use of modeling and simulation in Department of Defense activities.*
- Sec. 908. Sense of Congress on ties between Joint Warfighting and Coalition Center and Allied Command Transformation of NATO.*
- Sec. 909. Report on effects of planned reductions of personnel at the Joint Warfare Analysis Center on personnel skills.*

Subtitle B—Space Activities

- Sec. 911. Commercial space launch cooperation.*
- Sec. 912. Authority to designate increments or blocks of space vehicles as major subprograms subject to acquisition reporting requirements.*

Sec. 913. Review to identify interference with national security Global Positioning System receivers by commercial communications services.

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Sec. 921. Expansion of authority for exchanges of mapping, charting, and geodetic data to include nongovernmental organizations and academic institutions.

Sec. 922. Facilities for intelligence collection or special operations activities abroad.

Sec. 923. Ozone Widget Framework.

Sec. 924. Plan for incorporation of enterprise query and correlation capability into the Defense Intelligence Information Enterprise.

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Sec. 931. Strategy to acquire capabilities to detect previously unknown cyber attacks.

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Sec. 1002. Defense business systems.

Sec. 1003. Modification of authorities on certification and credential standards for financial management positions in the Department of Defense.

Sec. 1004. Deposit of reimbursed funds under reciprocal fire protection agreements.

Sec. 1005. Audit readiness of financial statements of Department of Defense.

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Sec. 1011. Five-year extension and modification of authority of Department of Defense to provide additional support for counterdrug activities of other governmental agencies.

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Sec. 1013. Reporting requirement on expenditures to support foreign counter-drug activities.

Sec. 1014. Extension of authority for joint task forces to provide support to law enforcement agencies conducting counter-terrorism activities.

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Subtitle C—Naval Vessels and Shipyards

Sec. 1021. Limitation on availability of funds for placing Maritime Prepositioning Ship squadrons on reduced operating status.

Sec. 1022. Modification of conditions on status of retired aircraft carrier ex-John F. Kennedy.

- Sec. 1023. Authority to provide information for maritime safety of forces and hydrographic support.*
- Sec. 1024. Report on policies and practices of the Navy for naming the vessels of the Navy.*
- Sec. 1025. Assessment of stationing of additional DDG-51 class destroyers at Naval Station Mayport, Florida.*
- Sec. 1026. Transfer of certain high-speed ferries to the Navy.*

Subtitle D—Detainee Matters

- Sec. 1031. Affirmation of authority of the Armed Forces of the United States to detain covered persons pursuant to the Authorization for Use of Military Force.*
- Sec. 1032. Requirement for military custody.*
- Sec. 1033. Requirements for certifications relating to the transfer of detainees at United States Naval Station, Guantanamo Bay, Cuba, to foreign countries and other foreign entities.*
- Sec. 1034. Prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.*
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Subtitle E—Miscellaneous Authorities and Limitations

- Sec. 1041. Management of Department of Defense installations.*
- Sec. 1042. Amendments relating to the Military Commissions Act of 2009.*
- Sec. 1043. Department of Defense authority to carry out personnel recovery reintegration and post-isolation support activities.*
- Sec. 1044. Treatment under Freedom of Information Act of certain sensitive national security information.*
- Sec. 1045. Clarification of airlift service definitions relating to the Civil Reserve Air Fleet.*
- Sec. 1046. Authority for assignment of civilian employees of the Department of Defense as advisors to foreign ministries of defense and international peace and security organizations.*
- Sec. 1047. Net assessment of nuclear force levels required with respect to certain proposals to reduce the nuclear weapons stockpile of the United States.*
- Sec. 1048. Fiscal year 2012 administration and report on the Troops-to-Teachers Program.*
- Sec. 1049. Expansion of Operation Hero Miles.*

Subtitle F—Repeal and Modification of Reporting Requirements

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- Sec. 1061. Repeal of reporting requirements under title 10, United States Code.*
- Sec. 1062. Repeal of reporting requirements under annual defense authorization acts.*
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- Sec. 1067. Modification of reporting requirements under other titles of the United States Code.*
- Sec. 1068. Modification of reporting requirements under annual defense authorization acts.*
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Subtitle G—Other Study and Report Matters

- Sec. 1071. Modification of dates of Comptroller General of the United States review of executive agreement on joint medical facility demonstration project, North Chicago and Great Lakes, Illinois.*
- Sec. 1072. Report on plan to implement organizational goals recommended in the National Security Strategy—2010.*
- Sec. 1073. Biennial assessment of and report on delivery platforms for nuclear weapons and the nuclear command and control system.*
- Sec. 1074. Annual report on the nuclear weapons stockpile of the United States.*
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- Sec. 1076. Study on the recruitment, retention, and development of cyberspace experts.*
- Sec. 1077. Reports on resolution restrictions on the commercial sale or dissemination of electro-optical imagery collected by satellites.*
- Sec. 1078. Report on integration of unmanned aerial systems into the national airspace system.*
- Sec. 1079. Study on United States force posture in East Asia and the Pacific region.*
- Sec. 1080. Report on status of implementation of accepted recommendations in the Final Report of the 2010 Army Acquisition Review panel.*
- Sec. 1080A. Report on feasibility of using unmanned aerial systems to perform airborne inspection of navigational aids in foreign airspace.*
- Sec. 1080B. Comptroller General review of medical research and development relating to improved combat casualty care.*
- Sec. 1080C. Reports to Congress on the modification of the force structure for the strategic nuclear weapons delivery systems of the United States.*
- Sec. 1080D. Comptroller General of the United States reports on the major automated information system programs of the Department of Defense.*
- Sec. 1080E. Comptroller General report on Department of Defense science and technology programs.*
- Sec. 1080F. Comptroller General report on Science, Technology, Engineering, and Math (STEM) initiatives.*
- Sec. 1080G. Report on Defense Department analytic capabilities regarding foreign ballistic missile threats.*
- Sec. 1080H. Report on approval and implementation of Air Sea Battle Concept.*
- Sec. 1080I. Report on effects of changing flag officer positions within the Air Force Material Command.*

Subtitle H—Other Matters

- Sec. 1081. Redesignation of psychological operations as military information support operations in title 10, United States Code, to conform to Department of Defense usage.*

- Sec. 1082. Termination of requirement for appointment of civilian members of National Security Education Board by and with the advice and consent of the Senate.*
- Sec. 1083. Redesignation of Industrial College of the Armed Forces as the Dwight D. Eisenhower School for National Security and Resource Strategy.*
- Sec. 1084. Designation of Fisher House for the Families of the Fallen and Meditation Pavilion, Dover Air Force Base, Delaware, as a Fisher House.*
- Sec. 1085. Sense of Senate on application of moratorium on earmarks to this Act.*
- Sec. 1086. Technical amendment relating to responsibilities of Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy.*
- Sec. 1087. Technical amendment.*
- Sec. 1088. Improving the transition of members of the Armed Forces with experience in the operation of certain motor vehicles into careers operating commercial motor vehicles in the private sector.*
- Sec. 1089. Fire suppression agents.*
- Sec. 1090. Acquisition and procurement exchanges between the United States and India.*
- Sec. 1091. Long-term plan for maintenance of intercontinental ballistic missile solid rocket motor production capacity.*
- Sec. 1092. Cybersecurity collaboration between the Department of Defense and the Department of Homeland Security.*
- Sec. 1093. Reemployment rights following certain National Guard duty.*

TITLE XI—CIVILIAN PERSONNEL MATTERS

- Sec. 1101. Authority of the Secretaries of the military departments to employ up to 10 persons without pay.*
- Sec. 1102. Extension of eligibility to continue Federal employee health benefits for certain employees of the Department of Defense.*
- Sec. 1103. Authority for waiver of recovery of certain payments previously made under civilian employees voluntary separation incentive program.*
- Sec. 1104. Permanent extension and expansion of experimental personnel program for scientific and technical personnel.*
- Sec. 1105. Modification of beneficiary designation authorities for death gratuity payable upon death of a United States Government employee in service with the Armed Forces.*
- Sec. 1106. Two-year extension of discretionary authority to grant allowances, benefits, and gratuities to personnel on official duty in a combat zone.*
- Sec. 1107. One-year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas.*

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

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- Sec. 1201. Expansion of scope of humanitarian demining assistance authority to include stockpiled conventional munitions.*
- Sec. 1202. One-year extension and modification of authorities applicable to Commanders' Emergency Response Program.*

- Sec. 1203. Three-year extension of temporary authority to use acquisition and cross-servicing agreements to lend military equipment for personnel protection and survivability.*
- Sec. 1204. Conditional extension and modification of authority to build the capacity of counter terrorism forces of Yemen.*
- Sec. 1205. Extension of authority for support of special operations to combat terrorism.*
- Sec. 1206. Limitation on availability of funds for authorities relating to program to build the capacity of foreign military forces.*
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- Sec. 1208. Authority to build the capacity of certain counterterrorism forces of East African countries.*
- Sec. 1209. Support of forces participating in operations to disarm the Lord's Resistance Army.*

Subtitle B—Matters Relating to Iraq, Afghanistan, and Pakistan

- Sec. 1221. Extension and modification of logistical support for coalition forces supporting operations in Iraq and Afghanistan.*
- Sec. 1222. One-year extension of authority to transfer defense articles and provide defense services to the military and security forces of Iraq and Afghanistan.*
- Sec. 1223. One-year extension of authorities applicable to the Pakistan Counter-insurgency Fund.*
- Sec. 1224. One-year extension of authority to use funds for reintegration activities in Afghanistan.*
- Sec. 1225. Modification of authority on program to develop and carry out infrastructure projects in Afghanistan.*
- Sec. 1226. One-year extension of authority for reimbursement of certain coalition nations for support provided to United States military operations.*
- Sec. 1227. Two-year extension of certain reports on Afghanistan.*
- Sec. 1228. Authority to support operations and activities of the Office of Security Cooperation in Iraq.*
- Sec. 1229. Benchmarks to evaluate the progress being made toward the transition of security responsibilities for Afghanistan to the Government of Afghanistan.*
- Sec. 1230. Certification requirement regarding efforts by Government of Pakistan to implement a strategy to counter improvised explosive devices.*
- Sec. 1231. Report on Coalition Support Fund reimbursements to the Government of Pakistan for operations conducted in support of Operation Enduring Freedom.*

Subtitle C—Reports and Other Matters

- Sec. 1241. Report on progress of the African Union in operationalizing the African Standby Force.*
- Sec. 1242. Comptroller General of the United States report on the National Guard State Partnership Program.*
- Sec. 1243. Man-portable air-defense systems originating from Libya.*
- Sec. 1244. Defense cooperation with Republic of Georgia.*
- Sec. 1245. Imposition of sanctions with respect to the financial sector of Iran.*

TITLE XIII—COOPERATIVE THREAT REDUCTION

- Sec. 1301. Specification of Cooperative Threat Reduction programs and funds.*

Sec. 1302. Funding allocations.

Sec. 1303. Limitation on use of funds for establishment of centers of excellence in countries outside of the former Soviet Union.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

Sec. 1401. Working capital funds.

Sec. 1402. National Defense Sealift Fund.

Sec. 1403. Defense Health Program.

Sec. 1404. Chemical Agents and Munitions Destruction, Defense.

Sec. 1405. Drug Interdiction and Counter-Drug Activities, Defense-wide.

Sec. 1406. Defense Inspector General.

Subtitle B—National Defense Stockpile

Sec. 1411. Authorized uses of National Defense Stockpile Funds.

Sec. 1412. Revision to required receipt objectives for previously authorized disposals from the National Defense Stockpile.

Subtitle C—Armed Forces Retirement Home

PART I—AUTHORIZATION OF APPROPRIATIONS

Sec. 1421. Authorization of appropriations.

PART II—ARMED FORCES RETIREMENT HOME AUTHORITIES

Sec. 1422. Amendment of Armed Forces Retirement Home Act of 1991.

Sec. 1423. Annual validation of multiyear accreditation.

Sec. 1424. Clarification of duties of Senior Medical Advisor.

Sec. 1425. Replacement of Local Boards of Trustees for each facility with single Advisory Council.

Sec. 1426. Administrators and ombudsmen of facilities.

Sec. 1427. Inspection requirements.

Sec. 1428. Repeal of obsolete provisions.

Sec. 1429. Technical, conforming, and clerical amendments.

Subtitle D—Other Matters

Sec. 1431. Authority for transfer of funds to Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund for Captain James A. Lovell Health Care Center, Illinois.

TITLE XV—AUTHORIZATION OF APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Appropriations

Sec. 1501. Purpose.

Sec. 1502. Procurement.

Sec. 1503. Research, development, test, and evaluation.

Sec. 1504. Operation and maintenance.

Sec. 1505. Military personnel.

Sec. 1506. Working capital funds.

Sec. 1507. Defense Health Program.

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Sec. 1509. Defense Inspector General.

Subtitle B—Financial Matters

Sec. 1521. Treatment as additional authorizations.

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Subtitle C—Other Matters

Sec. 1531. One-year extension and modification of authority for Task Force for Business and Stability Operations in Afghanistan.

Sec. 1532. Modification of availability of funds in Afghanistan Security Forces Fund.

Sec. 1533. Limitation on availability of funds for Trans Regional Web Initiative.

Sec. 1534. Report on lessons learned from Department of Defense participation on interagency teams for counterterrorism operations in Afghanistan and Iraq.

TITLE XVI—NATIONAL GUARD EMPOWERMENT

Sec. 1601. Short title.

Sec. 1602. Reestablishment of position of Vice Chief of the National Guard Bureau and termination of position of Director of the Joint Staff of the National Guard Bureau.

Sec. 1603. Membership of the Chief of the National Guard Bureau on the Joint Chiefs of Staff.

Sec. 1604. Continuation as a permanent program and enhancement of activities of Task Force for Emergency Readiness pilot program of the Federal Emergency Management Agency.

Sec. 1605. Report on comparative analysis of costs of comparable units of the reserve components and the regular components of the Armed Forces.

Sec. 1606. Display of procurement of equipment for the reserve components of the Armed Forces under estimated expenditures for procurement in future-years defense programs.

Sec. 1607. Enhancement of authorities relating to the United States Northern Command and other combatant commands.

Sec. 1608. Requirements relating to National Guard officers in certain command positions.

Sec. 1609. Availability of funds under State Partnership Program for additional National Guard contacts on matters within the core competencies of the National Guard.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

Sec. 2001. Short title.

Sec. 2002. Expiration of authorizations and amounts required to be specified by law.

Sec. 2003. Funding tables.

TITLE XXI—ARMY

Sec. 2101. Authorized Army construction and land acquisition projects.

Sec. 2102. Family housing.

Sec. 2103. Improvements to military family housing units.

Sec. 2104. Authorization of appropriations, Army.

Sec. 2105. Modification of authority to carry out certain fiscal year 2009 project.

- Sec. 2106. Modification of authority to carry out certain fiscal year 2010 project.*
Sec. 2107. Modification of authority to carry out certain fiscal year 2011 projects.
Sec. 2108. Additional authority to carry out certain fiscal year 2012 project.
Sec. 2109. Extension of authorizations of certain fiscal year 2008 projects.
Sec. 2110. Extension of authorizations of certain fiscal year 2009 projects.
Sec. 2111. Technical amendments to correct certain project specifications.
Sec. 2112. Reduction of Army military construction authorization.
Sec. 2113. Tour normalization.

TITLE XXII—NAVY

- Sec. 2201. Authorized Navy construction and land acquisition projects.*
Sec. 2202. Family housing.
Sec. 2203. Improvements to military family housing units.
Sec. 2204. Authorization of appropriations, Navy.
Sec. 2205. Extension of authorization of certain fiscal year 2008 project.
Sec. 2206. Extension of authorizations of certain fiscal year 2009 projects.
Sec. 2207. Reduction of Navy military construction authorization.
Sec. 2208. Guam realignment.

TITLE XXIII—AIR FORCE

- Sec. 2301. Authorized Air Force construction and land acquisition projects.*
Sec. 2302. Family housing.
Sec. 2303. Improvements to military family housing units.
Sec. 2304. Authorization of appropriations, Air Force.
Sec. 2305. Modification of authorization to carry out certain fiscal year 2010 project.
Sec. 2306. Extension of authorization of certain fiscal year 2009 project.
Sec. 2307. Reduction of Air Force military construction authorization.

TITLE XXIV—DEFENSE AGENCIES

Subtitle A—Defense Agency Authorizations

- Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.*
Sec. 2402. Energy conservation projects.
Sec. 2403. Authorization of appropriations, Defense Agencies.

Subtitle B—Chemical Demilitarization Authorizations

- Sec. 2411. Authorization of appropriations, chemical demilitarization construction, Defense-wide.*
Sec. 2412. Reduction of Defense Agencies military construction authorization.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

- Sec. 2501. Authorized NATO construction and land acquisition projects.*
Sec. 2502. Authorization of appropriations, NATO.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

- Sec. 2601. Authorized Army National Guard construction and land acquisition projects.*
Sec. 2602. Authorized Army Reserve construction and land acquisition projects.

- Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.*
- Sec. 2604. Authorized Air National Guard construction and land acquisition projects.*
- Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.*
- Sec. 2606. Authorization of appropriations, National Guard and Reserve.*
- Sec. 2607. Extension of authorizations of certain fiscal year 2008 projects.*
- Sec. 2608. Extension of authorizations of certain fiscal year 2009 projects.*
- Sec. 2609. Modification of authority to carry out certain fiscal year 2009 project.*

TITLE XXVII—BASE CLOSURE AND REALIGNMENT ACTIVITIES

- Sec. 2701. Authorization of appropriations for base realignment and closure activities funded through Department of Defense Base Closure Account 1990.*
- Sec. 2702. Authorized base realignment and closure activities funded through Department of Defense Base Closure Account 2005.*
- Sec. 2703. Authorization of appropriations for base realignment and closure activities funded through Department of Defense Base Closure Account 2005.*
- Sec. 2704. Reduction of military construction authorization for base realignment and closure activities authorized through the Department of Defense Base Closure Account 1990.*

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

- Sec. 2801. General military construction transfer authority.*
- Sec. 2802. Extension of temporary, limited authority to use operation and maintenance funds for construction projects outside the United States.*
- Sec. 2803. Clarification of authority to use the Pentagon Reservation maintenance revolving fund for minor construction and alteration activities at the Pentagon Reservation.*

Subtitle B—Real Property and Facilities Administration

- Sec. 2811. Exchange of property at military installations.*
- Sec. 2812. Clarification of authority to limit encroachments.*
- Sec. 2813. Department of Defense conservation and cultural activities.*

Subtitle C—Land Conveyances

- Sec. 2821. Release of reversionary interest, Camp Joseph T. Robinson, Arkansas.*
- Sec. 2822. Clarification of land conveyance authority, Camp Caitlin and Ohana Nui areas, Hawaii.*
- Sec. 2823. Land conveyance and exchange, Joint Base Elmendorf Richardson, Alaska.*

Subtitle D—Other Matters

- Sec. 2831. Investment plan for the modernization of public shipyards under jurisdiction of Department of the Navy.*
- Sec. 2832. Data servers and centers.*
- Sec. 2833. Redesignation of Mike O'Callaghan Federal Hospital in Nevada as Mike O'Callaghan Federal Medical Center.*

*DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY
AUTHORIZATIONS AND OTHER AUTHORIZATIONS*

*TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY
PROGRAMS*

Subtitle A—National Security Programs Authorizations

Sec. 3101. National Nuclear Security Administration.

Sec. 3102. Defense environmental cleanup.

Sec. 3103. Other defense activities.

Subtitle B—Program Authorizations, Restrictions, and Limitations

Sec. 3111. Review of security vulnerabilities of national laboratory computers.

Sec. 3112. Review by Secretary of Energy and Secretary of Defense of Comptroller General assessment of budget requests with respect to the modernization and refurbishment of the nuclear security complex.

Sec. 3113. Aircraft procurement.

Sec. 3114. Limitation on use of funds for establishment of centers of excellence in countries outside of the former Soviet Union.

Sec. 3115. Recognition and status of National Atomic Testing Museum.

Subtitle C—Reports

Sec. 3121. Report on feasibility of federalizing the security protective forces contract guard workforce at certain Department of Energy facilities.

Sec. 3122. Comptroller General study on oversight of Department of Energy defense nuclear facilities.

Sec. 3123. Plan to complete the Global Initiatives for Proliferation Prevention program in the Russian Federation.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sec. 3201. Authorization.

Sec. 3202. Authority of the Defense Nuclear Facilities Safety Board to review the facility design and construction of Construction Project 10-D-904 of the National Nuclear Security Administration.

TITLE XXXIII—MARITIME ADMINISTRATION

Sec. 3301. Maritime Administration.

DIVISION D—FUNDING TABLES

Sec. 4001. Authorization of amounts in funding tables.

TITLE XLI—PROCUREMENT

Sec. 4101. Procurement.

Sec. 4102. Procurement for overseas contingency operations.

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Sec. 4201. Research, development, test, and evaluation.

Sec. 4202. Research, development, test, and evaluation for overseas contingency operations.

TITLE XLIII—OPERATION AND MAINTENANCE

Sec. 4301. Operation and maintenance.

Sec. 4302. Operation and maintenance for overseas contingency operations.

TITLE XLIV—OTHER AUTHORIZATIONS

Sec. 4401. Other authorizations.

Sec. 4402. Other authorizations for overseas contingency operations.

TITLE XLV—MILITARY CONSTRUCTION

Sec. 4501. Military construction.

TITLE XLVI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Sec. 4601. Department of Energy national security programs.

DIVISION E—SBIR AND STTR REAUTHORIZATION

Sec. 5001. Short title.

Sec. 5002. Definitions.

Sec. 5003. Repeal.

TITLE LI—REAUTHORIZATION OF THE SBIR AND STTR PROGRAMS

Sec. 5101. Extension of termination dates.

Sec. 5102. Status of the Office of Technology.

Sec. 5103. SBIR allocation increase.

Sec. 5104. STTR allocation increase.

Sec. 5105. SBIR and STTR award levels.

Sec. 5106. Agency and program flexibility.

Sec. 5107. Elimination of Phase II invitations.

Sec. 5108. Participation by firms with substantial investment from multiple venture capital operating companies in a portion of the SBIR program.

Sec. 5109. SBIR and STTR special acquisition preference.

Sec. 5110. Collaborating with Federal laboratories and research and development centers.

Sec. 5111. Notice requirement.

Sec. 5112. Express authority for an agency to award sequential Phase II awards for SBIR or STTR funded projects.

TITLE LII—OUTREACH AND COMMERCIALIZATION INITIATIVES

Sec. 5201. Rural and State outreach.

Sec. 5202. Technical assistance for awardees.

Sec. 5203. Commercialization Readiness Program at Department of Defense.

Sec. 5204. Commercialization Readiness Pilot Program for civilian agencies.

Sec. 5205. Accelerating cures.

Sec. 5206. Federal agency engagement with SBIR and STTR awardees that have been awarded multiple Phase I awards but have not been awarded Phase II awards.

Sec. 5207. Clarifying the definition of “Phase III”.

Sec. 5208. Shortened period for final decisions on proposals and applications.

TITLE LIII—OVERSIGHT AND EVALUATION

- Sec. 5301. Streamlining annual evaluation requirements.*
Sec. 5302. Data collection from agencies for SBIR.
Sec. 5303. Data collection from agencies for STTR.
Sec. 5304. Public database.
Sec. 5305. Government database.
Sec. 5306. Accuracy in funding base calculations.
Sec. 5307. Continued evaluation by the National Academy of Sciences.
Sec. 5308. Technology insertion reporting requirements.
Sec. 5309. Intellectual property protections.
Sec. 5310. Obtaining consent from SBIR and STTR applicants to release contact information to economic development organizations.
Sec. 5311. Pilot to allow funding for administrative, oversight, and contract processing costs.
Sec. 5312. GAO study with respect to venture capital operating company involvement.
Sec. 5313. Reducing vulnerability of SBIR and STTR programs to fraud, waste, and abuse.
Sec. 5314. Interagency policy committee.
Sec. 5315. Simplified paperwork requirements.

TITLE LIV—POLICY DIRECTIVES

- Sec. 5401. Conforming amendments to the SBIR and the STTR Policy Directives.*

TITLE LV—OTHER PROVISIONS

- Sec. 5501. Research topics and program diversification.*
Sec. 5502. Report on SBIR and STTR program goals.
Sec. 5503. Competitive selection procedures for SBIR and STTR programs.

1 SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

2 *For purposes of this Act, the term “congressional de-*
 3 *fense committees” has the meaning given that term in sec-*
 4 *tion 101(a)(16) of title 10, United States Code.*

5 SEC. 4. SCORING OF BUDGETARY EFFECTS.

6 *The budgetary effects of this Act, for the purpose of*
 7 *complying with the Statutory Pay-As-You-Go-Act of 2010,*
 8 *shall be determined by reference to the latest statement titled*
 9 *“Budgetary Effects of PAYGO Legislation” for this Act,*
 10 *submitted for printing in the Congressional Record by the*
 11 *Chairman of the Senate Budget Committee, provided that*

1 *such statement has been submitted prior to the vote on pas-*
 2 *sage.*

3 ***DIVISION A—DEPARTMENT OF***
 4 ***DEFENSE AUTHORIZATIONS***
 5 ***TITLE I—PROCUREMENT***
 6 ***Subtitle A—Authorization of***
 7 ***Appropriations***

8 ***SEC. 101. AUTHORIZATION OF APPROPRIATIONS.***

9 *Funds are hereby authorized to be appropriated for fis-*
 10 *cal year 2012 for procurement for the Army, the Navy and*
 11 *the Marine Corps, the Air Force, and Defense-wide activi-*
 12 *ties, as specified in the funding table in section 4101.*

13 ***Subtitle B—Navy Programs***

14 ***SEC. 121. MULTIYEAR PROCUREMENT AUTHORITY FOR MIS-***
 15 ***SION AVIONICS AND COMMON COCKPITS FOR***
 16 ***NAVY MH-60R/S HELICOPTERS.***

17 *(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—*
 18 *Subject to section 2306b of title 10, United States Code, the*
 19 *Secretary of the Navy may enter into a multiyear contract*
 20 *or contracts, beginning with the fiscal year 2012 program*
 21 *year, for the procurement of mission avionics and common*
 22 *cockpits for MH-60R/S helicopters.*

23 *(b) CONDITION FOR OUT-YEAR CONTRACT PAY-*
 24 *MENTS.—A contract entered into under subsection (a) shall*
 25 *provide that any obligation of the United States to make*

1 a payment under the contract for a fiscal year after fiscal
 2 year 2012 is subject to the availability of appropriations
 3 for that purpose for such later fiscal year.

4 ***Subtitle C—Air Force Programs***

5 ***SEC. 131. PROCUREMENT OF ADVANCED EXTREMELY HIGH*** 6 ***FREQUENCY SATELLITES.***

7 (a) *CONTRACT AUTHORITY.*—

8 (1) *IN GENERAL.*—*The Secretary of the Air*
 9 *Force may procure two advanced extremely high fre-*
 10 *quency satellites by entering into a fixed-price con-*
 11 *tract for such procurement.*

12 (2) *COST REDUCTION.*—*The Secretary may in-*
 13 *clude in a contract entered into under paragraph (1)*
 14 *the following:*

15 (A) *The procurement of material and equip-*
 16 *ment in economic order quantities if the procure-*
 17 *ment of such material and equipment in such*
 18 *quantities will result in cost savings.*

19 (B) *Cost reduction initiatives.*

20 (3) *USE OF INCREMENTAL FUNDING.*—*The Sec-*
 21 *retary may use incremental funding for a contract*
 22 *entered into under paragraph (1) for a period not to*
 23 *exceed six fiscal years.*

24 (4) *LIABILITY.*—*A contract entered into under*
 25 *paragraph (1) shall provide that—*

1 (A) any obligation of the United States to
2 make a payment under the contract is subject to
3 the availability of appropriations for that pur-
4 pose; and

5 (B) the total liability of the Federal Govern-
6 ment for the termination of the contract shall be
7 limited to the total amount of funding obligated
8 at the time of the termination of the contract.

9 (b) *LIMITATION OF COSTS.*—

10 (1) *LIMITATION.*—Except as provided in sub-
11 section (c), and excluding amounts described in para-
12 graph (2), the total amount obligated or expended for
13 the procurement of two advanced extremely high fre-
14 quency satellites authorized by subsection (a) may not
15 exceed \$3,100,000,000.

16 (2) *EXCLUSION.*—The amounts described in this
17 paragraph are amounts associated with the following:

18 (A) *Plans.*

19 (B) *Technical data packages.*

20 (C) *Post-delivery and program-related sup-*
21 *port costs.*

22 (D) *Technical support for obsolescence stud-*
23 *ies.*

24 (c) *ADJUSTMENT TO LIMITATION AMOUNT.*—

1 (1) *IN GENERAL.*—*The Secretary may increase*
 2 *the limitation set forth in subsection (b)(1) by the*
 3 *amount of an increase described in paragraph (2) if*
 4 *the Secretary submits to the congressional defense*
 5 *committees written notification of the increase made*
 6 *to that limitation.*

7 (2) *INCREASE DESCRIBED.*—*An increase de-*
 8 *scribed in this paragraph is one of the following:*

9 (A) *An increase in costs that is attributable*
 10 *to economic inflation after September 30, 2011.*

11 (B) *An increase in costs that is attributable*
 12 *to compliance with changes in Federal, State, or*
 13 *local laws enacted after September 30, 2011.*

14 (C) *An increase in the cost of an advanced*
 15 *extremely high frequency satellite that is attrib-*
 16 *utable to the insertion of a new technology into*
 17 *the satellite that was not built into such satellites*
 18 *procured before fiscal year 2012, if the Secretary*
 19 *determines, and certifies to the congressional de-*
 20 *fense committees, that insertion of the new tech-*
 21 *nology into the satellite is—*

22 (i) *expected to decrease the life-cycle*
 23 *cost of the satellite; or*

1 (ii) required to meet an emerging
2 threat that poses grave harm to the national
3 security of the United States.

4 (d) *REPORTS.*—

5 (1) *REPORT ON CONTRACTS.*—Not later than 30
6 days after the date on which the Secretary enters into
7 a contract under subsection (a), the Secretary shall
8 submit to the congressional defense committees a re-
9 port on the contract that includes the following:

10 (A) *The total cost savings resulting from the*
11 *authority provided by subsection (a).*

12 (B) *The type and duration of the contract.*

13 (C) *The total value of the contract.*

14 (D) *The funding profile under the contract*
15 *by year.*

16 (E) *The terms of the contract regarding the*
17 *treatment of changes by the Federal Government*
18 *to the requirements of the contract, including*
19 *how any such changes may affect the success of*
20 *the contract.*

21 (2) *PLAN FOR USING COST SAVINGS.*—Not later
22 than 90 days after the date on which the Secretary
23 enters into a contract under subsection (a), the Sec-
24 retary shall submit to the congressional defense com-
25 mittees a plan for using the cost savings described in

1 *paragraph (1)(A) to improve the capability of mili-*
2 *tary satellite communications that includes a descrip-*
3 *tion of the following:*

4 *(A) The available funds, by year, resulting*
5 *from such cost savings.*

6 *(B) The specific activities or subprograms*
7 *to be funded using such cost savings and the*
8 *funds, by year, allocated to each such activity or*
9 *subprogram.*

10 *(C) The objectives for each such activity or*
11 *subprogram.*

12 *(D) The criteria used by the Secretary to*
13 *determine which such activities or subprograms*
14 *to fund.*

15 *(E) The method by which the Secretary will*
16 *determine which such activities or subprograms*
17 *to fund, including whether that determination*
18 *will be on a competitive basis.*

19 *(F) The plan for encouraging participation*
20 *in such activities and subprograms by small*
21 *businesses.*

22 *(G) The process for determining how and*
23 *when such activities and subprograms would*
24 *transition to an existing program or be estab-*
25 *lished as a new program of record.*

1 (e) *USE OF FUNDS AVAILABLE FOR SPACE VEHICLE*
 2 *NUMBER 5 FOR SPACE VEHICLE NUMBER 6.*—*The Sec-*
 3 *retary may obligate and expend amounts authorized to be*
 4 *appropriated for fiscal year 2012 by section 101 for pro-*
 5 *curement for the Air Force as specified in the funding table*
 6 *in section 4101 and available for the advanced procurement*
 7 *of long-lead parts and the replacement of obsolete parts for*
 8 *advanced extremely high frequency satellite space vehicle*
 9 *number 5 for the advanced procurement of long-lead parts*
 10 *and the replacement of obsolete parts for advanced ex-*
 11 *tremely high frequency satellite space vehicle number 6.*

12 (f) *SENSE OF CONGRESS.*—*It is the sense of Congress*
 13 *that the Secretary should not enter into a fixed-price con-*
 14 *tract under subsection (a) for the procurement of two ad-*
 15 *vanced extremely high frequency satellites unless the Sec-*
 16 *retary determines that entering into such a contract will*
 17 *save the Air Force not less than 20 percent over the cost*
 18 *of procuring two such satellites separately.*

19 **SEC. 132. AVAILABILITY OF FISCAL YEAR 2011 FUNDS FOR**
 20 **RESEARCH AND DEVELOPMENT RELATING TO**
 21 **THE B-2 BOMBER AIRCRAFT.**

22 *Of the unobligated balance of amounts appropriated*
 23 *for fiscal year 2011 for the Air Force and available for pro-*
 24 *curement of B-2 bomber aircraft modifications, post-pro-*
 25 *duction support, and other charges, \$20,000,000 shall be*

1 *available for fiscal year 2012 for research, development, test,*
 2 *and evaluation with respect to a conventional mixed load*
 3 *capability for the B-2 bomber aircraft.*

4 **SEC. 133. AVAILABILITY OF FISCAL YEAR 2011 FUNDS TO**
 5 **SUPPORT ALTERNATIVE OPTIONS FOR EX-**
 6 **TREMELY HIGH FREQUENCY TERMINAL IN-**
 7 **CREMENT 1 PROGRAM OF RECORD.**

8 (a) *IN GENERAL.*—Of the unobligated balance of
 9 amounts appropriated for fiscal year 2011 for the Air Force
 10 and available for procurement of B-2 bomber aircraft air-
 11 craft modifications, post-production support, and other
 12 charges, \$15,000,000 shall be available to support alter-
 13 native options for the extremely high frequency terminal In-
 14 crement 1 program of record.

15 (b) *PLAN TO SECURE PROTECTED COMMUNICA-*
 16 *TIONS.*—Not later than February 1, 2012, the Secretary of
 17 the Air Force shall submit to the congressional defense com-
 18 mittees a plan to provide an extremely high frequency ter-
 19 minal for secure protected communications for the B-2
 20 bomber aircraft and other aircraft.

21 **SEC. 134. LIMITATIONS ON USE OF FUNDS TO RETIRE B-1**
 22 **BOMBER AIRCRAFT.**

23 (a) *IN GENERAL.*—None of the funds authorized to be
 24 appropriated by this Act for fiscal year 2012 for the De-
 25 partment of Defense may be obligated or expended—

1 (1) *on or before the date on which the Secretary*
 2 *of the Air Force submits to the congressional defense*
 3 *committees the plan described in subsection (b), to re-*
 4 *tire any B–1 bomber aircraft; or*

5 (2) *after that date, to retire more than six B–*
 6 *1 bomber aircraft.*

7 (b) *PLAN DESCRIBED.*—*The plan described in this*
 8 *subsection is a plan for retiring B–1 bomber aircraft that*
 9 *includes the following:*

10 (1) *An identification of each B–1 bomber air-*
 11 *craft that will be retired and the disposition plan for*
 12 *such aircraft.*

13 (2) *An estimate of the savings that will result*
 14 *from the proposed retirement of six B–1 bomber air-*
 15 *craft in each calendar year through calendar year*
 16 *2022.*

17 (3) *An estimate of the amount of the savings de-*
 18 *scribed in paragraph (2) that will be reinvested in the*
 19 *modernization of B–1 bomber aircraft still in service*
 20 *in each calendar year through calendar year 2022.*

21 (4) *A modernization plan for sustaining the re-*
 22 *maining B–1 bomber aircraft through at least cal-*
 23 *endar year 2022.*

24 (5) *An estimate of the amount of funding re-*
 25 *quired to fully fund the modernization plan described*

1 *in paragraph (4) for each calendar year through cal-*
 2 *endar year 2022.*

3 (c) *SENSE OF CONGRESS.—It is the sense of Congress*
 4 *that—*

5 (1) *an amount that is not less than 60 percent*
 6 *of the savings achieved in each calendar year through*
 7 *calendar year 2022 resulting from the retirement of*
 8 *B–1 bomber aircraft should be reinvested in modern-*
 9 *izing and sustaining bomber aircraft; and*

10 (2) *an amount that is not less than 35 percent*
 11 *of the amount described in paragraph (1) should be*
 12 *reinvested in modernizing and sustaining the remain-*
 13 *ing B–1 bomber aircraft through at least calendar*
 14 *year 2022.*

15 **SEC. 135. LIMITATION ON RETIREMENT OF U–2 AIRCRAFT.**

16 (a) *LIMITATION.—The Secretary of the Air Force may*
 17 *take no action that would prevent the Air Force from main-*
 18 *taining the U–2 aircraft fleet in its current configuration*
 19 *and capability beyond fiscal year 2016 until the Under Sec-*
 20 *retary of Defense for Acquisition, Technology, and Logistics*
 21 *certifies in writing to the appropriate committees of Con-*
 22 *gress that the operating and sustainment (O&S) costs for*
 23 *the Global Hawk unmanned aerial vehicle (UAV) are less*
 24 *than the operating and sustainment costs for the U–2 air-*
 25 *craft on a comparable flight-hour cost basis.*

1 (b) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
 2 *FINED.*—*In this section, the term “appropriate committees*
 3 *of Congress” means—*

4 (1) *the Committee on Armed Services, the Com-*
 5 *mittee on Appropriations, and the Select Committee*
 6 *on Intelligence of the Senate; and*

7 (2) *the Committee on Armed Services, the Com-*
 8 *mittee on Appropriations, and the Permanent Select*
 9 *Committee on Intelligence of the House of Representa-*
 10 *tives.*

11 **SEC. 136. STRATEGIC AIRLIFT AIRCRAFT FORCE STRUC-**
 12 **TURE.**

13 Section 8062(g)(1) of title 10, United States Code, is
 14 amended—

15 (1) by striking “October 1, 2009” and inserting
 16 “October 1, 2011”; and

17 (2) by striking “316 aircraft” and inserting
 18 “301 aircraft”.

19 **SEC. 137. LIMITATION ON RETIREMENT OF C-23 AIRCRAFT.**

20 (a) *IN GENERAL.*—*Upon determining to retire a C-*
 21 *23 aircraft, the Secretary of the Army shall first offer title*
 22 *to such aircraft to the chief executive officer of the State*
 23 *in which such aircraft is based.*

24 (b) *TRANSFER UPON ACCEPTANCE OF OFFER.*—*If the*
 25 *chief executive officer of a State accepts title of an aircraft*

1 *under subsection (a), the Secretary shall transfer title of*
 2 *the aircraft to the State without charge to the State. The*
 3 *Secretary shall provide a reasonable amount of time for ac-*
 4 *ceptance of the offer.*

5 *(c) USE.—Notwithstanding the transfer of title to an*
 6 *aircraft to a State under this section, the aircraft may con-*
 7 *tinue to be utilized by the National Guard of the State in*
 8 *State status using National Guard crews in that status.*

9 *(d) SUSTAINMENT.—Immediately upon transfer of*
 10 *title to an aircraft to the State under this section, the State*
 11 *shall assume all costs associated with operating, maintain-*
 12 *ing, sustaining, and modernizing the aircraft.*

13 ***Subtitle D—Joint and Multiservice*** 14 ***Matters***

15 ***SEC. 151. INCLUSION OF INFORMATION ON APPROVED*** 16 ***COMBAT MISSION REQUIREMENTS IN QUAR-*** 17 ***TERLY REPORTS ON USE OF COMBAT MIS-*** 18 ***SION REQUIREMENT FUNDS.***

19 *Section 123(b) of the Ike Skelton National Defense Au-*
 20 *thorization Act for Fiscal Year 2011 (Public Law 111–383;*
 21 *124 Stat. 4159; 10 U.S.C. 167 note) is amended by adding*
 22 *at the end the following new paragraphs:*

23 *“(6) A table setting forth the Combat Mission*
 24 *Requirements approved during the fiscal year in*

1 *which such report is submitted and the two preceding*
 2 *fiscal years, including for each such Requirement—*

3 “(A) *the title of such Requirement;*

4 “(B) *the date of approval of such Require-*
 5 *ment; and*

6 “(C) *the amount of funding approved for*
 7 *such Requirement, and the source of such ap-*
 8 *proved funds.*

9 “(7) *A statement of the amount of any unspent*
 10 *Combat Mission Requirements funds from the fiscal*
 11 *year in which such report is submitted and the two*
 12 *preceding fiscal years.”.*

13 **SEC. 152. F-35 JOINT STRIKE FIGHTER AIRCRAFT.**

14 *In entering into a contract for the procurement of air-*
 15 *craft for the fifth low-rate initial production contract lot*
 16 *(LRIP-5) for the F-35 Lightning II Joint Strike Fighter*
 17 *aircraft, the Secretary of Defense shall ensure each of the*
 18 *following:*

19 (1) *That the contract is a fixed price contract.*

20 (2) *That the contract requires the contractor to*
 21 *assume full responsibility for costs under the contract*
 22 *above the target cost specified in the contract.*

1 **SEC. 153. REPORT ON PLAN TO IMPLEMENT WEAPON SYS-**
2 **TEMS ACQUISITION REFORM ACT OF 2009**
3 **MEASURES WITHIN THE JOINT STRIKE FIGHT-**
4 **ER AIRCRAFT PROGRAM.**

5 *At the same time the budget of the President for fiscal*
6 *year 2013 is submitted to Congress pursuant to section 1105*
7 *of title 31, United States Code, the Under Secretary for Ac-*
8 *quisition, Technology, and Logistics shall submit to the*
9 *Committees on Armed Services of the Senate and the House*
10 *of Representatives a report on the plans of the Department*
11 *of Defense to implement the requirements of the Weapon*
12 *Systems Acquisition Reform Act of 2009 (Public Law 111–*
13 *23), and the amendments made by that Act, within the*
14 *Joint Strike Fighter (JSF) aircraft program. The report*
15 *shall set forth the following:*

16 *(1) Specific goals for implementing the require-*
17 *ments of the Weapon Systems Acquisition Reform Act*
18 *of 2009, and the amendments made by that Act, with-*
19 *in the Joint Strike Fighter aircraft program.*

20 *(2) A schedule for achieving each goal set forth*
21 *under paragraph (1) for the Joint Strike Fighter air-*
22 *craft program.*

1 **SEC. 154. MULTIYEAR PROCUREMENT AUTHORITY FOR AIR-**
 2 **FRAMES FOR ARMY UH-60M/HH-60M HELI-**
 3 **COPTERS AND NAVY MH-60R/MH-60S HELI-**
 4 **COPTERS.**

5 (a) *AUTHORITY FOR MULTIYEAR PROCUREMENT.*—
 6 *Subject to section 2306b of title 10, United States Code, the*
 7 *Secretary of the Army may enter into one or more*
 8 *multiyear contracts, beginning with the fiscal year 2012*
 9 *program year, for the procurement of airframes for UH-*
 10 *60M/HH-60M helicopters and, acting as the executive agent*
 11 *for the Department of the Navy, for the procurement of air-*
 12 *frames for MH-60R/MH-60S helicopters.*

13 (b) *CONDITION FOR OUT-YEAR PAYMENTS.*—*A con-*
 14 *tract entered into under subsection (a) shall provide that*
 15 *any obligation of the United States to make a payment*
 16 *under the contract for a fiscal year after fiscal year 2012*
 17 *is subject to the availability of appropriations for that pur-*
 18 *pose for such later fiscal year.*

19 **SEC. 155. DESIGNATION OF UNDERSEA MOBILITY ACQUI-**
 20 **SITION PROGRAM OF THE UNITED STATES SPE-**
 21 **CIAL OPERATIONS COMMAND AS A MAJOR DE-**
 22 **FENSE ACQUISITION PROGRAM.**

23 (a) *DESIGNATION.*—*The Under Secretary of Defense*
 24 *for Acquisition, Technology, and Logistics shall designate*
 25 *the undersea mobility acquisition program of the United*

1 *States Special Operations Command as a major defense ac-*
 2 *quisition program (MDAP).*

3 (b) *ELEMENTS.—The major defense acquisition pro-*
 4 *gram designated under subsection (a) shall consist of the*
 5 *elements as follows:*

6 (1) *The Dry Combat Submersible-Light program.*

7 (2) *The Dry Combat Submersible-Medium pro-*
 8 *gram.*

9 (3) *The Shallow Water Combat Submersible pro-*
 10 *gram.*

11 (4) *The Next-Generation Submarine Shelter pro-*
 12 *gram.*

13 **SEC. 156. TRANSFER OF AIR FORCE C-12 LIBERTY INTEL-**
 14 **LIGENCE, SURVEILLANCE, AND RECONNAIS-**
 15 **SANCE AIRCRAFT TO THE ARMY.**

16 (a) *PLAN FOR TRANSFER.—The Secretary of Defense*
 17 *shall develop and carry out a plan for the orderly transfer*
 18 *of the Air Force C-12 Liberty Intelligence, Surveillance,*
 19 *and Reconnaissance (ISR) aircraft to the Army to avoid*
 20 *the need for the Army to procure additional C-12 aircraft*
 21 *for the replacement of the Guardrail aircraft fleet under the*
 22 *Enhanced Medium Altitude Reconnaissance and Surveil-*
 23 *lance System (EMARSS) program.*

24 (b) *ELEMENTS.—The plan required by subsection (a)*
 25 *shall—*

1 (1) *take into account the ability of Army per-*
2 *sonnel now operating the Guardrail aircraft to take*
3 *over operation of C-12 Liberty aircraft as Guardrail*
4 *aircraft are retired, freeing up Air Force personnel*
5 *for reallocation to meet the expanding orbit require-*
6 *ments for Unmanned Aerial Systems;*

7 (2) *take into account the need to sustain intel-*
8 *ligence, surveillance, and reconnaissance support for*
9 *forces deployed to Afghanistan and elsewhere; and*

10 (3) *provide for the modification of the Liberty*
11 *C-12 aircraft transferred under the plan to meet the*
12 *long-term needs of the Army for the Enhanced Me-*
13 *dium Altitude Reconnaissance and Surveillance Sys-*
14 *tem configuration to replace the Guardrail system.*

15 (c) *REPORT.—Not later than the date on which the*
16 *budget for fiscal year 2013 is submitted to Congress pursu-*
17 *ant to section 1105 of title 31, United States Code, the Sec-*
18 *retary shall submit to the congressional defense and intel-*
19 *ligence committees a report on the plan required by sub-*
20 *section (a). The report shall include a description of the*
21 *plan and an estimate of the costs to be avoided through can-*
22 *cellation of aircraft procurement under the Enhanced Me-*
23 *dium Altitude Reconnaissance and Surveillance System*
24 *program by reason of the transfer of aircraft under the*
25 *plan.*

1 **SEC. 157. JOINT SURVEILLANCE TARGET ATTACK RADAR**
2 **SYSTEM AIRCRAFT RE-ENGINEING PROGRAM.**

3 (a) *REPORT ON AUDIT OF FUNDS FOR PROGRAM.—*

4 (1) *IN GENERAL.—Not later than 60 days after*
5 *the date of the enactment of this Act, the Air Force*
6 *Audit Agency shall submit to the congressional de-*
7 *fense committees the results of a financial audit of the*
8 *funds previously authorized and appropriated for the*
9 *Joint Surveillance Target Attack Radar System*
10 *(JSTARS) aircraft re-engining program.*

11 (2) *ELEMENTS.—The report on the audit re-*
12 *quired by paragraph (1) shall include the following:*

13 (A) *A description of how the funds described*
14 *in that paragraph were expended, including—*

15 (i) *an assessment of the existence, com-*
16 *pleteness, and cost of the assets acquired*
17 *with such funds; and*

18 (ii) *an assessment of the costs that*
19 *were capitalized as military equipment and*
20 *inventory and the cost characterized as op-*
21 *erating expenses (including payroll, freight*
22 *and shipment, inspection, and other oper-*
23 *ating costs).*

24 (B) *A statement of the amount of such*
25 *funds that remain available for obligation and*
26 *expenditure, and in which accounts.*

1 (b) *USE OF REMAINING FUNDS.*—*The Secretary of the*
 2 *Air Force shall take appropriate actions to ensure that any*
 3 *funds described by subsection (a)(2)(B) are obligated and*
 4 *expended for the purpose for which originally authorized*
 5 *and appropriated, including, but not limited to, the instal-*
 6 *lation of two engine shipsets on two operational Joint Sur-*
 7 *veillance Target Attack Radar System aircraft and the pur-*
 8 *chase of two spare engines.*

9 **SEC. 158. REPORT ON PROBATIONARY PERIOD IN DEVELOP-**
 10 **MENT OF SHORT TAKE-OFF, VERTICAL LAND-**
 11 **ING VARIANT OF THE JOINT STRIKE FIGHT-**
 12 **ER.**

13 *Not later than 45 days after the date of the enactment*
 14 *of this Act, the Secretary of Defense shall submit to the con-*
 15 *gressional defense committees a report on the development*
 16 *of the short take-off, vertical landing variant of the Joint*
 17 *Strike Fighter (otherwise known as the F–35B Joint Strike*
 18 *Fighter) that includes the following:*

19 (1) *An identification of the criteria that the Sec-*
 20 *retary determines must be satisfied before the F–35B*
 21 *Joint Strike Fighter can be removed from the two-*
 22 *year probationary status imposed by the Secretary on*
 23 *or about January 6, 2011.*

24 (2) *A mid-probationary period assessment of—*

(A) the performance of the F-35B Joint Strike Fighter based on the criteria described in paragraph (1); and

(B) the technical issues that remain in the development program for the F-35B Joint Strike Fighter.

(3) A plan for how the Secretary intends to resolve the issues described in paragraph (2)(B) before January 6, 2013.

SEC. 159. AUTHORITY FOR EXCHANGE WITH UNITED KINGDOM OF SPECIFIED F-35 LIGHTNING II JOINT STRIKE FIGHTER AIRCRAFT.

(a) *AUTHORITY.*—

(1) *EXCHANGE AUTHORITY.*—In accordance with subsection (c), the Secretary of Defense may transfer to the United Kingdom of Great Britain and Northern Ireland (in this section referred to as the “United Kingdom”) all right, title, and interest of the United States in and to an aircraft described in paragraph (2) in exchange for the transfer by the United Kingdom to the United States of all right, title, and interest of the United Kingdom in and to an aircraft described in paragraph (3). The Secretary may execute the exchange under this section on behalf of the

1 *United States only with the concurrence of the Sec-*
 2 *retary of State.*

3 (2) *AIRCRAFT TO BE EXCHANGED BY UNITED*
 4 *STATES.—The aircraft authorized to be transferred by*
 5 *the United States under this subsection is an F-35*
 6 *Lightning II aircraft in the Carrier Variant configu-*
 7 *ration acquired by the United States for the Marine*
 8 *Corps under a future Joint Strike Fighter program*
 9 *contract referred to as the Low-Rate Initial Produc-*
 10 *tion 6 contract.*

11 (3) *AIRCRAFT TO BE EXCHANGED BY UNITED*
 12 *KINGDOM.—The aircraft for which the exchange under*
 13 *paragraph (1) may be made is an F-35 Lightning II*
 14 *aircraft in the Short-Take Off and Vertical Landing*
 15 *configuration that, as of November 19, 2010, is being*
 16 *acquired on behalf of the United Kingdom under an*
 17 *existing Joint Strike Fighter program contract re-*
 18 *ferred to as the Low-Rate Initial Production 4 con-*
 19 *tract.*

20 (b) *FUNDING FOR PRODUCTION OF AIRCRAFT.—*

21 (1) *FUNDING SOURCES FOR AIRCRAFT TO BE EX-*
 22 *CHANGED BY UNITED STATES.—*

23 (A) *IN GENERAL.—Except as provided in*
 24 *subparagraph (B), funds for production of the*
 25 *aircraft to be transferred by the United States*

1 *(including the propulsion system, long lead-time*
2 *materials, the production build, and deficiency*
3 *corrections) may be derived from appropriations*
4 *for Aircraft Procurement, Navy, for the aircraft*
5 *under the contract referred to in subsection*
6 *(a)(2).*

7 *(B) EXCEPTION.—Costs for flight test in-*
8 *strumentation of the aircraft to be transferred by*
9 *the United States and any other non-recurring*
10 *and recurring costs for that aircraft associated*
11 *with unique requirements of the United Kingdom*
12 *may not be borne by the United States.*

13 *(2) FUNDING SOURCES FOR AIRCRAFT TO BE EX-*
14 *CHANGED BY UNITED KINGDOM.—Costs for upgrades*
15 *and modifications of the aircraft to be transferred to*
16 *the United States that are necessary to bring that air-*
17 *craft to the Low-Rate Initial Production 6 configura-*
18 *tion under the contract referred to in subsection*
19 *(a)(2) may not be borne by the United States.*

20 *(c) IMPLEMENTATION.—The exchange under this sec-*
21 *tion shall be implemented pursuant to the memorandum of*
22 *understanding titled “Joint Strike Fighter Production,*
23 *Sustainment, and Follow-on Development Memorandum of*
24 *Understanding”, which entered into effect among nine na-*
25 *tions including the United States and the United Kingdom*

1 *on December 31, 2006, consistent with section 27 of the*
 2 *Arms Export Control Act (22 U.S.C. 2767), and as supple-*
 3 *mented as necessary by the United States and the United*
 4 *Kingdom.*

5 ***TITLE II—RESEARCH, DEVELOP-***
 6 ***MENT, TEST, AND EVALUA-***
 7 ***TION***

8 ***Subtitle A—Authorization of***
 9 ***Appropriations***

10 ***SEC. 201. AUTHORIZATION OF APPROPRIATIONS.***

11 *Funds are hereby authorized to be appropriated for fis-*
 12 *cal year 2012 for the use of the Department of Defense for*
 13 *research, development, test, and evaluation as specified in*
 14 *the funding table in section 4201.*

15 ***Subtitle B—Program Requirements,***
 16 ***Restrictions, and Limitations***

17 ***SEC. 211. PROHIBITIONS RELATING TO USE OF FUNDS FOR***
 18 ***RESEARCH, DEVELOPMENT, TEST, AND EVAL-***
 19 ***UATION ON THE F136 ENGINE.***

20 *(a) PROHIBITION ON USE OF FUNDS FOR RDT&E.—*
 21 *None of the amounts authorized to be appropriated by this*
 22 *Act may be obligated or expended for research, development,*
 23 *test, or evaluation on the F136 engine.*

24 *(b) PROHIBITION ON TREATMENT OF CERTAIN EX-*
 25 *PENDITURES AS ALLOWABLE CHARGES.—No research, de-*

1 *velopment, test, or evaluation on the F136 engine that is*
 2 *conducted and funded by the contractor may be considered*
 3 *an allowable charge on any future government contract,*
 4 *whether as a direct or indirect cost.*

5 **SEC. 212. LIMITATION ON USE OF FUNDS FOR INCREMENT**

6 **2 OF B-2 BOMBER AIRCRAFT EXTREMELY**
 7 **HIGH FREQUENCY SATELLITE COMMUNICA-**
 8 **TIONS PROGRAM.**

9 *None of the funds authorized to be appropriated by sec-*
 10 *tion 201 for research, development, test, and evaluation for*
 11 *the Air Force as specified in the funding table in section*
 12 *4201 and available for Increment 2 of the B-2 bomber air-*
 13 *craft extremely high frequency satellite communications*
 14 *program may be obligated or expended until the date that*
 15 *is 15 days after the date on which the Secretary of the Air*
 16 *Force submits to the congressional defense committees the*
 17 *following:*

- 18 *(1) The certification of the Secretary that—*
 19 *(A) the United States Government will own*
 20 *the data rights to any extremely high frequency*
 21 *active electronically steered array antenna devel-*
 22 *oped for use as part of a system to support ex-*
 23 *tremely high frequency protected satellite com-*
 24 *munications for the B-2 bomber aircraft; and*

1 *(B) the use of an extremely high frequency*
 2 *active electronically steered array antenna is the*
 3 *most cost effective and lowest risk option avail-*
 4 *able to support extremely high frequency satellite*
 5 *communications for the B-2 bomber aircraft.*

6 *(2) A detailed plan setting forth the projected*
 7 *cost and schedule for research, development, and test-*
 8 *ing on the extremely high frequency active electroni-*
 9 *cally steered array antenna.*

10 **SEC. 213. UNMANNED CARRIER LAUNCHED AIRBORNE SUR-**
 11 **VEILLANCE AND STRIKE.**

12 *Of the amounts authorized to be appropriated for fiscal*
 13 *year 2012 for the Navy for research, development, test, and*
 14 *evaluation and available for purposes of the Unmanned*
 15 *Carrier Launched Airborne Surveillance and Strike*
 16 *(UCLASS) program (PE 64404N) as specified in the fund-*
 17 *ing table in section 4201, not more than 50 percent may*
 18 *be obligated or expended for such purposes until the Under*
 19 *Secretary of Defense for Acquisition, Technology, and Lo-*
 20 *gistics certifies to the congressional defense committees that*
 21 *the Under Secretary has approved an acquisition plan for*
 22 *that program at Milestone A approval that requires imple-*
 23 *mentation of open architecture standards for that program.*

1 **SEC. 214. MARINE CORPS GROUND COMBAT VEHICLES.**

2 (a) *LIMITATION ON MILESTONE B APPROVAL FOR MA-*
 3 *RINE PERSONNEL CARRIER PENDING ANALYSIS OF ALTER-*
 4 *NATIVES FOR AMPHIBIOUS COMBAT VEHICLE.—*

5 (1) *LIMITATION.—*Milestone *B* approval may not
 6 be granted for the Marine Personnel Carrier (MPC)
 7 until 30 days after the date of the submittal to the
 8 congressional defense committees of an Analysis of Al-
 9 ternatives (AoA) for the Amphibious Combat Vehicle
 10 (ACV).

11 (2) *REQUIREMENTS FOR ANALYSIS OF ALTER-*
 12 *NATIVES.—*The Analysis of Alternatives for the Am-
 13 phibious Combat Vehicle required by paragraph (1)
 14 shall include each of the following:

15 (A) *An assessment of the ability of the Navy*
 16 *to defend its vessels against attacks at distances*
 17 *from shore ranging from 10-to-30 nautical miles*
 18 *during amphibious assault operations in mul-*
 19 *tiple potential future conflict scenarios, based on*
 20 *existing and planned and budgeted defense capa-*
 21 *bilities. The assessment shall identify the key*
 22 *issues and variables that determine survivability*
 23 *in each of the scenarios assessed.*

24 (B) *An assessment of the amount of time*
 25 *Marines can be expected to ride in a non-*
 26 *planing amphibious assault vehicle without suf-*

1 *fering a significant degradation in combat effec-*
2 *tiveness. The Marine Corps shall conduct tests to*
3 *support such assessment using existing Amphib-*
4 *ious Assault Vehicles and Expeditionary Fight-*
5 *ing Vehicle SDD-2 prototypes.*

6 *(C) An assessment of the armor protection*
7 *levels the Amphibious Combat Vehicle would re-*
8 *quire to satisfy the requirements for the Marine*
9 *Personnel Carrier program, and an assessment*
10 *whether a non-planing Amphibious Combat Ve-*
11 *hicle could practically achieve that armor protec-*
12 *tion level while meeting other objectives for mo-*
13 *bility and cost.*

14 *(D) An assessment of whether an Amphib-*
15 *ious Combat Vehicle system could perform the*
16 *range of amphibious assault and land warfare*
17 *missions for the Marine Corps at a life-cycle cost*
18 *approximately equal to or less than the combined*
19 *cost of the Amphibious Combat Vehicle and Ma-*
20 *rine Personnel Carrier programs, and an assess-*
21 *ment of the extent to which a ground combat ve-*
22 *hicle fleet composed entirely of Amphibious Com-*
23 *bat Vehicles would enhance the amphibious as-*
24 *sault capabilities of the Marine Corps when com-*
25 *pared with a fleet composed of a mixture of Am-*

phibious Combat Vehicles and Marine Personnel Carriers.

(3) SUPPORT OF ANALYSIS OF ALTERNATIVES.—

The Marine Corps may conduct such technology development and demonstration, and such other pre-acquisition activities, tests, exercises, and modeling, as the Marine Corps considers necessary to support the Analysis of Alternatives required by paragraph (1) and the establishment of requirements for the Amphibious Combat Vehicle.

(b) LIMITATION ON MILESTONE B APPROVAL FOR VARIOUS VEHICLES PENDING LIFE-CYCLE COST ASSESSMENT.—

(1) LIMITATION.—Milestone B approval may not be granted for any Marine Corps ground combat vehicle specified in paragraph (2) until 30 days after the date of the submittal to the congressional defense committees of a life-cycle cost assessment of the portfolio of Marine Corps ground vehicles performed by the Director of Cost Assessment and Program Evaluation of the Department of Defense.

(2) COVERED VEHICLES.—The Marine Corps ground combat vehicles specified in this paragraph are the following:

(A) The Marine Personnel Carrier.

1 (B) *The Amphibious Combat Vehicle.*

2 (C) *The Joint Light Tactical Vehicle*
3 (*JLTV*).

4 (D) *Any other ground combat vehicle of the*
5 *Marine Corps under development as of the date*
6 *of the enactment of this Act for which Milestone*
7 *B approval has not been granted as of that date.*

8 (c) *AVAILABILITY OF FUNDS.—Of the amounts author-*
9 *ized to be appropriated for fiscal year 2012 by section 201*
10 *and available for research, development, test, and evalua-*
11 *tion for the Navy as specified in the funding tables in sec-*
12 *tion 4201 for Program Elements 0603611M and 0206623M*
13 *for the Amphibious Combat Vehicle, the Assault Amphibious*
14 *Vehicle 7A1, and the Marine Personnel Carrier,*
15 *\$30,000,000 is available for pre-acquisition activities in*
16 *support of the Analysis of Alternatives and requirements*
17 *definition for the Amphibious Combat Vehicle.*

18 (d) *MILESTONE B APPROVAL DEFINED.—In this sec-*
19 *tion, the term “Milestone B approval” has the meaning*
20 *given that term in section 2366(e)(7) of title 10, United*
21 *States Code.*

1 ***Subtitle C—Missile Defense Matters***

2 ***SEC. 231. ENHANCED OVERSIGHT OF MISSILE DEFENSE AC-***
 3 ***QUISITION PROGRAMS.***

4 (a) *IN GENERAL.*—Section 225 of the Ike Skelton Na-
 5 tional Defense Authorization Act for Fiscal Year 2011 (Pub-
 6 lic Law 111–383; 124 Stat. 4170; 10 U.S.C. 233 note) is
 7 amended—

8 (1) in subsection (d), by striking “each report”
 9 and inserting “each of the first three reports”; and

10 (2) by adding at the end the following new sub-
 11 section:

12 “(e) *COMPTROLLER GENERAL ASSESSMENT.*—(1) At
 13 the end of each of fiscal years 2012 through 2015, the Comp-
 14 troller General of the United States shall review the annual
 15 reports on acquisition baselines and variances required
 16 under subsection (c) and assess the extent to which the Mis-
 17 sile Defense Agency has achieved its acquisition goals and
 18 objectives.

19 “(2) Not later than February 15, 2013, and each year
 20 thereafter through 2016, the Comptroller General shall sub-
 21 mit to the congressional defense committees a report on the
 22 assessment under paragraph (1) with respect to the acquisi-
 23 tion baselines for the preceding fiscal year. Each report
 24 shall include any findings and recommendations on missile

1 *defense acquisition programs and accountability therefore*
 2 *that the Comptroller General considers appropriate.”.*

3 (b) *REPEAL OF SUPERSEDED REPORTING AUTHOR-*
 4 *ITY.—Section 232 of the National Defense Authorization*
 5 *Act for Fiscal Year 2002 (10 U.S.C. 2431 note) is amended*
 6 *by striking subsection (g).*

7 **SEC. 232. GROUND-BASED MIDCOURSE DEFENSE PROGRAM.**

8 (a) *FINDINGS.—Congress makes the following findings:*

9 (1) *The Ground-based Midcourse Defense (GMD)*
 10 *element of the Ballistic Missile Defense System was*
 11 *deployed initially in 2004 as a contingency capa-*
 12 *bility to provide initial protection of the United*
 13 *States homeland against potential limited long-range*
 14 *missile attacks by nations such as North Korea and*
 15 *Iran.*

16 (2) *As the Director of Operational Test and*
 17 *Evaluation has reported, prior to the decision in De-*
 18 *cember 2002 to deploy the system, an operationally*
 19 *representative variant of the Ground-Based Inter-*
 20 *ceptor had not been flight-tested.*

21 (3) *As the Department of Defense and the Gov-*
 22 *ernment Accountability Office have acknowledged, the*
 23 *Ground-based Midcourse Defense system experienced*
 24 *high levels of concurrency in development and deploy-*
 25 *ment, which led to a number of problems. In April*

1 *2011, the Missile Defense Agency acknowledged that*
2 *the system “is still evolving and has not attained a*
3 *stable configuration between missiles. It is still an*
4 *‘operational prototype’ system”.*

5 *(4) The Director of Operational Test and Eval-*
6 *uation reported in December 2010 that there have not*
7 *been enough flight tests of the Ground-based Mid-*
8 *course Defense system to permit an objective assess-*
9 *ment of its operational effectiveness, suitability data*
10 *remain insufficient, evaluation of survivability re-*
11 *mains limited, and a “full end-to end performance*
12 *assessment is still a minimum of 6 years away”.*

13 *(5) As is to be expected from a developmental*
14 *system, the Ground-based Midcourse Defense system*
15 *has experienced a number of technical problems in*
16 *flight tests. Many of these problems have been resolved*
17 *with further development, as demonstrated in success-*
18 *ful flight tests. The system has been under continuous*
19 *improvement since it was first deployed, but has not*
20 *yet obtained desired levels of effectiveness, suitability,*
21 *or reliability.*

22 *(6) In 2009, the Secretary of Defense announced*
23 *that the Department of Defense would refocus efforts*
24 *on improving the operational capability, reliability,*
25 *and availability of the Ground-based Midcourse De-*

1 *fense system in order to maintain its ability to stay*
2 *ahead of projected threats from North Korea and Iran*
3 *for the foreseeable future.*

4 (7) *In February 2010 the Ballistic Missile De-*
5 *fense Review stated the United States is currently*
6 *protected against limited intercontinental ballistic*
7 *missile attacks as a result of investments made over*
8 *the past decade in the Ground-based Midcourse De-*
9 *fense system and reiterated the commitment to im-*
10 *proving the operational capability, reliability, and*
11 *availability of the Ground-based Midcourse Defense*
12 *System.*

13 (8) *The two most recent flight tests of the*
14 *Ground-based Midcourse Defense system, using the*
15 *newest Capability Enhancement-2 Exo-atmospheric*
16 *Kill Vehicle (EKV) design, each failed to achieve the*
17 *intended interception of a target.*

18 (9) *The two most recent flight tests are not indic-*
19 *ative of the functionality of the Capability Enhance-*
20 *ment-1 Exo-atmospheric Kill Vehicle design, which*
21 *continues to provide the United States protection*
22 *against a limited intercontinental ballistic missile at-*
23 *tack.*

24 (10) *The Missile Defense Agency established a*
25 *Failure Review Board to determine the root cause of*

1 *the December 2010 flight-test failure of the Ground-*
2 *based Midcourse Defense system. Its analysis will in-*
3 *form the proposed correction of the problem causing*
4 *the flight-test failure.*

5 *(11) The Missile Defense Agency plans to design*
6 *a correction of the problem causing the December*
7 *2010 flight-test failure and to verify the correction*
8 *through extensive modeling and simulation, ground*
9 *testing, and two flight tests, the first of which will not*
10 *be an interception test.*

11 *(12) Until completing the verification of its cor-*
12 *rective action, the Missile Defense Agency has sus-*
13 *pended further production of Exo-atmospheric Kill*
14 *Vehicles to ensure that potential flaws are not incor-*
15 *porated into them, and to permit any corrective ac-*
16 *tion that may be needed to Exo-atmospheric Kill Ve-*
17 *hicles at minimal cost and schedule risk.*

18 *(13) The Director of the Missile Defense Agency*
19 *has testified that the Missile Defense Agency has suffi-*
20 *cient funding available and planned for fiscal years*
21 *2011 and 2012, respectively, to implement the*
22 *planned correction of the problem causing the Decem-*
23 *ber 2010 flight-test failure.*

24 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
25 *that—*

1 (1) *it is essential for the Ground-based Mid-*
2 *course Defense element of the Ballistic Missile Defense*
3 *System to achieve the levels of reliability, availability,*
4 *sustainability, and operational performance that will*
5 *allow it to continue providing protection of the*
6 *United States homeland, throughout its operational*
7 *service life, against limited future missile attacks*
8 *from nations such as North Korea and Iran;*

9 (2) *the Missile Defense Agency should, as its*
10 *highest priority, determine the root cause of the De-*
11 *cember 2010 flight-test failure of the Ground-based*
12 *Midcourse Defense system, design a correction of the*
13 *problem causing the flight-test failure, and verify*
14 *through extensive testing that such correction is effec-*
15 *tive and will allow the Ground-based Midcourse De-*
16 *fense system to reach levels described in paragraph*
17 *(1);*

18 (3) *before verifying the success of the correction*
19 *of the problem causing the December 2010 flight-test*
20 *failure, the Missile Defense Agency should suspend*
21 *further production of Exo-atmospheric Kill Vehicles to*
22 *ensure that they will not be deployed with any com-*
23 *ponent or design flaws that may have caused the*
24 *flight-test failure;*

1 (4) *after the Missile Defense Agency has verified*
 2 *the correction of the problem causing the December*
 3 *2010 flight-test failure, including through the two pre-*
 4 *viously unplanned verification flight tests, the Agency*
 5 *should assess the need for any additional Ground-*
 6 *Based Interceptors and any additional steps needed*
 7 *for the Ground-based Midcourse Defense testing and*
 8 *sustainment program; and*

9 (5) *the Department of Defense should plan for*
 10 *and budget sufficient future funds for the Ground-*
 11 *based Midcourse Defense program to ensure the abil-*
 12 *ity to complete and verify an effective correction of*
 13 *the problem causing the December 2010 flight-test*
 14 *failure, and to mitigate the effects of corrective actions*
 15 *on previously planned program work that is deferred*
 16 *as a result of such corrective actions.*

17 (c) *REPORTS.—*

18 (1) *REPORTS REQUIRED.—Not later than 120*
 19 *days after the date of the enactment of this Act, and*
 20 *one year thereafter, the Secretary of Defense shall sub-*
 21 *mit to the congressional defense committees a report*
 22 *describing the plan of the Department of Defense to*
 23 *correct the problem causing the December 2010 flight-*
 24 *test failure of the Ground-based Midcourse Defense*

1 *system, and any progress toward the achievement of*
2 *that plan.*

3 (2) *ELEMENTS.—Each report required by para-*
4 *graph (1) shall include the following:*

5 (A) *A detailed discussion of the plan to cor-*
6 *rect the problem described in that paragraph, in-*
7 *cluding plans for diagnostic, design, testing, and*
8 *manufacturing actions.*

9 (B) *A detailed discussion of any results ob-*
10 *tained from the plan described in subparagraph*
11 *(A) as of the date of such report, including diag-*
12 *nostic, design, testing, or manufacturing results.*

13 (C) *A description of any cost or schedule*
14 *impact of the plan on the Ground-based Mid-*
15 *course Defense program, including on testing,*
16 *production, refurbishment, or deferred work.*

17 (D) *A description of any planned adjust-*
18 *ments to the Ground-based Midcourse Defense*
19 *program as a result of the implementation of the*
20 *plan, including future programmatic, schedule,*
21 *testing, or funding adjustments.*

22 (E) *A description of any enhancements to*
23 *the capability of the Ground-based Midcourse*
24 *Defense system achieved or planned since the*
25 *submittal of the budget for fiscal year 2010 pur-*

1 *suant to section 1105 of title 31, United States*
 2 *Code.*

3 (3) *FORM.—Each report required by paragraph*
 4 *(1) shall be in unclassified form, but may include a*
 5 *classified annex.*

6 **SEC. 233. MISSILE DEFENSE COOPERATION WITH RUSSIA.**

7 (a) *FINDINGS.—Congress makes the following findings:*

8 (1) *For more than a decade, the United States*
 9 *and Russia have discussed a variety of options for co-*
 10 *operation on shared early warning and ballistic mis-*
 11 *sile defense. For example, on May 1, 2001, President*
 12 *George W. Bush spoke of a “new cooperative relation-*
 13 *ship” with Russia and said it “should be premised on*
 14 *openness, mutual confidence and real opportunities*
 15 *for cooperation, including the area of missile defense.*
 16 *It should allow us to share information so that each*
 17 *nation can improve its early warning capability, and*
 18 *its capability to defend its people and territory. And*
 19 *perhaps one day, we can even cooperate in a joint de-*
 20 *fense”.*

21 (2) *Section 1231 of the Floyd D. Spence Na-*
 22 *tional Defense Authorization Act for Fiscal Year 2001*
 23 *(as enacted into law by Public Law 106–398; 1654A–*
 24 *329) authorized the Department of Defense to estab-*
 25 *lish in Russia a “joint center for the exchange of data*

1 *from systems to provide early warning of launches of*
2 *ballistic missiles and for notification of launches of*
3 *such missiles”, also known as the Joint Data Ex-*
4 *change Center (JDEC).*

5 *(3) On March 31, 2008, Deputy Secretary of De-*
6 *fense Gordon England stated that “we have offered*
7 *Russia a wide-ranging proposal to cooperate on mis-*
8 *sile defense—everything from modeling and simula-*
9 *tion, to data sharing, to joint development of a re-*
10 *gional missile defense architecture—all designed to*
11 *defend the United States, Europe, and Russia from*
12 *the growing threat of Iranian ballistic missiles. An*
13 *extraordinary series of transparency measures have*
14 *also been offered to reassure Russia. Despite some*
15 *Russian reluctance to sign up to these cooperative*
16 *missile defense activities, we continue to work toward*
17 *this goal”.*

18 *(4) On July 6, 2009, President Barack Obama*
19 *and Russian President Dmitry Medvedev issued a*
20 *joint statement on missile defense issues, which stated*
21 *that “Russia and the United States plan to continue*
22 *the discussion concerning the establishment of co-*
23 *operation in responding to the challenge of ballistic*
24 *missile proliferation. . . We have instructed our ex-*
25 *perts to work together to analyze the ballistic missile*

1 *challenges of the 21st century and to prepare appro-*
2 *priate recommendations”.*

3 *(5) The February 2010 report of the Ballistic*
4 *Missile Defense Review established as one of its cen-*
5 *tral policy pillars that increased international missile*
6 *defense cooperation is in the national security interest*
7 *of the United States and, with regard to cooperation*
8 *with Russia, the United States “is pursuing a broad*
9 *agenda focused on shared early warning of missile*
10 *launches, possible technical cooperation, and even*
11 *operational cooperation”.*

12 *(6) at the November 2010 Lisbon Summit, the*
13 *North Atlantic Treaty Organization (NATO) decided*
14 *to develop a missile defense system to “protect NATO*
15 *European populations, territory and forces” and also*
16 *to seek cooperation with Russia on missile defense. In*
17 *its Lisbon Summit Declaration, the North Atlantic*
18 *Treaty Organization reaffirmed its readiness to “in-*
19 *vite Russia to explore jointly the potential for linking*
20 *current and planned missile defence systems at an*
21 *appropriate time in mutually beneficial ways”. The*
22 *new NATO Strategic Concept adopted at the Lisbon*
23 *Summit states that “we will actively seek cooperation*
24 *on missile defence with Russia”, that “NATO-Russia*
25 *cooperation is of strategic importance”, and that “the*

1 *security of the North Atlantic Treaty Organization*
2 *and Russia is intertwined”.*

3 *(7) In a December 18, 2010, letter to the leader-*
4 *ship of the Senate, President Obama wrote that the*
5 *North Atlantic Treaty Organization “invited Russia*
6 *to cooperate on missile defense, which could lead to*
7 *adding Russian capabilities to those deployed by*
8 *NATO to enhance our common security against com-*
9 *mon threats. The Lisbon Summit thus demonstrated*
10 *that the Alliance’s missile defenses can be strength-*
11 *ened by improving NATO-Russian relations. This*
12 *comes even as we have made clear that the system we*
13 *intend to pursue with Russia will not be a joint sys-*
14 *tem, and it will not in any way limit United States’*
15 *or NATO’s missile defense capabilities. Effective co-*
16 *operation with Russia could enhance the overall effi-*
17 *ciency of our combined territorial missile defenses,*
18 *and at the same time provide Russia with greater se-*
19 *curity”.*

20 *(8) Section 221(a)(3) of the Ike Skelton National*
21 *Defense Authorization Act for Fiscal Year 2011 (Pub-*
22 *lic Law 111–383; 124 Stat. 4167) states that it is the*
23 *sense of Congress “to support the efforts of the United*
24 *States Government and the North Atlantic Treaty Or-*
25 *ganization to pursue cooperation with the Russian*

1 *Federation on ballistic missile defense relative to Ira-*
2 *nian missile threats”.*

3 *(9) In a speech in Russia on March 21, 2011,*
4 *Secretary of Defense Robert Gates cited “the NATO-*
5 *Russian decision to cooperate on defense against bal-*
6 *listic missiles. We’ve disagreed before, and Russia still*
7 *has uncertainties about the European Phased Adapt-*
8 *ive Approach, a limited system that poses no chal-*
9 *lenges to the large Russian nuclear arsenal. However,*
10 *we’ve mutually committed to resolving these difficul-*
11 *ties in order to develop a roadmap toward truly effec-*
12 *tive anti-ballistic missile collaboration. This collabo-*
13 *ration may include exchanging launch information,*
14 *setting up a joint data fusion center, allowing greater*
15 *transparency with respect to our missile defense plans*
16 *and exercises, and conducting a joint analysis to de-*
17 *termine areas of future cooperation”.*

18 *(10) In testimony to the Committee on Armed*
19 *Services of the Senate on April 13, 2011, Deputy As-*
20 *istant Secretary of Defense for Nuclear and Missile*
21 *Defense Policy Bradley H. Roberts stated that the*
22 *United States has been pursuing a Defense Tech-*
23 *nology Cooperation Agreement with Russia since*
24 *2004, and that such an agreement is necessary “for*
25 *the safeguarding of sensitive information in support*

1 of cooperation” on missile defense, and to “provide
2 the legal framework for undertaking cooperative ef-
3 forts.” Further, Dr. Roberts stated that the United
4 States would not provide any classified information
5 to Russia without first conducting a National Disclo-
6 sure Policy review. He also stated that the United
7 States is not considering sharing “hit-to-kill” tech-
8 nology with Russia.

9 (11) The United States and Russia already en-
10 gage in substantial cooperation on a number of inter-
11 national security efforts, including nuclear non-
12 proliferation, anti-piracy, counter-narcotics, nuclear
13 security, counter-terrorism, and logistics resupply
14 through Russia of coalition forces in Afghanistan.
15 These areas of cooperation require each side to share
16 and protect sensitive information, which they have
17 both done successfully.

18 (12) The United States currently has shared
19 early warning agreements and programs of coopera-
20 tion with eight nations in addition to the North At-
21 lantic Treaty Organization. The United States has
22 developed procedures and mechanisms for sharing
23 early warning information with partner nations
24 while ensuring the protection of sensitive United
25 States information.

1 (13) *Russia and the United States each have*
 2 *missile launch early warning and detection and*
 3 *tracking sensors that could contribute to and enhance*
 4 *each others' ability to detect, track, and defend against*
 5 *ballistic missile threats from Iran.*

6 (14) *The Obama Administration has provided*
 7 *regular briefings to Congress on its discussions with*
 8 *Russia on possible missile defense cooperation.*

9 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
 10 *that—*

11 (1) *it is in the national security interest of the*
 12 *United States to pursue efforts at missile defense co-*
 13 *operation with Russia that would enhance the secu-*
 14 *rity of the United States, its North Atlantic Treaty*
 15 *Organization allies, and Russia, particularly against*
 16 *missile threats from Iran;*

17 (2) *the United States should pursue ballistic*
 18 *missile defense cooperation with Russia on both a bi-*
 19 *lateral basis and a multilateral basis with its North*
 20 *Atlantic Treaty Organization allies, particularly*
 21 *through the NATO-Russia Council;*

22 (3) *missile defense cooperation with Russia*
 23 *should not “in any way limit United States’ or*
 24 *NATO’s missile defense capabilities”, as acknowledged*
 25 *in the December 18, 2010, letter from President*

1 *Obama to the leadership of the Senate, and should be*
2 *mutually beneficial and reciprocal in nature; and*

3 *(4) the United States should pursue missile de-*
4 *fense cooperation with Russia in a manner that en-*
5 *sures that—*

6 *(A) United States classified information is*
7 *appropriately safeguarded and protected from*
8 *unauthorized disclosure;*

9 *(B) prior to sharing classified information*
10 *with Russia, the United States conducts a Na-*
11 *tional Disclosure Policy review and determines*
12 *the types and levels of information that may be*
13 *shared and whether any additional procedures*
14 *are necessary to protect such information;*

15 *(C) prior to entering into missile defense*
16 *technology cooperation projects, the United*
17 *States enters into a Defense Technology Coopera-*
18 *tion Agreement with Russia that establishes the*
19 *legal framework for a broad spectrum of poten-*
20 *tial cooperative defense projects; and*

21 *(D) such cooperation does not limit the mis-*
22 *sile defense capabilities of the United States or*
23 *its North Atlantic Treaty Organization allies.*

24 *(c) REPORT.—*

1 (1) *REPORT REQUIRED.*—Not later than 180
2 *days after the date of the enactment of this Act, the*
3 *President shall submit to the appropriate committees*
4 *of Congress a report on the status of efforts to reach*
5 *agreement with Russia on missile defense cooperation.*

6 (2) *ELEMENTS.*—The report required under
7 *paragraph (1) shall include the following:*

8 (A) *A summary of the status of discussions*
9 *between the United States and Russia, and be-*
10 *tween the North Atlantic Treaty Organization*
11 *and Russia, on efforts to agree on missile defense*
12 *cooperation.*

13 (B) *A description of any agreements*
14 *reached pursuant to such discussions, and any*
15 *specific cooperative measures agreed, imple-*
16 *mented, or planned.*

17 (C) *A discussion of the manner in which*
18 *such cooperative measures would enhance the se-*
19 *curity of the United States, and the manner in*
20 *which such cooperative measures fit within the*
21 *larger context of United States-Russian coopera-*
22 *tion on international security.*

23 (D) *A description of the status of efforts to*
24 *conclude a bilateral Defense Technology Coopera-*
25 *tion Agreement with Russia.*

1 (E) A description of the status of any Na-
 2 tional Disclosure Policy Review relative to the
 3 possible sharing of classified information with
 4 Russia concerning missile defense cooperation.

5 (F) A discussion of the actions that are
 6 being taken or are planned to be taken to safe-
 7 guard United States classified information in
 8 any agreement or discussions with Russia con-
 9 cerning missile defense cooperation.

10 (3) *FORM OF REPORT.*—The report required by
 11 paragraph (1) shall be submitted in unclassified form,
 12 but may include a classified annex.

13 (4) *APPROPRIATE COMMITTEES OF CONGRESS*
 14 *DEFINED.*—In this subsection, the term “appropriate
 15 committees of Congress” means—

16 (A) the Committees on Armed Services, For-
 17 eign Relations, and Appropriations of the Sen-
 18 ate; and

19 (B) the Committees on Armed Services, For-
 20 eign Affairs, and Appropriations of the House of
 21 Representatives.

22 **SEC. 234. REPORT ON THE UNITED STATES MISSILE DE-**
 23 **FENSE HEDGING STRATEGY.**

24 (a) *REPORT REQUIRED.*—Not later than 180 days
 25 after the date of the enactment of this Act, the Secretary

1 of Defense shall submit to the congressional defense commit-
 2 tees a report setting forth the findings and conclusions of
 3 the homeland missile defense hedging strategy review, in-
 4 cluding a discussion of the feasibility and advisability of
 5 establishing a missile defense site on the East Coast of the
 6 United States.

7 (b) *FORM.*—The report required by subsection (a) shall
 8 be submitted in unclassified form, but may include a classi-
 9 fied annex.

10 ***Subtitle D—Reports***
 11 ***SEC. 251. EXTENSION OF REQUIREMENTS FOR BIENNIAL***
 12 ***ROADMAP AND ANNUAL REVIEW AND CER-***
 13 ***TIFICATION ON FUNDING FOR DEVELOPMENT***
 14 ***OF HYPERSONICS.***

15 Section 218(e)(3) of the John Warner National Defense
 16 Authorization Act for Fiscal Year 2007 (Public Law 109–
 17 364; 120 Stat. 2126; 10 U.S.C. 2358 note) is amended by
 18 striking “2012” and inserting “2020”.

1 ***Subtitle E—Other Matters***

2 ***SEC. 261. CONTRACTOR COST-SHARING IN PILOT PROGRAM***
3 ***TO INCLUDE TECHNOLOGY PROTECTION FEA-***
4 ***TURES DURING RESEARCH AND DEVELOP-***
5 ***MENT OF CERTAIN DEFENSE SYSTEMS.***

6 *Section 243 of the Ike Skelton National Defense Au-*
7 *thorization Act for Fiscal Year 2011 (Public Law 111–383;*
8 *124 Stat. 4178; 10 U.S.C. 2358 note) is amended—*

9 *(1) by redesignating subsections (b), (c), and (d)*
10 *as subsections (c), (d), and (e), respectively; and*

11 *(2) by inserting after subsection (a) the following*
12 *new subsection (b):*

13 *“(b) COST-SHARING.—Any contract for the design or*
14 *development of a system resulting from activities under sub-*
15 *section (a) for the purpose of enhancing or enabling the*
16 *exportability of the system either (1) for the development*
17 *of program protection strategies for the system, or (2) for*
18 *the design and incorporation of exportability features into*
19 *the system shall include a cost-sharing provision that re-*
20 *quires the contractor to bear at least one half of the cost*
21 *of such activities.”.*

22 ***SEC. 262. LABORATORY FACILITIES, HANOVER, NEW HAMP-***
23 ***SHIRE.***

24 *(a) ACQUISITION.—*

1 (1) *IN GENERAL.*—Subject to paragraph (3), the
2 *Secretary of the Army* (referred to in this section as
3 the “Secretary”) may acquire any real property and
4 associated real property interests in the vicinity of
5 Hanover, New Hampshire, described in paragraph
6 (2) as may be needed for the Engineer Research and
7 Development Center laboratory facilities at the Cold
8 Regions Research and Engineering Laboratory.

9 (2) *DESCRIPTION OF REAL PROPERTY.*—The real
10 property described in this paragraph is the real prop-
11 erty to be acquired under paragraph (1)—

12 (A) consisting of approximately 18.5 acres,
13 identified as Tracts 101–1 and 101–2, together
14 with all necessary easements located entirely
15 within the Town of Hanover, New Hampshire;
16 and

17 (B) generally bounded—

18 (i) to the east by state route 10-Lyme
19 Road;

20 (ii) to the north by the vacant property
21 of the Trustees of Dartmouth College;

22 (iii) to the south by Fletcher Circle
23 graduate student housing owned by the
24 Trustees of Dartmouth College; and

1 (iv) to the west by approximately 9
 2 acres of real property acquired in fee
 3 through condemnation in 1981 by the Sec-
 4 retary.

5 (3) *AMOUNT PAID FOR PROPERTY.*—The Sec-
 6 retary shall pay not more than fair market value for
 7 any real property and associated real property inter-
 8 est acquired under this subsection.

9 (b) *REVOLVING FUND.*—The Secretary—

10 (1) *through the Plant Replacement and Improve-*
 11 *ment Program of the Secretary, may use amounts in*
 12 *the revolving fund established by section 101 of the*
 13 *Civil Functions Appropriations Act, 1954 (33 U.S.C.*
 14 *576) to acquire the real property and associated real*
 15 *property interests described in subsection (a); and*

16 (2) *shall ensure that the revolving fund is appro-*
 17 *priately reimbursed from the benefitting appropria-*
 18 *tions.*

19 (c) *RIGHT OF FIRST REFUSAL.*—

20 (1) *IN GENERAL.*—The Secretary may provide
 21 the seller of any real property and associated prop-
 22 erty interests identified in subsection (a) a right of
 23 first refusal—

24 (A) *a right of first refusal to acquire the*
 25 *property, or any portion of the property, in the*

1 *event the property or portion is no longer needed*
 2 *by the Department of the Army; and*

3 *(B) a right of first refusal to acquire any*
 4 *real property or associated real property inter-*
 5 *ests acquired by condemnation in Civil Action*
 6 *No. 81-360-L, in the event the property, or any*
 7 *portion of the property, is no longer needed by*
 8 *the Department of the Army.*

9 *(2) NATURE OF RIGHT.—A right of first refusal*
 10 *provided to a seller under this subsection shall not*
 11 *inure to the benefit of any successor or assign of the*
 12 *seller.*

13 *(d) CONSIDERATION; FAIR MARKET VALUE.—The pur-*
 14 *chase of any property by a seller exercising a right of first*
 15 *refusal provided under subsection (c) shall be for—*

16 *(1) consideration acceptable to the Secretary;*
 17 *and*

18 *(2) not less than fair market value at the time*
 19 *at which the property becomes available for purchase.*

20 *(e) DISPOSAL.—The Secretary may dispose of any*
 21 *property or associated real property interests that are sub-*
 22 *ject to the exercise of the right of first refusal under this*
 23 *section.*

24 *(f) NO EFFECT ON COMPLIANCE WITH ENVIRON-*
 25 *MENTAL LAWS.—Nothing in this section affects or limits*

1 *the application of or obligation to comply with any envi-*
 2 *ronmental law, including section 120(h) of the Comprehen-*
 3 *sive Environmental Response, Compensation, and Liability*
 4 *Act of 1980 (42 U.S.C. 9620(h)).*

5 ***TITLE III—OPERATION AND***
 6 ***MAINTENANCE***

7 ***Subtitle A—Authorization of***
 8 ***Appropriations***

9 ***SEC. 301. OPERATION AND MAINTENANCE FUNDING.***

10 *Funds are hereby authorized to be appropriated for fis-*
 11 *cal year 2012 for the use of the Armed Forces and other*
 12 *activities and agencies of the Department of Defense for ex-*
 13 *penses, not otherwise provided for, for operation and main-*
 14 *tenance, as specified in the funding table in section 4301.*

15 ***Subtitle B—Energy and***
 16 ***Environmental Provisions***

17 ***SEC. 311. MODIFICATION OF ENERGY PERFORMANCE***
 18 ***GOALS.***

19 *(a) MODIFICATION OF GOALS.—Section 2911(e) of title*
 20 *10, United States Code, is amended—*

- 21 *(1) in the subsection heading, by striking*
 22 *“GOAL” and inserting “GOALS”; and*
 23 *(2) in paragraph (1)—*

1 (A) by redesignating subparagraphs (A)
 2 and (B) as subparagraphs (D) and (E), respec-
 3 tively; and

4 (B) by inserting before subparagraph (D),
 5 as redesignated by subparagraph (A) of this
 6 paragraph, the following new subparagraphs:

7 “(A) to produce or procure not less than 12 per-
 8 cent of the total quantity of facility energy it con-
 9 sumes within its facilities during each of fiscal years
 10 2015 through 2017 from renewable energy sources;

11 “(B) to produce or procure not less than 16 per-
 12 cent of the total quantity of facility energy it con-
 13 sumes within its facilities during each of fiscal years
 14 2018 through 2020 from renewable energy sources;

15 “(C) to produce or procure not less than 20 per-
 16 cent of the total quantity of facility energy it con-
 17 sumes within its facilities during each of fiscal years
 18 2021 through 2024 from renewable energy sources;”.

19 (b) *INCLUSION OF DIRECT SOLAR AS ENERGY EFFI-*
 20 *CIENT PRODUCT.*—Section 2915(e)(2)(A) of such title is
 21 amended by inserting “direct solar,” after “Roof-top solar
 22 thermal,”.

1 **SEC. 312. STREAMLINED ANNUAL REPORT ON DEFENSE EN-**
 2 **VIRONMENTAL PROGRAMS.**

3 (a) *IN GENERAL.*—Chapter 160 of title 10, United
 4 States Code, is amended by adding at the end the following
 5 new section:

6 **“§2711. Annual report on defense environmental pro-**
 7 **grams**

8 “(a) *REPORT REQUIRED.*—The Secretary of Defense
 9 shall submit to Congress each year, not later than 45 days
 10 after the date on which the President submits to Congress
 11 the budget for a fiscal year, a report on defense environ-
 12 mental programs. Each report shall include:

13 “(1) *With respect to environmental restoration*
 14 *activities of the Department of Defense, and for each*
 15 *of the military departments, the following elements:*

16 “(A) *Information on the Installation Res-*
 17 *toration Program, including the following:*

18 “(i) *The total number of sites in the*
 19 *IRP.*

20 “(ii) *The number of sites in the IRP*
 21 *that have reached the Remedy in Place*
 22 *Stage and the Response Complete Stage,*
 23 *and the change in such numbers in the pre-*
 24 *ceding calendar year.*

25 “(iii) *A statement of the amount of*
 26 *funds allocated by the Secretary for, and the*

1 *anticipated progress in implementing, the*
2 *environmental restoration program during*
3 *the fiscal year for which the budget is sub-*
4 *mitted.*

5 “(iv) *The Secretary’s assessment of the*
6 *overall progress of the IRP.*

7 “(B) *Information on the Military Muni-*
8 *tions Restoration Program (MMRP), including*
9 *the following:*

10 “(i) *The total number of sites in the*
11 *MMRP.*

12 “(ii) *The number of sites that have*
13 *reached the Remedy in Place Stage and the*
14 *Response Complete Stage, and the change in*
15 *such numbers in the preceding calendar*
16 *year.*

17 “(iii) *A statement of the amount of*
18 *funds allocated by the Secretary for, and the*
19 *anticipated progress in implementing, the*
20 *MMRP during the fiscal year for which the*
21 *budget is submitted.*

22 “(iv) *The Secretary’s assessment of the*
23 *overall progress of the MMRP.*

24 “(2) *With respect to each of the major activities*
25 *under the environmental quality program of the De-*

1 *partment of Defense and for each of the military de-*
2 *partments—*

3 *“(A) a statement of the amount expended,*
4 *or proposed to be expended, during the period*
5 *consisting of the four fiscal years preceding the*
6 *fiscal year in which the report is submitted, the*
7 *fiscal year for which the budget is submitted,*
8 *and the fiscal year following the fiscal year for*
9 *which the budget is submitted; and*

10 *“(B) an explanation for any significant*
11 *change in such amounts during the period cov-*
12 *ered.*

13 *“(3) With respect to the environmental tech-*
14 *nology program of the Department of Defense—*

15 *“(A) a report on the progress made by in*
16 *achieving the objectives and goals of its environ-*
17 *mental technology program during the preceding*
18 *fiscal year and an overall trend analysis for the*
19 *program covering the previous four fiscal years;*
20 *and*

21 *“(B) a statement of the amount expended,*
22 *or proposed to be expended, during the period*
23 *consisting of the four fiscal years preceding the*
24 *fiscal year in which the report is submitted, the*
25 *fiscal year for which the budget is submitted,*

1 *and the fiscal year following the fiscal year for*
 2 *which the budget is submitted.*

3 “(b) *DEFINITIONS.—For purposes of this section—*

4 *“(1) the term ‘environmental quality program’*
 5 *means a program of activities relating to environ-*
 6 *mental compliance, conservation, pollution preven-*
 7 *tion, and other activities relating to environmental*
 8 *quality as the Secretary may designate; and*

9 *“(2) the term ‘major activities’ with respect to*
 10 *an environmental program means—*

11 *“(A) environmental compliance activities;*

12 *“(B) conservation activities; and*

13 *“(C) pollution prevention activities.”.*

14 (b) *CLERICAL AMENDMENT.—The table of sections at*
 15 *the beginning of such chapter is amended by inserting after*
 16 *the item relating to section 2710 the following new item:*

“2711. Annual report on defense environmental programs.”.

17 **SEC. 313. PAYMENT TO ENVIRONMENTAL PROTECTION**
 18 **AGENCY OF STIPULATED PENALTIES IN CON-**
 19 **NECTION WITH JACKSON PARK HOUSING**
 20 **COMPLEX, WASHINGTON.**

21 (a) *AUTHORITY TO TRANSFER FUNDS.—*

22 *(1) TRANSFER AMOUNT.—Using funds described*
 23 *in subsection (b) and notwithstanding section 2215 of*
 24 *title 10, United States Code, the Secretary of the*
 25 *Navy may transfer not more than \$45,000 to the*

1 *Hazardous Substance Superfund Jackson Park Hous-*
2 *ing Complex, Washington, special account.*

3 (2) *PURPOSE OF TRANSFER.*—*The payment*
4 *under paragraph (1) is to pay a stipulated penalty*
5 *assessed by the Environmental Protection Agency on*
6 *October 7, 2009, against the Jackson Park Housing*
7 *Complex, Washington, for the failure by the Navy to*
8 *submit a draft Final Remedial Investigation/Feasi-*
9 *bility Study for the Jackson Park Housing Complex*
10 *Operable Unit (OU-3T-JPHC) in accordance with*
11 *the requirements of the Interagency Agreement (Ad-*
12 *ministrative Docket No. CERCLA-10-2005-0023).*

13 (b) *SOURCE OF FUNDS.*—*Any payment under sub-*
14 *section (a) shall be made using funds authorized to be ap-*
15 *propriated by section 301 for operation and maintenance*
16 *for Environmental Restoration, Navy.*

17 (c) *USE OF FUNDS.*—*The amount transferred under*
18 *subsection (a) shall be used by the Environmental Protec-*
19 *tion Agency to pay the penalty described under paragraph*
20 *(2) of such subsection.*

1 **SEC. 314. REQUIREMENTS RELATING TO AGENCY FOR**
2 **TOXIC SUBSTANCES AND DISEASE REGISTRY**
3 **INVESTIGATION OF EXPOSURE TO DRINKING**
4 **WATER CONTAMINATION AT CAMP LEJEUNE,**
5 **NORTH CAROLINA.**

6 (a) *LIMITATION ON USE OF FUNDS.*—None of the
7 funds authorized to be appropriated by this Act may be
8 used to make a final decision on or final adjudication of
9 any claim filed regarding water contamination at Marine
10 Corps Base Camp Lejeune unless the Agency for Toxic Sub-
11 stances and Disease Registry completes all epidemiological
12 and water modeling studies relevant to such contamination
13 that are ongoing as of June 1, 2011, and certifies the com-
14 pletion of all such studies in writing to the Committees on
15 Armed Services for the Senate and the House of Representa-
16 tives. This provision does not prevent the use of funds for
17 routine administrative tasks required to maintain such
18 claims nor does it prohibit the use of funds for matters
19 pending in Federal court.

20 (b) *RESOLUTION OF CERTAIN DISPUTES.*—The Sec-
21 retary of the Navy shall make every effort to resolve any
22 dispute arising between the Department of the Navy and
23 the Agency for Toxic Substances and Disease Registry that
24 is covered by the Interagency Agreement between the De-
25 partment of Health and Human Services Agency for Toxic
26 Substances and Disease Registry and the Department of the

1 *Navy or any successor memorandum of understanding and*
 2 *signed agreements not later than 60 days after the date on*
 3 *which the dispute first arises. In the event the Secretary*
 4 *is unable to resolve such a dispute within 60 days, the Sec-*
 5 *retary shall submit to the congressional defense committees*
 6 *a report on the reasons why an agreement has not yet been*
 7 *reached, the actions that the Secretary plans to take to reach*
 8 *agreement, and the schedule for taking such actions.*

9 (c) *COORDINATION PRIOR TO RELEASING INFORMA-*
 10 *TION TO THE PUBLIC.—The Secretary of the Navy shall*
 11 *make every effort to coordinate with the Agency for Toxic*
 12 *Substances and Disease Registry on all issues pertaining*
 13 *to water contamination at Marine Corps Base Camp*
 14 *Lejeune, and other exposed pathways before releasing any-*
 15 *thing to the public.*

16 **SEC. 315. DISCHARGE OF WASTES AT SEA GENERATED BY**
 17 **SHIPS OF THE ARMED FORCES.**

18 (a) *DISCHARGE RESTRICTIONS FOR SHIPS OF THE*
 19 *ARMED FORCES.—Subsection (b) of section 3 of the Act to*
 20 *Prevent Pollution from Ships (33 U.S.C. 1902(b)) is*
 21 *amended to read as follows:*

22 “(b)(1) *Except as provided in paragraph (3), this Act*
 23 *shall not apply to—*

24 “(A) *a ship of the Armed Forces described in*
 25 *paragraph (2); or*

1 “(B) any other ship specifically excluded by the
2 *MARPOL Protocol or the Antarctic Protocol.*

3 “(2) A ship described in this paragraph is a ship that
4 is owned or operated by the Secretary, with respect to the
5 Coast Guard, or by the Secretary of a military department,
6 and that, as determined by the Secretary concerned—

7 “(A) has unique military design, construction,
8 manning, or operating requirements; and

9 “(B) cannot fully comply with the discharge re-
10 quirements of Annex V to the Convention because
11 compliance is not technologically feasible or would
12 impair the operations or operational capability of the
13 ship.

14 “(3)(A) Notwithstanding any provision of the
15 *MARPOL Protocol*, the requirements of Annex V to the Con-
16 vention shall apply to all ships referred to in subsection
17 (a) other than those described in paragraph (2).

18 “(B) A ship that is described in paragraph (2) shall
19 limit the discharge into the sea of garbage as follows:

20 “(i) The discharge into the sea of plastics, in-
21 cluding synthetic ropes, synthetic fishing nets, plastic
22 garbage bags, and incinerator ashes from plastic
23 products that may contain toxic chemicals or heavy
24 metals, or the residues thereof, is prohibited.

1 “(ii) Garbage consisting of the following mate-
2 rial may be discharged into the sea, subject to sub-
3 paragraph (C):

4 “(I) A non-floating slurry of seawater,
5 paper, cardboard, or food waste that is capable
6 of passing through a screen with openings no
7 larger than 12 millimeters in diameter.

8 “(II) Metal and glass that have been shred-
9 ded and bagged (in compliance with clause (i))
10 so as to ensure negative buoyancy.

11 “(III) With regard to a submersible, non-
12 plastic garbage that has been compacted and
13 weighted to ensure negative buoyancy.

14 “(IV) Ash from incinerators or other ther-
15 mal destruction systems not containing toxic
16 chemicals, heavy metals, or incompletely burned
17 plastics.

18 “(C)(i) Garbage described in subparagraph (B)(ii)(I)
19 may not be discharged within 3 nautical miles of land.

20 “(ii) Garbage described in subclauses (II), (III), and
21 (IV) of subparagraph (B)(ii) may not be discharged within
22 12 nautical miles of land.

23 “(D) Notwithstanding subparagraph (C), a ship de-
24 scribed in paragraph (2) that is not equipped with garbage-
25 processing equipment sufficient to meet the requirements of

1 *subparagraph (B)(ii) may discharge garbage that has not*
 2 *been processed in accordance with subparagraph (B)(ii) if*
 3 *such discharge occurs as far as practicable from the nearest*
 4 *land, but in any case not less than—*

5 “(i) 12 nautical miles from the nearest land, in
 6 *the case of food wastes and non-floating garbage, in-*
 7 *cluding paper products, cloth, glass, metal, bottles,*
 8 *crockery, and similar refuse; and*

9 “(ii) 25 nautical miles from the nearest land, in
 10 *the case of all other garbage.*

11 “(E) *This paragraph shall not apply when discharge*
 12 *of any garbage is necessary for the purpose of securing the*
 13 *safety of the ship, the health of the ship’s personnel, or sav-*
 14 *ing life at sea.*

15 “(F) *This paragraph shall not apply during time of*
 16 *war or a national emergency declared by the President or*
 17 *Congress.”.*

18 (b) *CONFORMING AMENDMENTS.—Section 3(f) of the*
 19 *Act to Prevent Pollution from Ships (33 U.S.C. 1902(f))*
 20 *is amended—*

21 (1) *in paragraph (1), by striking “Annex V to*
 22 *the Convention on or before the dates referred to in*
 23 *subsections (b)(2)(A) and (c)(1)” and inserting “sub-*
 24 *section (b)”;* and

1 (2) in paragraph (2), by inserting “and sub-
 2 section (b)(3)(B)(i) of this section” after “Annex V to
 3 the Convention”.

4 **SEC. 316. CONSIDERATION OF ENERGY SECURITY AND RE-**
 5 **LIABILITY IN DEVELOPMENT AND IMPLEMEN-**
 6 **TATION OF ENERGY PERFORMANCE GOALS.**

7 Section 2911(c) of title 10, United States Code, is
 8 amended by adding at the end the following new paragraph:

9 “(12) Opportunities to enhance energy security
 10 and reliability of defense facilities and missions, in-
 11 cluding through the ability to operate for extended pe-
 12 riods off-grid.”.

13 **SEC. 317. INSTALLATION ENERGY METERING REQUIRE-**
 14 **MENTS.**

15 The Secretary of Defense shall, to the maximum extent
 16 practicable, require that the information generated by the
 17 installation energy meters be captured and tracked to deter-
 18 mine baseline energy consumption and facilitate efforts to
 19 reduce energy consumption.

20 **SEC. 318. TRAINING POLICY FOR DEPARTMENT OF DE-**
 21 **FENSE ENERGY MANAGERS.**

22 (a) *ESTABLISHMENT OF TRAINING POLICY.*—The Sec-
 23 retary of Defense shall establish a training policy for De-
 24 partment of Defense energy managers designated for mili-
 25 tary installations in order to—

1 (1) *improve the knowledge, skills, and abilities of*
2 *energy managers by ensuring understanding of exist-*
3 *ing energy laws, regulations, mandates, contracting*
4 *options, local renewable portfolio standards, current*
5 *renewable energy technology options, energy auditing,*
6 *and options to reduce energy consumption;*

7 (2) *improve consistency among energy managers*
8 *throughout the Department in the performance of*
9 *their responsibilities;*

10 (3) *create opportunities and forums for energy*
11 *managers to exchange ideas and lessons learned with-*
12 *in each military department, as well as across the*
13 *Department of Defense; and*

14 (4) *collaborate with the Department of Energy*
15 *regarding energy manager training.*

16 (b) *ISSUANCE OF POLICY.*—*Not later than 180 days*
17 *after the date of the enactment of this Act, the Secretary*
18 *of Defense shall issue the training policy for Department*
19 *of Defense energy managers.*

20 (c) *BRIEFING REQUIREMENT.*—*Not later than 180*
21 *days after the date of the enactment of this Act, the Sec-*
22 *retary of Defense, or designated representatives of the Sec-*
23 *retary, shall brief the Committees on Armed Services of the*
24 *Senate and House of Representatives regarding the details*
25 *of the energy manager policy.*

1 ***Subtitle C—Workplace and Depot***
 2 ***Issues***

3 ***SEC. 321. MINIMUM CAPITAL INVESTMENT FOR CERTAIN***
 4 ***DEPOTS.***

5 *Section 2476 of title 10, United States Code, is amend-*
 6 *ed—*

7 *(1) in subsection (a), by striking “Each fiscal*
 8 *year, the Secretary of a military department shall in-*
 9 *vest” and inserting “Each fiscal year, it shall be the*
 10 *objective of the Secretary of a military department to*
 11 *invest”;*

12 *(2) in subsection (b)—*

13 *(A) by striking “includes investment funds*
 14 *spent on depot infrastructure, equipment, and*
 15 *process improvement in direct support” and in-*
 16 *serting “includes investment funds spent to mod-*
 17 *ernize or improve the efficiency of depot facili-*
 18 *ties, equipment, work environment, or processes*
 19 *in direct support”; and*

20 *(B) by adding at the end the following: “It*
 21 *does not include funds spent for any other repair*
 22 *or activity to maintain or sustain existing facili-*
 23 *ties, infrastructure, or equipment.”;*

24 *(3) in subsection (d)—*

1 (A) by striking “(1) Not later than” and in-
2 serting “Not later than”;

3 (B) by striking “summarizing the level of
4 capital investment for each military depart-
5 ment” and inserting “summarizing the level of
6 capital investment in the military departments”;
7 and

8 (C) by striking paragraph (2); and
9 (4) in subsection (e)(1), by adding at the end the
10 following new subparagraphs:

11 “(I) Crane Ammunition Activity, Indiana.

12 “(J) McAlester Ammunition Plant, Okla-
13 homa.

14 “(K) Radford Ammunition Plant, Virginia.

15 “(L) Lake City Ammunition Plant, Mis-
16 souri.

17 “(M) Holsten Ammunition Plant, Ten-
18 nessee.

19 “(N) Scranton Ammunition Plant, Pennsylv-
20 vania.

21 “(O) Iowa Ammunition Plant, Iowa.

22 “(P) Milan Ammunition Plant, Tennessee.

23 “(Q) Joint System Manufacturing Center,
24 Lima Ohio.”.

1 **SEC. 322. LIMITATION ON REVISING THE DEFINITION OF**
2 **DEPOT-LEVEL MAINTENANCE.**

3 (a) *LIMITATION.*—*The Secretary of Defense or any of*
4 *the Secretaries of the military departments may not issue*
5 *guidance, regulations, policy, or revisions to any Depart-*
6 *ment of Defense or service instructions containing a revi-*
7 *sion to the definition of depot-level maintenance unless the*
8 *Secretary submits to the congressional defense committees*
9 *the report described in subsection (b).*

10 (b) *REPORT.*—*The report referred to in subsection (a)*
11 *is a report prepared by the Defense Business Board regard-*
12 *ing the advisability of establishing a single definition of*
13 *depot-level maintenance, taking into consideration—*

14 (1) *the total industrial capacity, both in the pri-*
15 *vate sector industry and in the depots;*

16 (2) *the importance of establishing requirements*
17 *and allocating workload on the basis of sound busi-*
18 *ness case analyses; and*

19 (3) *establishing transparency and accountability*
20 *in the development of the core workload requirements*
21 *and in the allocation of workload under the require-*
22 *ments in section 2466 of title 10, United States Code.*

1 **SEC. 323. DESIGNATION OF MILITARY INDUSTRIAL FACILI-**
 2 **TIES AS CENTERS OF INDUSTRIAL AND TECH-**
 3 **NICAL EXCELLENCE.**

4 *Section 2474(a)(1) of title 10, United States Code, is*
 5 *amended by inserting “and may designate any military in-*
 6 *dustrial facility” after “shall designate each depot-level ac-*
 7 *tivity”.*

8 **SEC. 324. REPORTS ON DEPOT-RELATED ACTIVITIES.**

9 *(a) REPORT ON DEPOT-LEVEL MAINTENANCE AND RE-*
 10 *CAPITALIZATION OF CERTAIN PARTS AND EQUIPMENT.—*

11 *(1) IN GENERAL.—Not later than 90 days after*
 12 *the date of the enactment of this Act, the Secretary of*
 13 *Defense in consultation with the military depart-*
 14 *ments, shall submit to the congressional defense com-*
 15 *mittees a report on the status of the Drawdown, Ret-*
 16 *rograde and Reset Program for the equipment used in*
 17 *support of operations in Iraq and Afghanistan and*
 18 *the status of the overall supply chain management for*
 19 *depot-level activities.*

20 *(2) ELEMENTS.—The report required under*
 21 *paragraph (1) shall include the following elements:*

22 *(A) An assessment of the number of back-*
 23 *logged parts for critical warfighter needs, an ex-*
 24 *planation of why those parts became backlogged,*
 25 *and an estimate of when the backlog is likely to*
 26 *be fully addressed.*

1 (B) *A review of critical warfighter require-*
2 *ments that are being impacted by a lack of sup-*
3 *plies and parts and an explanation of steps that*
4 *the Director plans to take to meet the demand re-*
5 *quirements of the military departments.*

6 (C) *An assessment of the feasibility and ad-*
7 *visability of working with outside commercial*
8 *partners to utilize flexible and efficient turn-key*
9 *rapid production systems to meet rapidly emerg-*
10 *ing warfighter requirements.*

11 (D) *A review of plans to further consolidate*
12 *the ordering and stocking of parts and supplies*
13 *from the military departments at depots under*
14 *the control of the Defense Logistics Agency.*

15 (3) *FLEXIBLE AND EFFICIENT TURN-KEY RAPID*
16 *PRODUCTION SYSTEMS DEFINED.—For the purposes of*
17 *this subsection, flexible and efficient turn-key rapid*
18 *production systems are systems that have dem-*
19 *onstrated the capability to reduce the costs of parts,*
20 *improve manufacturing efficiency, and have the fol-*
21 *lowing unique features:*

22 (A) *VIRTUAL AND FLEXIBLE.—Systems that*
23 *provide for flexibility to rapidly respond to re-*
24 *quests for low-volume or high-volume machined*
25 *parts and surge demand by accessing the full ca-*

1 *capacity of small- and medium-sized manufac-*
 2 *turing communities in the United States.*

3 *(B) SPEED TO MARKET.—Systems that pro-*
 4 *vide for flexibility that allows rapid introduction*
 5 *of subassemblies for new parts and weapons sys-*
 6 *tems to the warfighter.*

7 *(C) RISK MANAGEMENT.—Systems that pro-*
 8 *vide for the electronic archiving and updating of*
 9 *turn-key rapid production packages to provide*
 10 *insurance to the Department of Defense that*
 11 *parts will be available if there is a supply chain*
 12 *disruption.*

13 *(b) REPORT ON THE ALIGNMENT, ORGANIZATIONAL*
 14 *REPORTING, AND PERFORMANCE RATING OF AIR FORCE*
 15 *SYSTEM PROGRAM MANAGERS, SUSTAINMENT PROGRAM*
 16 *MANAGERS, AND PRODUCT SUPPORT MANAGERS AT AIR*
 17 *LOGISTICS CENTERS OR AIR LOGISTICS COMPLEXES.—*

18 *(1) REPORT REQUIRED.—The Secretary of the*
 19 *Air Force shall enter into an agreement with a feder-*
 20 *ally funded research and development center to sub-*
 21 *mit to the congressional defense committees, not later*
 22 *than 180 days after the date of the enactment of this*
 23 *Act, a report on the alignment, organizational report-*
 24 *ing, and performance rating of Air Force system pro-*
 25 *gram managers, sustainment program managers, and*

1 *product support managers at Air Logistics Centers or*
2 *Air Logistics Complexes.*

3 (2) *ELEMENTS.—The report required under*
4 *paragraph (1) shall include the following elements:*

5 (A) *Consideration of the proposed reorga-*
6 *nization of Air Force Materiel Command an-*
7 *nounced on November 2, 2011.*

8 (B) *An assessment of how various alter-*
9 *natives for aligning the managers described in*
10 *subsection (a) within Air Force Materiel Com-*
11 *mand would likely support and impact life cycle*
12 *management, weapon system sustainment, and*
13 *overall support to the warfighter.*

14 (C) *With respect to the alignment of the*
15 *managers described in subsection (A), an exam-*
16 *ination of how the Air Force should be organized*
17 *to best conduct life cycle management and weap-*
18 *on system sustainment, with any analysis of cost*
19 *and savings factors subject to the consideration*
20 *of overall readiness.*

21 (D) *Recommended alternatives for meeting*
22 *these objectives.*

23 (3) *COOPERATION OF SECRETARY OF AIR*
24 *FORCE.—The Secretary of the Air Force shall provide*
25 *any necessary information and background materials*

necessary for completion of the report required under paragraph (1).

Subtitle D—Reports

SEC. 331. STUDY ON AIR FORCE TEST AND TRAINING

RANGE INFRASTRUCTURE.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of the Air Force shall conduct a study on the ability of the major air test and training range infrastructure, including major military operating area airspace and special use airspace, to support the full spectrum of Air Force operations. The Secretary shall incorporate the results of the study into a master plan for requirements and proposed investments to meet Air Force training and test needs through 2025. The study and the master plan shall be known as the “2025 Air Test and Training Range Enhancement Plan”.

(2) CONSULTATION.—The Secretary of the Air Force shall, in conducting the study required under paragraph (1), consult with the Secretaries of the other military departments to determine opportunities for joint use and training of the ranges, and to assess the requirements needed to support combined arms training on the ranges. The Secretary shall also consult with the Department of the Interior, the De-

1 *partment of Agriculture, the Federal Aviation Admin-*
 2 *istration, the Federal Energy Regulation Commission,*
 3 *and the Department of Energy to assess the need for*
 4 *transfers of administrative control of certain parcels*
 5 *of airspace and land to the Department of Defense to*
 6 *protect the missions and control of the ranges.*

7 (3) *CONTINUATION OF RANGE INFRASTRUCTURE*
 8 *IMPROVEMENTS.—The Secretary of the Air Force may*
 9 *proceed with all ongoing and scheduled range infra-*
 10 *structure improvements while conducting the study*
 11 *required under paragraph (1).*

12 (b) *REPORTS.—*

13 (1) *IN GENERAL.—The Secretary of the Air*
 14 *Force shall submit to the congressional defense com-*
 15 *mittees an interim report and a final report on the*
 16 *plan to meet the requirements under subsection (a)*
 17 *not later than one year and two years, respectively,*
 18 *after the date of the enactment of this Act.*

19 (2) *CONTENT.—The plan submitted under para-*
 20 *graph (1) shall—*

21 (A) *document the current condition and*
 22 *adequacy of the major Air Force test and train-*
 23 *ing range infrastructure in the United States to*
 24 *meet test and training requirements;*

1 (B) identify potential areas of concern for
2 maintaining the physical safety, security, and
3 current operating environment of such infra-
4 structure;

5 (C) identify potential issues and threats re-
6 lated to the sustainability of the test and train-
7 ing infrastructure, including electromagnetic
8 spectrum encroachment, overall bandwidth avail-
9 ability, and protection of classified information;

10 (D) assess coordination among ranges and
11 local, state, regional, and Federal entities in-
12 volved in land use planning, and develop rec-
13 ommendations on how to improve communica-
14 tion and coordination of such entities;

15 (E) propose remedies and actions to man-
16 age economic development on private lands on or
17 surrounding the test and training infrastructure
18 to preserve current capabilities;

19 (F) identify critical parcels of land not cur-
20 rently under the control of the Air Force for ac-
21 quisition of deed or restrictive easements in order
22 to protect current operations, access and egress
23 corridors, and range boundaries, or to expand
24 the capability of the air test and training
25 ranges;

1 (G) identify which parcels identified pursu-
2 ant to subparagraph (F) could, through the ac-
3 quisition of conservation easements, serve mili-
4 tary interests while also preserving recreational
5 access to public and private lands, protecting
6 wildlife habitat, or preserving opportunities for
7 energy development and energy transmission;

8 (H) prioritize improvements and mod-
9 ernization of the facilities, equipment, and tech-
10 nology supporting the infrastructure in order to
11 provide a test and training environment that ac-
12 curately simulates and or portrays the full spec-
13 trum of threats and targets of likely United
14 States adversaries in 2025;

15 (I) incorporate emerging requirements gen-
16 erated by requirements for virtual training and
17 new weapon systems, including the F-22, the F-
18 35, space and cyber systems, and Remotely Pi-
19 loted Aircraft;

20 (J) assess the value of State and local legis-
21 lative initiatives to protect Air Force test and
22 training range infrastructure;

23 (K) identify parcels with no value to future
24 military operations;

(L) propose a list of prioritized projects, easements, acquisitions, or other actions, including estimated costs required to upgrade the test and training range infrastructure, taking into consideration the criteria set forth in this paragraph; and

(M) explore opportunities to increase foreign military training with United States allies at test and training ranges in the continental United States.

(3) *FORM.*—Each report required under this subsection shall be submitted in unclassified form, but may include a classified annex as necessary.

(4) *RULE OF CONSTRUCTION.*—The reports submitted under this section shall not be construed as meeting the requirements of section 2815(d) of the Military Construction Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 852).

**SEC. 332. STUDY ON TRAINING RANGE INFRASTRUCTURE
FOR SPECIAL OPERATIONS FORCES.**

(a) *STUDY.*—

(1) *IN GENERAL.*—The Commander of the United States Special Operations Command shall conduct a study on the ability of existing training ranges used by special operations forces, including military oper-

1 *ating area airspace and special use airspace, to sup-*
2 *port the full spectrum of missions and operations as-*
3 *signed to special operations forces.*

4 (2) *CONSULTATION.—The Commander shall, in*
5 *conducting the study required under paragraph (1),*
6 *consult with the Secretaries of the military depart-*
7 *ments, the Office of the Secretary of Defense, and the*
8 *Joint Staff on—*

9 (A) *procedures and priorities for joint use*
10 *and training on ranges operated by the military*
11 *services, and to assess the requirements needed to*
12 *support combined arms training on the ranges;*
13 *and*

14 (B) *requirements and proposed investments*
15 *to meet special operations training requirements*
16 *through 2025.*

17 (b) *REPORTS.—*

18 (1) *IN GENERAL.—Not later than one year after*
19 *the date of the enactment of this Act, the Commander*
20 *shall submit to the congressional defense committees a*
21 *report on the plan to meet the requirements under*
22 *subsection (a).*

23 (2) *CONTENT.—The study submitted under para-*
24 *graph (1) shall—*

1 (A) assess the current condition and ade-
2 quacy of, and access to, all existing training
3 ranges in the United States used by special oper-
4 ations forces;

5 (B) identify potential areas of concern for
6 maintaining the physical safety, security, and
7 current operating environment of ranges used by
8 special operations forces;

9 (C) identify issues and challenges related to
10 the availability and sustainability of the existing
11 training ranges used by special operations forces,
12 including support of a full spectrum of oper-
13 ations and protection of classified missions and
14 tactics;

15 (D) assess coordination among ranges and
16 local, State, regional, and Federal entities in-
17 volved in land use planning and the protection
18 of ranges from encroachment;

19 (E) propose remedies and actions to ensure
20 consistent and prioritized access to existing
21 ranges;

22 (F) prioritize improvements and mod-
23 ernization of the facilities, equipment, and tech-
24 nology supporting the ranges in order to ade-

quately simulate the full spectrum of threats and contingencies for special operations forces; and

(G) propose a list of prioritized projects, easements, acquisitions, or other actions, including estimated costs required to upgrade training range infrastructure.

(3) *FORM.*—Each report required under this subsection shall be submitted in unclassified form, but may include a classified annex as necessary.

SEC. 333. GUIDANCE TO ESTABLISH NON-TACTICAL WHEELED VEHICLE AND EQUIPMENT SERVICE LIFE EXTENSION PROGRAMS TO ACHIEVE COST SAVINGS.

Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall conduct a survey of the quantity and condition of each class of non-tactical wheeled vehicles and base-level commercial equipment in the fleets of the military departments and report to the congressional defense committees on the advisability of establishing service life extension programs for such classes of vehicles.

SEC. 334. MODIFIED DEADLINE FOR ANNUAL REPORT ON BUDGET SHORTFALLS FOR IMPLEMENTATION OF OPERATIONAL ENERGY STRATEGY.

Section 138c(e)(4) of title 10, United States Code, as transferred and redesignated by section 901(b)(7) of the Ike

1 *Skelton National Defense Authorization Act for Fiscal Year*
 2 *2011 (Public Law 111–383; 124 Stat. 4320), is amended—*

3 *(1) by striking “10 days after the date on which*
 4 *the budget for a fiscal year is submitted pursuant to*
 5 *section 1105 of title 31” and inserting “March 31*
 6 *each year, beginning March 31, 2012”; and*

7 *(2) by striking “for that fiscal year” and insert-*
 8 *ing “for the fiscal year beginning in that calendar*
 9 *year”.*

10 ***Subtitle E—Other Matters***

11 ***SEC. 341. EXTENSION OF AUTHORITY FOR ARMY INDUS-*** 12 ***TRIAL FACILITIES TO ENTER INTO COOPERA-*** 13 ***TIVE AGREEMENTS WITH NON-ARMY ENTI-*** 14 ***TIES.***

15 *(a) EXTENSION OF AUTHORITY.—Section 4544 of title*
 16 *10, United States Code, is amended—*

17 *(1) in subsection (a), by striking “enter into not*
 18 *more than eight contracts or cooperative agreements”*
 19 *and all that follows through the period at the end and*
 20 *inserting “enter into not more than 15 contracts or*
 21 *cooperative agreements in any fiscal year.”; and*

22 *(2) in subsection (k), by striking “September 30,*
 23 *2014” and inserting “September 30, 2025”.*

24 *(b) APPROVAL AUTHORITY.—Subsection (f) of such sec-*
 25 *tion is amended by striking “exercised at the level of the*

1 *commander of the major subordinate command” and all*
 2 *that follows through “The commander may approve” and*
 3 *inserting “exercised at the level of the Commander of Army*
 4 *Materiel Command. The Commander may approve”.*

5 **SEC. 342. WORKING-CAPITAL FUND ACCOUNTING.**

6 *Section 2208(k) of title 10, United States Code, is*
 7 *amended by adding at the end the following new paragraph:*
 8 *“(3) All capital assets financed by a working-capital*
 9 *fund and subject to paragraph (2) shall be capitalized and*
 10 *depreciated for budgeting, rate setting, and financial ac-*
 11 *counting purposes. Procurements not subject to paragraph*
 12 *(2) shall be immediately expensed and shall not be capital-*
 13 *ized or depreciated in financial accounting records or re-*
 14 *ported on financial statements as an asset.”.*

15 **SEC. 343. COMMERCIAL SALE OF SMALL ARMS AMMUNITION**
 16 **AND SMALL ARMS AMMUNITION COMPO-**
 17 **NENTS IN EXCESS OF MILITARY REQUIRE-**
 18 **MENTS, AND FIRED CARTRIDGE CASES.**

19 *Section 346 of the Ike Skelton National Defense Au-*
 20 *thorization Act for Fiscal Year 2011 (Public Law 111–383;*
 21 *124 Stat. 4191; 10 U.S.C. 2576 note) is amended to read*
 22 *as follows:*

1 **“SEC. 346. COMMERCIAL SALE OF SMALL ARMS AMMUNI-**
 2 **TION AND SMALL ARMS AMMUNITION COMPO-**
 3 **NENTS IN EXCESS OF MILITARY REQUIRE-**
 4 **MENTS, AND FIRED CARTRIDGE CASES.**

5 “(a) *COMMERCIAL SALE OF SMALL ARMS AMMUNI-*
 6 *TION, SMALL AMMUNITION COMPONENTS, AND FIRED CAR-*
 7 *TRIDGE CASES.*—*Small arms ammunition and small am-*
 8 *munition components which are in excess of military re-*
 9 *quirements, and intact fired small arms cartridge cases*
 10 *shall be made available for commercial sale. Such small*
 11 *arms ammunition, small arms ammunition components,*
 12 *and intact fired cartridge cases shall not be demilitarized,*
 13 *destroyed, or disposed of, unless in excess of commercial de-*
 14 *mands or certified by the Secretary of Defense as unservice-*
 15 *able or unsafe. This provision shall not apply to ammuni-*
 16 *tion, ammunition components, or fired cartridge cases*
 17 *stored or expended outside the continental United States*
 18 *(OCONUS).*

19 “(b) *DEADLINE FOR GUIDANCE.*—*Not later than 90*
 20 *days after the date of the enactment of the National Defense*
 21 *Authorization Act for Fiscal Year 2012, the Secretary of*
 22 *Defense shall issue guidance to ensure compliance with sub-*
 23 *section (a). Not later than 15 days after issuing such guid-*
 24 *ance, the Secretary shall submit to the congressional defense*
 25 *committees a letter of compliance providing notice of such*
 26 *guidance.*

1 “(c) *PREFERENCE.*—No small arms ammunition or
 2 small arms ammunition components in excess of military
 3 requirements, or fired small arms cartridge cases may be
 4 made available for commercial sale under this section before
 5 such ammunition and ammunition components are offered
 6 for transfer or purchase, as authorized by law, to another
 7 Federal department or agency or for sale to State and local
 8 law enforcement, firefighting, homeland security, and emer-
 9 gency management agencies pursuant to section 2576 of
 10 title 10, United States Code, as amended by this Act.

11 “(d) *SALES CONTROLS.*—All small arms ammunition
 12 and small arms ammunition components, and fired small
 13 arms cartridge cases made available for commercial sale
 14 under this section shall be subject to all explosives safety
 15 and trade security controls in effect at the time of sale.

16 “(e) *DEFINITIONS.*—In this section:

17 “(1) *SMALL ARMS AMMUNITION.*—The term
 18 ‘small arms ammunition’ means ammunition or ord-
 19 nance for firearms up to and including .50 caliber
 20 and for shotguns.

21 “(2) *SMALL ARMS AMMUNITION COMPONENTS.*—
 22 The term ‘small arms ammunition components’
 23 means components, parts, accessories, and attach-
 24 ments associated with small arms ammunition.

1 “(3) *FIRE CARTRIDGE CASES*.—The term ‘fired
2 *cartridge cases*’ means expended small arms cartridge
3 *cases (ESACC)*.”.

4 **SEC. 344. AUTHORITY TO ACCEPT CONTRIBUTIONS OF**
5 **FUNDS TO STUDY OPTIONS FOR MITIGATING**
6 **ADVERSE EFFECTS OF PROPOSED OBSTRU-**
7 **TIONS ON MILITARY INSTALLATIONS.**

8 *Section 358(g) of the Ike Skelton National Defense Au-*
9 *thorization Act for Fiscal Year 2011 (Public Law 111–383;*
10 *124 Stat. 4201; 10 U.S.C. 44718 note) is amended by*
11 *amending the second sentence to read as follows: “Amounts*
12 *so accepted shall be and will remain available until ex-*
13 *pended for the purpose of offsetting the cost of measures un-*
14 *dertaken by the Secretary of Defense to mitigate adverse im-*
15 *pacts of such project on military operations and readiness*
16 *and the cost of studying options for mitigating such adverse*
17 *impacts.”.*

18 **SEC. 345. UTILITY DISRUPTIONS TO MILITARY INSTALLA-**
19 **TIONS.**

20 (a) *POLICY*.—Not later than 180 days after the date
21 of the enactment of this Act, the Secretary of Defense shall
22 develop guidance for commanders of military installations
23 inside the United States on planning measures to minimize
24 the effects in the event of a disruption of services by a utility

1 *that sells natural gas, water, or electric energy to a military*
 2 *installation in the United States.*

3 (b) *INSTALLATION PLANS.*—*The guidance developed*
 4 *pursuant to subsection (a) shall require that, subject to such*
 5 *exceptions as the Secretary may determine to be appro-*
 6 *priate, commanders of military installations inside the*
 7 *United States develop appropriate action plans to mini-*
 8 *mize the effects of events described in subsection (a).*

9 (c) *COMPTROLLER GENERAL REPORT.*—*Not later than*
 10 *2 years after the date of the enactment of this Act, the*
 11 *Comptroller General of the United States shall review the*
 12 *actions taken pursuant to this section and submit to Con-*
 13 *gress a report on the guidance developed pursuant to sub-*
 14 *section (a), the plans developed pursuant to subsection (b),*
 15 *and any additional measures that may be needed to mini-*
 16 *mize the effects of an unplanned disruption of services by*
 17 *utilities as described in subsection (a).*

18 **SEC. 346. ELIGIBILITY OF ACTIVE AND RESERVE MEMBERS,**
 19 **RETIREES, GRAY AREA RETIREES, AND DE-**
 20 **PENDENTS FOR SPACE-AVAILABLE TRAVEL**
 21 **ON MILITARY AIRCRAFT.**

22 (a) *IN GENERAL.*—*Chapter 157 of title 10, United*
 23 *States Code, is amended by inserting after section 2641b*
 24 *the following new section:*

1 **“§ 2641c. Space-available travel on department of de-**
 2 **fense aircraft: eligibility**

3 “(a) *AUTHORITY TO ESTABLISH BENEFIT PRO-*
 4 *GRAM.*—*The Secretary of Defense may establish a program*
 5 *to provide transportation on Department of Defense air-*
 6 *craft on a space-available basis. The program shall be con-*
 7 *ducted in a budget neutral manner.*

8 “(b) *BENEFIT.*—*If the Secretary establishes such a*
 9 *program, the Secretary shall, subject to section (c), provide*
 10 *the benefit equally to the following individuals:*

11 “(1) *Active duty members and members of the*
 12 *Selected Reserve holding a valid Uniformed Services*
 13 *Identification and Privilege Card.*

14 “(2) *A retired member of an active or reserve*
 15 *component, including retired members of reserve com-*
 16 *ponents, who, but for being under the eligibility age*
 17 *applicable to the member under section 12731 of this*
 18 *title, would be eligible for retired pay under chapter*
 19 *1223 of this title.*

20 “(3) *An unremarried widow or widower of an*
 21 *active or reserve component member of the armed*
 22 *forces.*

23 “(4) *A dependent that—*

24 “(A)(i) *is the child of an active or reserve*
 25 *component member or former member described*
 26 *in paragraph (1) or (2); or*

1 “(ii) is the child of a deceased member enti-
2 tled to retired pay holding a valid Uniformed
3 Services Identification and Privilege Card and a
4 surviving unremarried spouse; and

5 “(B) is accompanying the member or, in the
6 case of a deceased member, is the surviving
7 unremarried spouse of the deceased member or is
8 a dependent accompanying the surviving
9 unremarried spouse of the deceased member.

10 “(5) The surviving dependent of a deceased mem-
11 ber or former member described in paragraph (2)
12 holding a valid Uniformed Services Identification
13 and Privilege Card, if the dependent is accompanying
14 the member or, in the case of a deceased member, is
15 the surviving unremarried spouse of the deceased
16 member or is a dependent accompanying the sur-
17 viving unremarried spouse of the deceased member.

18 “(6) Other such individuals as determined by the
19 Secretary in the Secretary’s discretion.

20 “(c) *DISCRETION TO ESTABLISH PRIORITY ORDER.*—
21 The Secretary, in establishing a program under this section,
22 may establish an order of priority that is based on consider-
23 ations of military needs and military readiness.”.

1 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 2 *the beginning of such chapter is amended by inserting after*
 3 *the item relating to section 2641b the following new item:*

“2641c. Space-available travel on Department of Defense aircraft: eligibility.”.

4 (c) *REQUIREMENT FOR COMPTROLLER GENERAL RE-*
 5 *VIEW.*—

6 (1) *IN GENERAL.*—*The Comptroller General of*
 7 *the United States shall conduct a review of the De-*
 8 *partment of Defense system for space-available travel.*
 9 *The review shall determine the capacity of the system*
 10 *presently and as projected in the future and shall ex-*
 11 *amine the efficiency and usage of space-available*
 12 *travel.*

13 (2) *ELEMENTS.*—*The review required under*
 14 *paragraph (1) shall include the following elements:*

15 (A) *A discussion of the efficiency of the sys-*
 16 *tem and data regarding usage of available space*
 17 *by category of passengers under existing regula-*
 18 *tions.*

19 (B) *Estimates of the effect on availability*
 20 *based on future projections.*

21 (C) *A discussion of the logistical and man-*
 22 *agements problems, including congestion at ter-*
 23 *minals, waiting times, lodging availability, and*
 24 *personal hardships currently experienced by*
 25 *travelers.*

1 (D) *An evaluation of the cost of the system*
 2 *and whether space-available travel is and can re-*
 3 *main cost-neutral.*

4 (E) *Other factors relating to the efficiency*
 5 *and cost effectiveness of space available travel.*

6 ***TITLE IV—MILITARY PERSONNEL***
 7 ***AUTHORIZATIONS***

8 ***Subtitle A—Active Forces***

9 ***SEC. 401. END STRENGTHS FOR ACTIVE FORCES.***

10 *The Armed Forces are authorized strengths for active*
 11 *duty personnel as of September 30, 2012, as follows:*

- 12 (1) *The Army, 562,000.*
 13 (2) *The Navy, 325,700.*
 14 (3) *The Marine Corps, 202,100.*
 15 (4) *The Air Force, 332,800.*

16 ***Subtitle B—Reserve Forces***

17 ***SEC. 411. END STRENGTHS FOR SELECTED RESERVE.***

18 (a) *IN GENERAL.—The Armed Forces are authorized*
 19 *strengths for Selected Reserve personnel of the reserve com-*
 20 *ponents as of September 30, 2012, as follows:*

- 21 (1) *The Army National Guard of the United*
 22 *States, 358,200.*
 23 (2) *The Army Reserve, 205,000.*
 24 (3) *The Navy Reserve, 66,200.*
 25 (4) *The Marine Corps Reserve, 39,600.*

1 (5) *The Air National Guard of the United*
2 *States, 106,700.*

3 (6) *The Air Force Reserve, 71,400.*

4 (7) *The Coast Guard Reserve, 10,000.*

5 (b) *END STRENGTH REDUCTIONS.—The end strengths*
6 *prescribed by subsection (a) for the Selected Reserve of any*
7 *reserve component shall be proportionately reduced by—*

8 (1) *the total authorized strength of units orga-*
9 *nized to serve as units of the Selected Reserve of such*
10 *component which are on active duty (other than for*
11 *training) at the end of the fiscal year; and*

12 (2) *the total number of individual members not*
13 *in units organized to serve as units of the Selected*
14 *Reserve of such component who are on active duty*
15 *(other than for training or for unsatisfactory partici-*
16 *pation in training) without their consent at the end*
17 *of the fiscal year.*

18 (c) *END STRENGTH INCREASES.—Whenever units or*
19 *individual members of the Selected Reserve of any reserve*
20 *component are released from active duty during any fiscal*
21 *year, the end strength prescribed for such fiscal year for*
22 *the Selected Reserve of such reserve component shall be in-*
23 *creased proportionately by the total authorized strengths of*
24 *such units and by the total number of such individual mem-*
25 *bers.*

1 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE**
2 **DUTY IN SUPPORT OF THE RESERVES.**

3 *Within the end strengths prescribed in section 411(a),*
4 *the reserve components of the Armed Forces are authorized,*
5 *as of September 30, 2012, the following number of Reserves*
6 *to be serving on full-time active duty or full-time duty, in*
7 *the case of members of the National Guard, for the purpose*
8 *of organizing, administering, recruiting, instructing, or*
9 *training the reserve components:*

10 (1) *The Army National Guard of the United*
11 *States, 32,060.*

12 (2) *The Army Reserve, 16,261.*

13 (3) *The Navy Reserve, 10,688.*

14 (4) *The Marine Corps Reserve, 2,261.*

15 (5) *The Air National Guard of the United*
16 *States, 14,584.*

17 (6) *The Air Force Reserve, 2,992.*

18 **SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS**
19 **(DUAL STATUS).**

20 *The minimum number of military technicians (dual*
21 *status) as of the last day of fiscal year 2012 for the reserve*
22 *components of the Army and the Air Force (notwith-*
23 *standing section 129 of title 10, United States Code) shall*
24 *be the following:*

25 (1) *For the Army Reserve, 8,395.*

1 (2) *For the Army National Guard of the United*
 2 *States, 27,210.*

3 (3) *For the Air Force Reserve, 10,720.*

4 (4) *For the Air National Guard of the United*
 5 *States, 22,394.*

6 **SEC. 414. FISCAL YEAR 2012 LIMITATION ON NUMBER OF**
 7 **NON-DUAL STATUS TECHNICIANS.**

8 (a) *LIMITATIONS.—*

9 (1) *NATIONAL GUARD.—Within the limitation*
 10 *provided in section 10217(c)(2) of title 10, United*
 11 *States Code, the number of non-dual status techni-*
 12 *cians employed by the National Guard as of Sep-*
 13 *tember 30, 2012, may not exceed the following:*

14 (A) *For the Army National Guard of the*
 15 *United States, 1,600.*

16 (B) *For the Air National Guard of the*
 17 *United States, 350.*

18 (2) *ARMY RESERVE.—The number of non-dual*
 19 *status technicians employed by the Army Reserve as*
 20 *of September 30, 2012, may not exceed 595.*

21 (3) *AIR FORCE RESERVE.—The number of non-*
 22 *dual status technicians employed by the Air Force*
 23 *Reserve as of September 30, 2012, may not exceed 90.*

24 (b) *NON-DUAL STATUS TECHNICIANS DEFINED.—In*
 25 *this section, the term “non-dual status technician” has the*

1 *meaning given that term in section 10217(a) of title 10,*
 2 *United States Code.*

3 **SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AU-**
 4 **THORIZED TO BE ON ACTIVE DUTY FOR**
 5 **OPERATIONAL SUPPORT.**

6 *During fiscal year 2012, the maximum number of*
 7 *members of the reserve components of the Armed Forces who*
 8 *may be serving at any time on full-time operational sup-*
 9 *port duty under section 115(b) of title 10, United States*
 10 *Code, is the following:*

11 *(1) The Army National Guard of the United*
 12 *States, 17,000.*

13 *(2) The Army Reserve, 13,000.*

14 *(3) The Navy Reserve, 6,200.*

15 *(4) The Marine Corps Reserve, 3,000.*

16 *(5) The Air National Guard of the United*
 17 *States, 16,000.*

18 *(6) The Air Force Reserve, 14,000.*

19 ***Subtitle C—Authorization of***
 20 ***Appropriations***

21 **SEC. 421. MILITARY PERSONNEL.**

22 *(a) AUTHORIZATION OF APPROPRIATIONS.—There is*
 23 *hereby authorized to be appropriated for military personnel*
 24 *for fiscal year 2012 a total of \$142,347,648,000.*

1 (b) *CONSTRUCTION OF AUTHORIZATION.*—*The author-*
 2 *ization of appropriations in subsection (a) supersedes any*
 3 *other authorization of appropriations (definite or indefi-*
 4 *nite) for such purpose for fiscal year 2012.*

5 ***TITLE V—MILITARY PERSONNEL***
 6 ***POLICY***

7 ***Subtitle A—Officer Personnel Policy***
 8 ***Generally***

9 ***SEC. 501. INCREASE IN AUTHORIZED STRENGTHS FOR MA-***
 10 ***RINE CORPS OFFICERS ON ACTIVE DUTY.***

11 *Section 523(a)(1) of title 10, United States Code, is*
 12 *amended by striking those parts of the table pertaining to*
 13 *the Marine Corps and inserting the following:*

<i>“Marine Corps:</i>			
<i>10,000</i>	<i>2,802</i>	<i>1,615</i>	<i>633</i>
<i>12,500</i>	<i>3,247</i>	<i>1,768</i>	<i>658</i>
<i>15,000</i>	<i>3,691</i>	<i>1,922</i>	<i>684</i>
<i>17,500</i>	<i>4,135</i>	<i>2,076</i>	<i>710</i>
<i>20,000</i>	<i>4,579</i>	<i>2,230</i>	<i>736</i>
<i>22,500</i>	<i>5,024</i>	<i>2,383</i>	<i>762</i>
<i>25,000</i>	<i>5,468</i>	<i>2,537</i>	<i>787”.</i>

14 ***SEC. 502. VOLUNTARY RETIREMENT INCENTIVE.***

15 (a) *IN GENERAL.*—*Chapter 36 of title 10, United*
 16 *States Code, is amended by inserting after section 638a the*
 17 *following new section:*

18 ***“§ 638b. Voluntary retirement incentive***

19 “(a) *INCENTIVE FOR VOLUNTARY RETIREMENT FOR*
 20 *CERTAIN OFFICERS.*—*The Secretary of Defense may au-*
 21 *thorize the Secretary of a military department to provide*

1 *a voluntary retirement incentive payment in accordance*
2 *with this section to an officer of the armed forces under*
3 *that Secretary's jurisdiction who is specified in subsection*
4 *(b) as being eligible for such a payment. Any such authority*
5 *provided the Secretary of a military department under the*
6 *preceding sentence shall expire as specified by the Secretary*
7 *of Defense, but not later than December 31, 2018.*

8 “(b) *ELIGIBLE OFFICERS.*—(1) *Except as provided in*
9 *paragraph (2), an officer of the armed forces is eligible for*
10 *a voluntary retirement incentive payment under this sec-*
11 *tion if the officer—*

12 “(A) *has served on active duty for more than 20*
13 *years, but not more than 29 years, on the approved*
14 *date of retirement;*

15 “(B) *meets the minimum length of commissioned*
16 *service requirement for voluntary retirement as a*
17 *commissioned officer in accordance with section 3911,*
18 *6323, or 8911 of this title, as applicable to that offi-*
19 *cer;*

20 “(C) *on the approved date of retirement, has 12*
21 *months or more remaining on active-duty service be-*
22 *fore reaching the maximum retirement years of active*
23 *service for the member's grade as specified in section*
24 *633 or 634 of this title;*

1 “(D) on the approved date of retirement, has 12
2 months or more remaining on active-duty service be-
3 fore reaching the maximum retirement age under any
4 other provision of law; and

5 “(E) meets any additional requirements for such
6 eligibility as is specified by the Secretary concerned,
7 including any requirement relating to years of serv-
8 ice, skill rating, military specialty or competitive cat-
9 egory, grade, any remaining period of obligated serv-
10 ice, or any combination thereof.

11 “(2) The following officers are not eligible for a vol-
12 untary retirement incentive payment under this section:

13 “(A) An officer being evaluated for disability
14 under chapter 61 of this title.

15 “(B) An officer projected to be retired under sec-
16 tion 1201 or 1204 of this title.

17 “(C) An officer projected to be discharged with
18 disability severance pay under section 1212 of this
19 title.

20 “(D) A member transferred to the temporary dis-
21 ability retired list under section 1202 or 1205 of this
22 title.

23 “(E) An officer subject to pending disciplinary
24 action or subject to administrative separation or

1 *mandatory discharge under any other provision of*
2 *law or regulation.*

3 “(c) *AMOUNT OF PAYMENT.—The amount of the vol-*
4 *untary retirement incentive payment paid an officer under*
5 *this section shall be an amount determined by the Secretary*
6 *concerned, but not to exceed an amount equal to 12 times*
7 *the amount of the officer’s monthly basic pay at the time*
8 *of the officer’s retirement. The amount may be paid in a*
9 *lump sum at the time of retirement.*

10 “(d) *REPAYMENT FOR MEMBERS WHO RETURN TO AC-*
11 *TIVE DUTY.—(1) Except as provided in paragraph (2), a*
12 *member of the armed forces who, after having received all*
13 *or part of a voluntary retirement incentive under this sec-*
14 *tion, returns to active duty shall have deducted from each*
15 *payment of basic pay, in such schedule of monthly install-*
16 *ments as the Secretary concerned shall specify, until the*
17 *total amount deducted from such basic pay equals the total*
18 *amount of voluntary retirement incentive received.*

19 “(2) *Members who are involuntarily recalled to active*
20 *duty or full-time National Guard duty under any provision*
21 *of law shall not be subject to this subsection.*

22 “(3) *The Secretary of Defense may waive, in whole or*
23 *in part, repayment required under paragraph (1) if the*
24 *Secretary determines that recovery would be against equity*
25 *and good conscience or would be contrary to the best interest*

1 *of the United States. The authority in this paragraph may*
 2 *be delegated only to the Under Secretary of Defense for Per-*
 3 *sonnel and Readiness and the Principal Deputy Under Sec-*
 4 *retary of Defense of Personnel and Readiness.”.*

5 (b) *CLERICAL AMENDMENT.—The table of sections at*
 6 *the beginning of subchapter IV of chapter 36 of such title*
 7 *is amended by inserting after the item relating to section*
 8 *638a the following new item:*

“638b. Voluntary retirement incentive.”.

9 **SEC. 503. NATIONAL DEFENSE UNIVERSITY OUTPLACE-**
 10 **MENT WAIVER.**

11 (a) *WAIVER AUTHORITY FOR OFFICERS NOT DES-*
 12 *IGNATED AS JOINT QUALIFIED OFFICERS.—Subsection (b)*
 13 *of section 663 of title 10, United States Code, is amended—*

14 (1) *in paragraph (1), by inserting after “to a*
 15 *joint duty assignment” the following: “(or, as author-*
 16 *ized by the Secretary in an individual case, to a joint*
 17 *assignment other than a joint duty assignment)”;* and

18 (2) *in paragraph (2)—*

19 (A) *by striking “the joint duty assignment”*
 20 *and inserting “the assignment”;* and

21 (B) *by striking “a joint duty assignment”*
 22 *and inserting “such an assignment”.*

23 (b) *EXCEPTION.—Such section is further amended by*
 24 *adding at the end the following new subsection:*

1 “(d) *EXCEPTION FOR OFFICERS GRADUATING FROM*
 2 *OTHER-THAN-IN-RESIDENCE PROGRAMS.*—(1) *Subsection*
 3 *(a) does not apply to an officer graduating from a school*
 4 *within the National Defense University specified in sub-*
 5 *section (c) following pursuit of a program on an other-than-*
 6 *in-residence basis.*

7 “(2) *Subsection (b) does not apply with respect to any*
 8 *group of officers graduating from a school within the Na-*
 9 *tional Defense University specified in subsection (c) fol-*
 10 *lowing pursuit of a program on an other-than-in-residence*
 11 *basis.*”.

12 **SEC. 504. MODIFICATION OF DEFINITION OF “JOINT DUTY**
 13 **ASSIGNMENT” TO INCLUDE ALL INSTRUCTOR**
 14 **ASSIGNMENTS FOR JOINT TRAINING AND**
 15 **EDUCATION.**

16 *Section 668(b)(1)(B) of title 10, United States Code,*
 17 *is amended by striking “assignments for joint” and all that*
 18 *follows through “Phase II” and inserting “student assign-*
 19 *ments for joint training and education”.*

***Subtitle B—Reserve Component
Management***

***SEC. 511. AUTHORITY FOR ORDER TO ACTIVE DUTY OF
MEMBERS OF THE SELECTED RESERVE AND
CERTAIN MEMBERS OF THE INDIVIDUAL
READY RESERVE FOR PREPLANNED MIS-
SIONS.***

(a) AUTHORITY.—

*(1) IN GENERAL.—Chapter 1209 of title 10,
United States Code, is amended by inserting after sec-
tion 12304 the following new section:*

***“§ 12304a. Selected Reserve and certain Individual
Ready Reserve members: order to active
duty for preplanned missions***

*“(a) AUTHORITY.—When the Secretary of a military
department determines that it is necessary to augment the
active forces for a preplanned mission, the Secretary may,
subject to subsection (b), order any unit, and any member
not assigned to a unit organized to serve as a unit, of the
Selected Reserve (as defined in section 10143(a) of this
title), or any member in the Individual Ready Reserve mo-
bilization category and designated as essential under regu-
lations prescribed by the Secretary, under the jurisdiction
of the Secretary, without the consent of the members, to ac-
tive duty for not more than 365 consecutive days.*

1 “(b) *LIMITATIONS.—(1) Units or members may be or-*
 2 *dered to active duty under this section only if—*

3 “(A) *the manpower and associated costs of such*
 4 *active duty are specifically included and identified in*
 5 *the defense budget materials for the fiscal year or*
 6 *years in which such units or members are anticipated*
 7 *to be ordered to active duty; and*

8 “(B) *the budget information on such costs in-*
 9 *cludes a description of the mission for which such*
 10 *units or members are anticipated to be ordered to ac-*
 11 *tive duty and the anticipated length of time of the*
 12 *order of such units or members to active duty on an*
 13 *involuntary basis.*

14 “(2) *Not more than 60,000 members of the reserve com-*
 15 *ponents of the armed forces may be on active duty under*
 16 *this section at any one time.*

17 “(c) *EXCLUSION FROM STRENGTH LIMITATIONS.—*
 18 *Members ordered to active duty under this section shall not*
 19 *be counted in computing authorized strength in members*
 20 *on active duty or total number of members in grade under*
 21 *this title or any other law.*

22 “(d) *NOTICE TO CONGRESS.—Whenever the Secretary*
 23 *of a military department orders any unit or member of the*
 24 *Selected Reserve or Individual Ready Reserve to active duty*
 25 *under subsection (a), such Secretary shall submit to Con-*

1 *gress a report, in writing, setting forth the circumstances*
 2 *necessitating the action taken under this section and de-*
 3 *scribing the anticipated use of such units or members.*

4 “(e) *TERMINATION OF DUTY.*—Whenever any unit of
 5 *the Selected Reserve or any member of the Selected Reserve*
 6 *not assigned to a unit organized to serve as a unit, or any*
 7 *member of the Individual Ready Reserve, is ordered to ac-*
 8 *tive duty under subsection (a), the service of all units or*
 9 *members so ordered to active duty may be terminated by—*

10 “(1) *order of the Secretary of the military de-*
 11 *partment concerned, or*

12 “(2) *law.*

13 “(f) *RELATIONSHIP TO WAR POWERS RESOLUTION.*—
 14 *Nothing contained in this section shall be construed as*
 15 *amending or limiting the application of the provisions of*
 16 *the War Powers Resolution (50 U.S.C. 1541 et seq.).*

17 “(g) *CONSIDERATIONS FOR INVOLUNTARY ORDER TO*
 18 *ACTIVE DUTY.*—In determining which members of the Se-
 19 *lected Reserve and the Individual Ready Reserve will be or-*
 20 *dered to duty without their consent under this section, ap-*
 21 *propriate consideration shall be given to—*

22 “(1) *the length and nature of previous service, to*
 23 *assure such sharing of exposure to hazards as the na-*
 24 *tional security and military requirements will rea-*
 25 *sonably allow;*

1 “(2) *the frequency of assignments during service*
2 *career;*

3 “(3) *family responsibilities; and*

4 “(4) *employment necessary to maintain the na-*
5 *tional health, safety, or interest.*

6 “(h) *POLICIES AND PROCEDURES.—The Secretaries of*
7 *the military departments shall prescribe policies and proce-*
8 *dures to carry out this section, including on determinations*
9 *of orders to active duty under subsection (g). Such policies*
10 *and procedures shall not go into effect until approved by*
11 *the Secretary of Defense.*

12 “(i) *DEFINITIONS.—In this section:*

13 “(1) *The term ‘defense budget materials’ has the*
14 *meaning given that term in section 231(d)(2) of this*
15 *title.*

16 “(2) *The term ‘Individual Ready Reserve mobili-*
17 *zation category’ means, in the case of any reserve*
18 *component, the category of the Individual Ready Re-*
19 *serve described in section 10144(b) of this title.”.*

20 “(2) *CLERICAL AMENDMENT.—The table of sec-*
21 *tions at the beginning of chapter 1209 of such title is*
22 *amended by inserting after the item relating to sec-*
23 *tion 12304 the following new item:*

 “12304a. *Selected Reserve and certain Individual Ready Reserve members: order*
 to active duty for preplanned missions.”.

1 (b) *CLARIFYING AMENDMENTS RELATING TO AUTHOR-*
 2 *ITY TO ORDER ACTIVE DUTY OTHER THAN DURING WAR*
 3 *OR NATIONAL EMERGENCY.*—Section 12304(a) of such title
 4 *is amended—*

5 (1) *by inserting “named” before “operational*
 6 *mission”;* and

7 (2) *by striking “365 days” and inserting “365*
 8 *consecutive days”.*

9 **SEC. 512. MODIFICATION OF ELIGIBILITY FOR CONSIDER-**
 10 **ATION FOR PROMOTION FOR CERTAIN RE-**
 11 **SERVE OFFICERS EMPLOYED AS MILITARY**
 12 **TECHNICIANS (DUAL STATUS).**

13 Section 14301 of title 10, United States Code, is
 14 *amended by adding at the end the following new subsection:*

15 “(i) *CERTAIN RESERVE OFFICERS.*—A reserve officer
 16 *who is employed as military technician (dual status) under*
 17 *section 10216 of this title, and who has been retained be-*
 18 *yond the mandatory removal date for years of service under*
 19 *section 10216(f) or 14702(a)(2) of this title, is not eligible*
 20 *for consideration for promotion by a mandatory promotion*
 21 *board convened under section 14101(a) of this title.”.*

1 **SEC. 513. MODIFICATION OF TIME IN WHICH**
 2 **PRESEPARATION COUNSELING MUST BE PRO-**
 3 **VIDED TO RESERVE COMPONENT MEMBERS**
 4 **BEING DEMOBILIZED.**

5 *Section 1142(a)(3)(B) of title 10, United States Code,*
 6 *is amended by inserting “or in the event a member of a*
 7 *reserve component is being demobilized under circumstances*
 8 *in which (as determined by the Secretary concerned) oper-*
 9 *ational requirements make the 90-day requirement under*
 10 *subparagraph (A) unfeasible,” after “or separation date,”.*

11 **SEC. 514. REPORT ON TERMINATION OF MILITARY TECHNI-**
 12 **CIAN AS A DISTINCT PERSONNEL MANAGE-**
 13 **MENT CATEGORY.**

14 *(a) INDEPENDENT STUDY REQUIRED.—The Secretary*
 15 *of Defense shall conduct an independent study of the feasi-*
 16 *bility and advisability of terminating the military techni-*
 17 *cian as a distinct personnel management category of the*
 18 *Department of Defense.*

19 *(b) ELEMENTS.—In conducting the study required by*
 20 *subsection (a), the Secretary shall—*

21 *(1) identify various options for deploying units*
 22 *of the Selected Reserve of the Ready Reserve that oth-*
 23 *erwise use military technicians through use of a com-*
 24 *bination of active duty personnel, reserve component*
 25 *personnel, State civilian employees, and Federal civil-*

1 *ian employees in a manner that meets mission re-*
2 *quirements without harming unit readiness;*

3 *(2) identify various means for the management*
4 *by the Department of the transition of military tech-*
5 *nicians to a system that relies on traditional per-*
6 *sonnel categories of active duty personnel, reserve*
7 *component personnel, and civilian personnel, and for*
8 *the management of any effects of that transition on*
9 *the pay and benefits of current military technicians*
10 *(including means for mitigating or avoiding such ef-*
11 *fects in the course of such transition);*

12 *(3) determine whether military technicians who*
13 *are employed at the commencement of the transition*
14 *described in paragraph (2) should remain as techni-*
15 *cians, whether with or without a military status,*
16 *until separation or retirement, rather than*
17 *transitioned to such a traditional personnel category;*

18 *(4) identify and take into account the unique*
19 *needs of the National Guard in the management and*
20 *use of military technicians;*

21 *(5) determine potential cost savings, if any, to be*
22 *achieved as a result of the transition described in*
23 *paragraph (2), including savings in long-term man-*
24 *datory entitlement costs associated with military and*
25 *civil service retirement obligations;*

1 (6) *develop a recommendation on the feasibility*
2 *and advisability of terminating the military techni-*
3 *cian as a distinct personnel management category,*
4 *and, if the termination is determined to be feasible*
5 *and advisable, develop recommendations for appro-*
6 *priate legislative and administrative action to imple-*
7 *ment the termination;*

8 (7) *address any other matter relating to the*
9 *management and long-term viability of the military*
10 *technician as a distinct personnel management cat-*
11 *egory that the Secretary shall specify for purposes of*
12 *the study; and*

13 (8) *ensure the involvement and input of military*
14 *technicians (dual status).*

15 (c) *REPORT.*—*Not later than one year after the date*
16 *of the enactment of this Act, the Secretary shall submit to*
17 *the congressional defense committees a report on the study*
18 *required by subsection (a). The report shall set forth the*
19 *results of the study, including the matters specified in sub-*
20 *section (b), and include such comments and recommenda-*
21 *tions on the results of the study as the Secretary considers*
22 *appropriate.*

1 **SEC. 515. AUTHORITY TO ORDER ARMY RESERVE, NAVY RE-**
 2 **SERVE, MARINE CORPS RESERVE, AND AIR**
 3 **FORCE RESERVE TO ACTIVE DUTY TO PRO-**
 4 **VIDE ASSISTANCE IN RESPONSE TO A MAJOR**
 5 **DISASTER OR EMERGENCY.**

6 (a) *AUTHORITY.*—

7 (1) *IN GENERAL.*—Chapter 1209 of title 10,
 8 United States Code, as amended by section 511(a)(1),
 9 is further amended by inserting after section 12304a
 10 the following new section:

11 **“§ 12304b. Army Reserve, Navy Reserve, Marine Corps**
 12 **Reserve, and Air Force Reserve: order to**
 13 **active duty to provide assistance in re-**
 14 **sponse to a major disaster or emergency**

15 “(a) *AUTHORITY.*—When a Governor requests Federal
 16 assistance in responding to a major disaster or emergency
 17 (as those terms are defined in section 102 of the Robert T.
 18 Stafford Disaster Relief and Emergency Assistance Act (42
 19 U.S.C. 5122)), the Secretary of Defense may, without the
 20 consent of the member affected, order any unit, and any
 21 member not assigned to a unit organized to serve as a unit,
 22 of the Army Reserve, Navy Reserve, Marine Corps Reserve,
 23 and Air Force Reserve to active duty for a continuous pe-
 24 riod of not more than 120 days to respond to the Governor’s
 25 request.

1 “(b) *EXCLUSION FROM STRENGTH LIMITATIONS.*—
 2 *Members ordered to active duty under this section shall not*
 3 *be counted in computing authorized strength of members on*
 4 *active duty or members in grade under this title or any*
 5 *other law.*

6 “(c) *TERMINATION OF DUTY.*—*Whenever any unit or*
 7 *member of the reserve components is ordered to active duty*
 8 *under this section, the service of all units or members so*
 9 *ordered to active duty may be terminated by order of the*
 10 *Secretary of Defense or law.”.*

11 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 12 *tions at the beginning of such chapter, as amended by*
 13 *section 511(a)(2), is further amended by inserting*
 14 *after the item relating to section 12304a the following*
 15 *new item:*

*“12304b. Army Reserve, Navy Reserve, Marine Corps Reserve, Air Force Reserve:
 order to active duty to provide assistance in response to a major
 disaster or emergency.”.*

16 (b) *TREATMENT OF OPERATIONS AS CONTINGENCY OP-*
 17 *ERATIONS.*—*Section 101(a)(13)(B) of such title is amended*
 18 *by inserting “12304b,” after “12304.”.*

19 (c) *USUAL AND CUSTOMARY ARRANGEMENT.*—

20 (1) *DUAL-STATUS COMMANDER.*—*When the*
 21 *Armed Forces and the National Guard are employed*
 22 *simultaneously in support of civil authorities in the*
 23 *United States, appointment of a commissioned officer*
 24 *as a dual-status commander serving on active duty*

1 *and duty in, or with, the National Guard of a State*
2 *under sections 315 or 325 of title 32, United States*
3 *Code, as commander of Federal forces by Federal au-*
4 *thorities and as commander of State National Guard*
5 *forces by State authorities, should be the usual and*
6 *customary command and control arrangement, in-*
7 *cluding for missions involving a major disaster or*
8 *emergency as those terms are defined in section 102*
9 *of the Robert T. Stafford Disaster Relief and Emer-*
10 *gency Assistance Act (42 U.S.C. 5122). The chain of*
11 *command for the Armed Forces shall remain in ac-*
12 *cordance with sections 162(b) and 164(c) of title 10,*
13 *United States Code.*

14 (2) *STATE AUTHORITIES SUPPORTED.*—*When a*
15 *major disaster or emergency occurs in any area sub-*
16 *ject to the laws of any State, Territory, or the District*
17 *of Columbia, the Governor of the State affected nor-*
18 *mally should be the principal civil authority sup-*
19 *ported by the primary Federal agency and its sup-*
20 *porting Federal entities, and the Adjutant General of*
21 *the State or his or her subordinate designee normally*
22 *should be the principal military authority supported*
23 *by the dual-status commander when acting in his or*
24 *her State capacity.*

(3) *RULE OF CONSTRUCTION.*—Nothing in paragraphs (1) or (2) shall be construed to preclude or limit, in any way, the authorities of the President, the Secretary of Defense, or the Governor of any State to direct, control, and prescribe command and control arrangements for forces under their command.

Subtitle C—General Service Authorities

SEC. 521. REPEAL OF MANDATORY HIGH-DEPLOYMENT ALLOWANCE.

(a) *REPEAL.*—Section 436 of title 37, United States Code, is repealed.

(b) *CLERICAL AMENDMENT.*—The table of sections at the beginning of chapter 7 of such title is amended by striking the item relating to section 436.

SEC. 522. PROHIBITION ON DENIAL OF REENLISTMENT OF MEMBERS FOR UNSUITABILITY BASED ON THE SAME MEDICAL CONDITION FOR WHICH THEY WERE DETERMINED TO BE FIT FOR DUTY.

(a) *PROHIBITION.*—Subsection (a) of section 1214a of title 10, United States Code, is amended by inserting “, or deny reenlistment of the member,” after “a member described in subsection (b)”.

1 (b) *CONFORMING AMENDMENT.*—Subsection (c)(3) of
 2 such section is amended by inserting “or denial of reenlist-
 3 ment” after “to warrant administrative separation”.

4 (c) *CLERICAL AMENDMENTS.*—

5 (1) *HEADING AMENDMENT.*—The heading of such
 6 section is amended to read as follows:

7 **“§ 1214a. Members determined fit for duty in Physical**
 8 **Evaluation Board: prohibition on involun-**
 9 **tary administrative separation or denial**
 10 **of reenlistment due to unsuitability based**
 11 **on medical conditions considered in eval-**
 12 **uation”.**

13 (2) *TABLE OF SECTIONS.*—The table of sections
 14 at the beginning of chapter 61 of such title is amend-
 15 ed by striking the item relating to section 1214a and
 16 inserting the following new item:

“1214a. Members determined fit for duty in Physical Evaluation Board: prohibi-
 tion on involuntary administrative separation or denial of reen-
 listment due to unsuitability based on medical conditions con-
 sidered in evaluation.”.

17 **SEC. 523. EXPANSION OF REGULAR ENLISTED MEMBERS**
 18 **COVERED BY EARLY DISCHARGE AUTHORITY.**

19 Section 1171 of title 10, United States Code, is amend-
 20 ed by striking “within three months” and inserting “within
 21 one year”.

1 **SEC. 524. EXTENSION OF VOLUNTARY SEPARATION PAY**
 2 **AND BENEFITS.**

3 *Section 1175a(k)(1) of title 10, United States Code, is*
 4 *amended by striking “December 31, 2012” and inserting*
 5 *“December 31, 2018”.*

6 **SEC. 525. EMPLOYMENT SKILLS TRAINING FOR MEMBERS**
 7 **OF THE ARMED FORCES ON ACTIVE DUTY**
 8 **WHO ARE TRANSITIONING TO CIVILIAN LIFE.**

9 *Section 1143 of title 10, United States Code, is amend-*
 10 *ed by adding at the end the following new subsection:*

11 *“(e) EMPLOYMENT SKILLS TRAINING.—(1) The Sec-*
 12 *retary of a military department may carry out one or more*
 13 *programs to provide eligible members of the armed forces*
 14 *under the jurisdiction of the Secretary with job training*
 15 *and employment skills training to help prepare such mem-*
 16 *bers for employment in the civilian sector.*

17 *“(2) A member of the armed forces is an eligible mem-*
 18 *ber for purposes of a program under this subsection if the*
 19 *member—*

20 *“(A) has completed at least 180 days on active*
 21 *duty in the armed forces; and*

22 *“(B) is expected to be discharged or released*
 23 *from active duty in the armed forces within 180 days*
 24 *of the date of commencement of participation in such*
 25 *a program.*

1 “(3) *Any program under this subsection shall be car-*
 2 *ried out in accordance with regulations prescribed by the*
 3 *Secretary of Defense.*”.

4 **SEC. 526. POLICY ON MILITARY RECRUITMENT AND ENLIST-**
 5 **MENT OF GRADUATES OF SECONDARY**
 6 **SCHOOLS.**

7 (a) *EQUAL TREATMENT FOR SECONDARY SCHOOL*
 8 *GRADUATES.*—

9 (1) *EQUAL TREATMENT.*—*For the purposes of re-*
 10 *cruitment and enlistment in the Armed Forces, the*
 11 *Secretary of a military department shall treat a*
 12 *graduate described in paragraph (2) in the same*
 13 *manner as a graduate of a secondary school (as de-*
 14 *finied in section 9101(38) of the Elementary and Sec-*
 15 *ondary Education Act of 1965 (20 U.S.C. 7801(38)).*

16 (2) *COVERED GRADUATES.*—*Paragraph (1) ap-*
 17 *plies with respect to a person who—*

18 (A) *receives a diploma from a secondary*
 19 *school that is legally operating; or*

20 (B) *otherwise completes a program of sec-*
 21 *ondary education in compliance with the edu-*
 22 *cation laws of the State in which the person re-*
 23 *sides.*

24 (b) *POLICY ON RECRUITMENT AND ENLISTMENT.*—*Not*
 25 *later than 180 days after the date of the enactment of this*

1 *Act, the Secretary of Defense shall prescribe a policy on re-*
2 *cruitment and enlistment that incorporates the following:*

3 (1) *Means for identifying persons described in*
4 *subsection (a)(2) who are qualified for recruitment*
5 *and enlistment in the Armed Forces, which may in-*
6 *clude the use of a noncognitive aptitude test, adaptive*
7 *personality assessment, or other operational attrition*
8 *screening tool to predict performance, behaviors, and*
9 *attitudes of potential recruits that influence attrition*
10 *and the ability to adapt to a regimented life in the*
11 *Armed Forces.*

12 (2) *Means for assessing how qualified persons*
13 *fulfill their enlistment obligation.*

14 (3) *Means for maintaining data, by each di-*
15 *ploma source, which can be used to analyze attrition*
16 *rates among qualified persons.*

17 (c) *RECRUITMENT PLAN.*—*As part of the policy re-*
18 *quired by subsection (b), the Secretary of each of the mili-*
19 *tary departments shall develop a recruitment plan that in-*
20 *cludes a marketing strategy for targeting various segments*
21 *of potential recruits with all types of secondary education*
22 *credentials.*

23 (d) *COMMUNICATION PLAN.*—*The Secretary of each of*
24 *the military departments shall develop a communication*

1 *plan to ensure that the policy and recruitment plan are*
 2 *understood by military recruiters.*

3 **SEC. 527. FREEDOM OF CONSCIENCE OF MILITARY CHAP-**
 4 **LAINS WITH RESPECT TO THE PERFORMANCE**
 5 **OF MARRIAGES.**

6 *A military chaplain who, as a matter of conscience*
 7 *or moral principle, does not wish to perform a marriage*
 8 *may not be required to do so.*

9 ***Subtitle D—Education and***
 10 ***Training***

11 **SEC. 541. ENHANCEMENT OF AUTHORITIES ON JOINT PRO-**
 12 **FESSIONAL MILITARY EDUCATION.**

13 *(a) AUTHORITY TO CREDIT MILITARY GRADUATES OF*
 14 *THE NATIONAL DEFENSE INTELLIGENCE COLLEGE WITH*
 15 *COMPLETION OF JOINT PROFESSIONAL MILITARY EDU-*
 16 *CATION PHASE I.—*

17 *(1) JOINT PROFESSIONAL MILITARY EDUCATION*
 18 *PHASE I.—Section 2154(a)(1) of title 10, United*
 19 *States Code, is amended by inserting “or at a joint*
 20 *intermediate level school” before the period at the end.*

21 *(2) JOINT INTERMEDIATE LEVEL SCHOOL DE-*
 22 *FINED.—Section 2151(b) of such title is amended by*
 23 *adding at the end the following new paragraph:*

24 *“(3) The term ‘joint intermediate level school’ in-*
 25 *cludes the National Defense Intelligence College.”.*

1 (b) *AUTHORITY FOR OTHER-THAN-IN RESIDENCE*
 2 *PROGRAM TAUGHT THROUGH JOINT FORCES STAFF COL-*
 3 *LEGE.*—

4 (1) *IN GENERAL.*—Section 2154(a)(2) of such
 5 *title is amended—*

6 (A) *in the matter preceding subparagraph*
 7 *(A), by striking “in residence at”;*

8 (B) *in subparagraph (A), by inserting “by”*
 9 *after “(A)”;* and

10 (C) *in subparagraph (B), by inserting “in*
 11 *residence at” after “(B)”.*

12 (2) *CONFORMING AMENDMENT.*—Section 2156(b)
 13 *of such title is amended by inserting “in residence”*
 14 *after “course of instruction offered”.*

15 **SEC. 542. GRADE OF COMMISSIONED OFFICERS IN UNI-**
 16 **FORMED MEDICAL ACCESSION PROGRAMS.**

17 (a) *MEDICAL STUDENTS OF USUHS.*—Section
 18 *2114(b) of title 10, United States Code, is amended—*

19 (1) *in paragraph (1), by striking the second sen-*
 20 *tence and inserting the following new sentences:*

21 *“Each medical student shall be appointed as a reg-*
 22 *ular officer in the grade of second lieutenant or en-*
 23 *sign. An officer so appointed may, upon meeting such*
 24 *criteria for promotion as may be prescribed by the*
 25 *Secretary concerned, be appointed in the regular*

1 *grade of first lieutenant or lieutenant (junior grade).*
 2 *Medical students commissioned under this section*
 3 *shall serve on active duty in their respective grades.”;*
 4 *and*

5 *(2) in paragraph (2), by striking “grade of sec-*
 6 *ond lieutenant or ensign” and inserting “grade in*
 7 *which the member is serving under paragraph (1)”.*

8 **(b) PARTICIPANTS IN HEALTH PROFESSIONS SCHOL-**
 9 **ARSHIP AND FINANCIAL ASSISTANCE PROGRAM.**—*Section*
 10 *2121(c) of such title is amended—*

11 *(1) in paragraph (1), by striking the second sen-*
 12 *tence and inserting the following new sentences:*
 13 *“Each person so commissioned shall be appointed as*
 14 *a reserve officer in the grade of second lieutenant or*
 15 *ensign. An officer so appointed may, upon meeting*
 16 *such criteria for promotion as may be prescribed by*
 17 *the Secretary concerned, be appointed in the reserve*
 18 *grade of first lieutenant or lieutenant (junior grade).*
 19 *Medical students commissioned under this section*
 20 *shall serve on active duty in their respective grades*
 21 *for a period of 45 days during each year of participa-*
 22 *tion in the program.”; and*

23 *(2) in paragraph (2), by striking “grade of sec-*
 24 *ond lieutenant or ensign” and inserting “grade in*
 25 *which the member is serving under paragraph (1)”.*

1 (c) *OFFICERS DETAILED AS STUDENTS AT MEDICAL*
 2 *SCHOOLS.*—*Subsection (e) of section 2004a of such title is*
 3 *amended—*

4 (1) *in the subsection heading, by striking “AP-*
 5 *POINTMENT AND TREATMENT OF PRIOR ACTIVE*
 6 *SERVICE” and inserting “SERVICE ON ACTIVE*
 7 *DUTY”; and*

8 (2) *by striking paragraph (1) and inserting the*
 9 *following new paragraph (1):*

10 “(1) *A commissioned officer detailed under subsection*
 11 *(a) shall serve on active duty, subject to the limitations on*
 12 *grade specified in section 2114(b)(1) of this title and with*
 13 *the entitlement to basic pay as specified in section*
 14 *2114(b)(2) of this title.”.*

15 **SEC. 543. RESERVE COMPONENT MENTAL HEALTH STU-**
 16 **DENT STIPEND.**

17 (a) *RESERVE COMPONENT MENTAL HEALTH STUDENT*
 18 *STIPEND.*—*Section 16201 of title 10, United States Code,*
 19 *is amended—*

20 (1) *by redesignating subsection (f) as subsection*
 21 *(g); and*

22 (2) *by inserting after subsection (e) the following*
 23 *new subsection (f):*

24 “(f) *MENTAL HEALTH PROFESSIONALS IN CRITICAL*
 25 *WARTIME SPECIALTIES.*—(1) *Under the stipend program*

1 *under this chapter, the Secretary of the military depart-*
2 *ment concerned may enter into an agreement with a person*
3 *who—*

4 “(A) *is eligible to be appointed as an officer in*
5 *a reserve component;*

6 “(B) *is enrolled or has been accepted for enroll-*
7 *ment in an institution in a course of study that re-*
8 *sults in a degree in clinical psychology or social work;*

9 “(C) *signs an agreement that, unless sooner sepa-*
10 *rated, the person will—*

11 “(i) *complete the educational phase of the*
12 *program;*

13 “(ii) *accept a reappointment or redesigna-*
14 *tion within the person’s reserve component, if*
15 *tendered, based upon the person’s health profes-*
16 *sion, following satisfactory completion of the*
17 *educational and intern programs; and*

18 “(iii) *participate in a residency program if*
19 *required for clinical licensure; and*

20 “(D) *if required by regulations prescribed by the*
21 *Secretary of Defense, agrees to apply for, if eligible,*
22 *and accept, if offered, residency training in a health*
23 *profession skill that has been designated by the Sec-*
24 *retary as a critically needed wartime skill.*

25 “(2) *Under the agreement—*

1 “(A) the Secretary of the military department
2 concerned shall agree to pay the participant a sti-
3 pend, in the amount determined under subsection (g),
4 for the period or the remainder of the period that the
5 student is satisfactorily progressing toward a degree
6 in clinical psychology or social work while enrolled in
7 a school accredited in the designated mental health
8 discipline;

9 “(B) the participant shall not be eligible to re-
10 ceive such stipend before appointment, designation, or
11 assignment as an officer for service in the Ready Re-
12 serve;

13 “(C) the participant shall be subject to such ac-
14 tive duty requirements as may be specified in the
15 agreement and to active duty in time of war or na-
16 tional emergency as provided by law for members of
17 the Ready Reserve; and

18 “(D) the participant shall agree to serve, upon
19 successful completion of the program, one year in the
20 Ready Reserve for each six months, or part thereof,
21 for which the stipend is provided, to be served in the
22 Selected Reserve or in the Individual Ready Reserve
23 as specified in the agreement.”.

24 (b) CONFORMING AMENDMENTS.—Such section is fur-
25 ther amended—

1 (1) in subsections (b)(2)(A), (c)(2)(A), and
 2 (d)(2)(A), by striking “subsection (f)” and inserting
 3 “subsection (g)”; and

4 (2) in subsection (g), as redesignated by sub-
 5 section (a)(1) of this section, by striking “subsection
 6 (b) or (c)” and inserting “subsection (b), (c), or (f)”.

7 **SEC. 544. ENROLLMENT OF CERTAIN SERIOUSLY WOUNDED,**
 8 **ILL, OR INJURED FORMER OR RETIRED EN-**
 9 **LISTED MEMBERS OF THE ARMED FORCES IN**
 10 **ASSOCIATE DEGREE PROGRAMS OF THE COM-**
 11 **MUNITY COLLEGE OF THE AIR FORCE IN**
 12 **ORDER TO COMPLETE DEGREE PROGRAM.**

13 (a) *IN GENERAL.*—Section 9315 of title 10, United
 14 States Code, is amended—

15 (1) by redesignating subsection (c) as subsection
 16 (d); and

17 (2) by inserting after subsection (b) the following
 18 new subsection (c):

19 “(c) *SERIOUSLY WOUNDED, ILL, OR INJURED FORMER*
 20 *AND RETIRED ENLISTED MEMBERS.*—(1) *The Secretary of*
 21 *the Air Force may authorize participation in a program*
 22 *of higher education under subsection (a)(1) by a person who*
 23 *is a former or retired enlisted member of the armed forces*
 24 *who at the time of the person’s separation from active*
 25 *duty—*

1 “(A) *had commenced but had not completed a*
2 *program of higher education under subsection (a)(1);*
3 *and*

4 “(B) *is categorized by the Secretary concerned as*
5 *seriously wounded, ill, or injured.*

6 “(2) *A person may not be authorized under paragraph*
7 *(1) to participate in a program of higher education after*
8 *the end of the 10-year period beginning on the date of the*
9 *person’s separation from active duty.”.*

10 (b) *CONFORMING AMENDMENTS.*—*Subsection (d) of*
11 *such section, as redesignated by subsection (a)(1), is amend-*
12 *ed by striking “enlisted member” both places it appears and*
13 *inserting “person”.*

14 (c) *EFFECTIVE DATE.*—*Subsection (c) of section 9315*
15 *of title 10, United States Code (as added by subsection*
16 *(a)(2)), shall apply to persons covered by paragraph (1)*
17 *of such subsection who are categorized by the Secretary con-*
18 *cerned as seriously wounded, ill, or injured after September*
19 *11, 2001. With respect to any such person who is separated*
20 *from active duty during the period beginning on September*
21 *12, 2001, and ending on the date of the enactment of this*
22 *Act, the 10-year period specified in paragraph (2) of such*
23 *subsection shall be deemed to commence on the date of the*
24 *enactment of this Act.*

1 **SEC. 545. CONSOLIDATION OF MILITARY DEPARTMENT AU-**
 2 **THORITY TO ISSUE ARMS, TENTAGE, AND**
 3 **EQUIPMENT TO EDUCATIONAL INSTITUTIONS**
 4 **NOT MAINTAINING UNITS OF JUNIOR ROTC.**

5 (a) *CONSOLIDATION.*—Chapter 152 of title 10, United
 6 States Code, is amended by inserting after section 2552 the
 7 following new section:

8 **“§2552a. Arms, tentage, and equipment: educational**
 9 **institutions not maintaining units of Jun-**
 10 **ior R.O.T.C.**

11 “The Secretary of a military department may issue
 12 arms, tentage, and equipment to an educational institution
 13 at which no unit of the Junior Reserve Officers’ Training
 14 Corps is maintained if the educational institution—

15 “(1) offers a course in military training pre-
 16 scribed by that Secretary; and

17 “(2) has a student body of at least 100 phys-
 18 ically fit students over 14 years of age.”.

19 (b) *CONFORMING REPEALS.*—Sections 4651, 7911, and
 20 9651 of such title are repealed.

21 (c) *CLERICAL AMENDMENTS.*—

22 (1) The table of sections at the beginning of
 23 chapter 152 of such title is amended by inserting after
 24 the item relating to section 2552 the following new
 25 item:

“2552a. Arms, tentage, and equipment: educational institutions not maintaining units of Junior R.O.T.C.”.

1 (2) *The table of sections at the beginning of*
2 *chapter 441 of such title is amended by striking the*
3 *item relating to section 4651.*

4 (3) *The table of sections at the beginning of*
5 *chapter 667 of such title is amended by striking the*
6 *item relating to section 7911.*

7 (4) *The table of sections at the beginning of*
8 *chapter 941 of such title is amended by striking the*
9 *item relating to section 9651.*

10 **SEC. 546. TEMPORARY AUTHORITY TO WAIVE MAXIMUM AGE**
11 **LIMITATION ON ADMISSION TO THE MILI-**
12 **TARY SERVICE ACADEMIES.**

13 (a) *WAIVER FOR CERTAIN ENLISTED MEMBERS.—The*
14 *Secretary of the military department concerned may waive*
15 *the maximum age limitation specified in section 4346(a),*
16 *6958(a)(1), or 9346(a) of title 10, United States Code, for*
17 *the admission of an enlisted member of the Armed Forces*
18 *to the United States Military Academy, the United States*
19 *Naval Academy, or the United States Air Force Academy*
20 *if the member—*

21 (1) *satisfies the eligibility requirements for ad-*
22 *mission to that academy (other than the maximum*
23 *age limitation); and*

1 (2) *was or is prevented from being admitted to*
 2 *a military service academy before the member reached*
 3 *the maximum age specified in such sections as a re-*
 4 *sult of service on active duty in a theater of oper-*
 5 *ations for Operation Iraqi Freedom, Operation En-*
 6 *during Freedom, or Operation New Dawn.*

7 (b) *MAXIMUM AGE FOR RECEIPT OF WAIVER.—A*
 8 *waiver may not be granted under this section if the can-*
 9 *didate would pass the candidate's twenty-sixth birthday by*
 10 *July 1 of the year in which the candidate would enter the*
 11 *military service academy pursuant to the waiver.*

12 (c) *LIMITATION ON NUMBER ADMITTED USING WAIV-*
 13 *ER.—Not more than five candidates may be admitted to*
 14 *each of the military service academies for an academic year*
 15 *pursuant to a waiver granted under this section.*

16 (d) *RECORD KEEPING REQUIREMENT.—The Secretary*
 17 *of each military department shall maintain records on the*
 18 *number of graduates of the military service academy under*
 19 *the jurisdiction of the Secretary who are admitted pursuant*
 20 *to a waiver granted under this section and who remain in*
 21 *the Armed Forces beyond the active duty service obligation*
 22 *assumed upon graduation. The Secretary shall compare*
 23 *their retention rate to the retention rate of graduates of that*
 24 *academy generally.*

1 (e) *REPORTS.*—Not later than April 1, 2016, the Sec-
2 retary of each military department shall submit to the Com-
3 mittees on Armed Services of the Senate and the House of
4 Representatives a report specifying—

5 (1) *the number of applications for waivers re-*
6 *ceived by the Secretary under this section;*

7 (2) *the number of waivers granted by the Sec-*
8 *retary under this section;*

9 (3) *the number of candidates actually admitted*
10 *to the military service academy under the jurisdiction*
11 *of the Secretary pursuant to a waiver granted by the*
12 *Secretary under this section; and*

13 (4) *beginning with the class of 2009, the number*
14 *of graduates of the military service academy under*
15 *the jurisdiction of the Secretary who, before admission*
16 *to that academy, were enlisted members of the Armed*
17 *Forces and who remain in the Armed Forces beyond*
18 *the active duty service obligation assumed upon grad-*
19 *uation.*

20 (f) *DURATION OF WAIVER AUTHORITY.*—The authority
21 to grant a waiver under this section expires on September
22 30, 2016.

1 **SEC. 547. PILOT PROGRAM ON RECEIPT OF CIVILIAN**
2 **CREDENTIALING FOR SKILLS REQUIRED FOR**
3 **MILITARY OCCUPATIONAL SPECIALTIES.**

4 (a) *PILOT PROGRAM REQUIRED.*—Commencing not
5 later than nine months after the date of the enactment of
6 this Act, the Secretary of Defense shall carry out a pilot
7 program to assess the feasibility and advisability of permit-
8 ting enlisted members of the Armed Forces to obtain civil-
9 ian credentialing or licensing for skills required for mili-
10 tary occupational specialties (MOS) or qualification for
11 duty specialty codes.

12 (b) *ELEMENTS.*—In carrying out the pilot program,
13 the Secretary shall—

14 (1) designate not less than three or more than
15 five military occupational specialties or duty spe-
16 ciality codes for coverage under the pilot program;
17 and

18 (2) permit enlisted members of the Armed Forces
19 to obtain the credentials or licenses required for the
20 specialties or codes so designated through civilian
21 credentialing or licensing entities, institutions, or
22 bodies selected by the Secretary for purposes of the
23 pilot program, whether concurrently with military
24 training, at the completion of military training, or
25 both.

1 (c) *REPORT.*—Not later than one year after commence-
2 ment of the pilot program, the Secretary shall submit to
3 Congress a report on the pilot program. The report shall
4 set forth the following:

5 (1) *The number of enlisted members who partici-*
6 *pated in the pilot program.*

7 (2) *A description of the costs incurred by the De-*
8 *partment of Defense in connection with the receipt by*
9 *members of credentialing or licensing under the pilot*
10 *program.*

11 (3) *A comparison the cost associated with receipt*
12 *by members of credentialing or licensing under the*
13 *pilot program with the cost of receipt of similar*
14 *credentialing or licensing by recently-discharged vet-*
15 *erans of the Armed Forces under programs currently*
16 *operated by the Department of Veterans Affairs and*
17 *the Department of Labor.*

18 (4) *The recommendation of the Secretary as to*
19 *the feasibility and advisability of expanding the pilot*
20 *program to additional military occupational special-*
21 *ties or duty specialty codes, and, if such expansion is*
22 *considered feasible and advisable, a list of the mili-*
23 *tary occupational specialties and duty specialty codes*
24 *recommended for inclusion the expansion.*

1 ***Subtitle E—Military Justice and***
 2 ***Legal Matters Generally***

3 ***SEC. 551. REFORM OF OFFENSES RELATING TO RAPE, SEX-***
 4 ***UAL ASSAULT, AND OTHER SEXUAL MIS-***
 5 ***CONDUCT UNDER THE UNIFORM CODE OF***
 6 ***MILITARY JUSTICE.***

7 *(a) RAPE AND SEXUAL ASSAULT GENERALLY.—Sec-*
 8 *tion 920 of title 10, United States Code (article 120 of the*
 9 *Uniform Code of Military Justice), is amended as follows:*

10 *(1) REVISED OFFENSE OF RAPE.—Subsection (a)*
 11 *is amended to read as follows:*

12 *“(a) RAPE.—Any person subject to this chapter who*
 13 *commits a sexual act upon another person by—*

14 *“(1) using unlawful force against that other per-*
 15 *son;*

16 *“(2) using force causing or likely to cause death*
 17 *or grievous bodily harm to any person;*

18 *“(3) threatening or placing that other person in*
 19 *fear that any person will be subjected to death, griev-*
 20 *ous bodily harm, or kidnapping;*

21 *“(4) first rendering that other person uncon-*
 22 *scious; or*

23 *“(5) administering to that other person by force*
 24 *or threat of force, or without the knowledge or consent*
 25 *of that person, a drug, intoxicant, or other similar*

1 *substance and thereby substantially impairing the*
 2 *ability of that other person to appraise or control con-*
 3 *duct;*
 4 *is guilty of rape and shall be punished as a court-martial*
 5 *may direct.”.*

6 (2) *REPEAL OF PROVISIONS RELATING TO OF-*
 7 *FENSES REPLACED BY NEW ARTICLE 120b.—Sub-*
 8 *sections (b), (d), (f), (g), (i), (j), and (o) are repealed.*

9 (3) *REVISED OFFENSE OF SEXUAL ASSAULT.—*
 10 *Subsection (c) is redesignated as subsection (b) and is*
 11 *amended to read as follows:*

12 “(b) *SEXUAL ASSAULT.—Any person subject to this*
 13 *chapter who—*

14 “(1) *commits a sexual act upon another person*
 15 *by—*

16 “(A) *threatening or placing that other per-*
 17 *son in fear;*

18 “(B) *causing bodily harm to that other per-*
 19 *son;*

20 “(C) *making a fraudulent representation*
 21 *that the sexual act serves a professional purpose;*
 22 *or*

23 “(D) *inducing a belief by any artifice, pre-*
 24 *tense, or concealment that the person is another*
 25 *person;*

1 “(2) commits a sexual act upon another person
 2 when the person knows or reasonably should know
 3 that the other person is asleep, unconscious, or other-
 4 wise unaware that the sexual act is occurring; or

5 “(3) commits a sexual act upon another person
 6 when the other person is incapable of consenting to
 7 the sexual act due to—

8 “(A) impairment by any drug, intoxicant,
 9 or other similar substance, and that condition is
 10 known or reasonably should be known by the
 11 person; or

12 “(B) a mental disease or defect, or physical
 13 disability, and that condition is known or rea-
 14 sonably should be known by the person;

15 is guilty of sexual assault and shall be punished as a court-
 16 martial may direct.”.

17 (4) *AGGRAVATED SEXUAL CONTACT*.—Subsection
 18 (e) is redesignated as subsection (c) and is amended—

19 (A) by striking “engages in” and inserting
 20 “commits”; and

21 (B) by striking “with” and inserting
 22 “upon”.

23 (5) *ABUSIVE SEXUAL CONTACT*.—Subsection (h)
 24 is redesignated as subsection (d) and is amended—

1 (A) by striking “engages in” and inserting
2 “commits”;

3 (B) by striking “with” and inserting
4 “upon”; and

5 (C) by striking “subsection (c) (aggravated
6 sexual assault)” and inserting “subsection (b)
7 (sexual assault)”.

8 (6) *REPEAL OF PROVISIONS RELATING TO OF-*
9 *FENSES REPLACED BY NEW ARTICLE 120c.*—Sub-
10 sections (k), (l), (m), and (n) are repealed.

11 (7) *PROOF OF THREAT.*—Subsection (p) is redes-
12 ignated as subsection (e) and is amended—

13 (A) by striking “the accused made” and in-
14 serting “a person made”;

15 (B) by striking “the accused actually” and
16 inserting “the person actually”; and

17 (C) by inserting before the period at the end
18 the following: “or had the ability to carry out the
19 threat”.

20 (8) *DEFENSES.*—Subsection (q) is redesignated
21 as subsection (f) and is amended to read as follows:

22 “(f) *DEFENSES.*—An accused may raise any applica-
23 ble defenses available under this chapter or the Rules for
24 Court-Martial. Marriage is not a defense for any conduct
25 in issue in any prosecution under this section.”.

1 (9) *PROVISIONS RELATING TO AFFIRMATIVE DE-*
 2 *FENSES.*—*Subsections (r) and (s) are repealed.*

3 (10) *DEFINITIONS.*—*Subsection (t) is redesign-*
 4 *ated as subsection (g) and is amended—*

5 *(A) in paragraph (1)—*

6 *(i) in subparagraph (A), by inserting*
 7 *“or anus or mouth” after “vulva”; and*

8 *(ii) in subparagraph (B)—*

9 *(I) by striking “genital opening”*
 10 *and inserting “vulva or anus or*
 11 *mouth,”; and*

12 *(II) by striking “a hand or fin-*
 13 *ger” and inserting “any part of the*
 14 *body”;*

15 *(B) by striking paragraph (2) and inserting*
 16 *the following:*

17 “(2) *SEXUAL CONTACT.*—*The term ‘sexual con-*
 18 *tact’ means—*

19 *“(A) touching, or causing another person to*
 20 *touch, either directly or through the clothing, the*
 21 *genitalia, anus, groin, breast, inner thigh, or*
 22 *buttocks of any person, with an intent to abuse,*
 23 *humiliate, or degrade any person; or*

24 *“(B) any touching, or causing another per-*
 25 *son to touch, either directly or through the cloth-*

ing, any body part of any person, if done with
an intent to arouse or gratify the sexual desire
of any person.

*Touching may be accomplished by any part of the
body.”.*

(C) by striking paragraph (4) and redesignating paragraph (3) as paragraph (4);

(D) by redesignating paragraph (8) as paragraph (3), transferring that paragraph so as to appear after paragraph (2), and amending that paragraph by inserting before the period at the end the following: “, including any non-consensual sexual act or nonconsensual sexual contact”;

(E) in paragraph (4), as redesignated by subparagraph (C), by striking the last sentence;

(F) by striking paragraphs (5) and (7);

(G) by redesignating paragraph (6) as paragraph (7);

(H) by inserting after paragraph (4), as redesignated by subparagraph (C), the following new paragraphs (5) and (6):

“(5) *FORCE*.—The term ‘force’ means—

“(A) the use of a weapon;

1 “(B) the use of such physical strength or vi-
 2 olence as is sufficient to overcome, restrain, or
 3 injure a person; or

4 “(C) inflicting physical harm sufficient to
 5 coerce or compel submission by the victim.

6 “(6) UNLAWFUL FORCE.—The term ‘unlawful
 7 force’ means an act of force done without legal jus-
 8 tification or excuse.”;

9 (I) in paragraph (7), as redesignated by
 10 subparagraph (G)—

11 (i) by striking “under paragraph (3)”
 12 and all that follows through “contact,”;
 13 and

14 (ii) by striking “death, grievous bodily
 15 harm, or kidnapping” and inserting “the
 16 wrongful action contemplated by the com-
 17 munication or action.”;

18 (J) by striking paragraphs (9) through
 19 (13);

20 (K) by redesignating paragraph (14) as
 21 paragraph (8) and in that paragraph—

22 (i) by inserting “(A)” before “The
 23 term”;

1 (ii) by striking “words or overt acts
2 indicating” and “sexual” in the first sen-
3 tence;

4 (iii) by striking “accused’s” in the
5 third sentence;

6 (iv) by inserting “or social or sexual”
7 before “relationship” in the fourth sentence;

8 (v) by striking “sexual” before “con-
9 duct” in the fourth sentence;

10 (vi) by striking “A person cannot con-
11 sent” and all that follows through the pe-
12 riod; and

13 (vii) by adding at the end the following
14 new subparagraphs:

15 “(B) A sleeping, unconscious, or incom-
16 petent person cannot consent. A person cannot
17 consent to force causing or likely to cause death
18 or grievous bodily harm or to being rendered un-
19 conscious. A person cannot consent while under
20 threat or in fear or under the circumstances de-
21 scribed in subparagraph (C) or (D) of subsection
22 (b)(1).

23 “(C) Lack of consent may be inferred based
24 on the circumstances of the offense. All the sur-
25 rounding circumstances are to be considered in

1 *determining whether a person gave consent, or*
 2 *whether a person did not resist or ceased to resist*
 3 *only because of another person’s actions.”; and*

4 *(L) by striking paragraphs (15) and (16).*

5 *(11) SECTION HEADING.—The heading of such*
 6 *section (article) is amended to read as follows:*

7 **“§ 920. Art. 120. Rape and sexual assault generally”.**

8 *(b) RAPE AND SEXUAL ASSAULT OF A CHILD.—Chap-*
 9 *ter 47 of such title (the Uniform Code of Military Justice)*
 10 *is amended by inserting after section 920a (article 120a),*
 11 *as amended by subsection (a), the following new section (ar-*
 12 *ticle):*

13 **“§ 920b. Art. 120b. Rape and sexual assault of a child**

14 *“(a) RAPE OF A CHILD.—Any person subject to this*
 15 *chapter who—*

16 *“(1) commits a sexual act upon a child who has*
 17 *not attained the age of 12 years; or*

18 *“(2) commits a sexual act upon a child who has*
 19 *attained the age of 12 years by—*

20 *“(A) using force against any person;*

21 *“(B) threatening or placing that child in*
 22 *fear;*

23 *“(C) rendering that child unconscious; or*

24 *“(D) administering to that child a drug, in-*
 25 *toxicant, or other similar substance;*

1 *is guilty of rape of a child and shall be punished as a court-*
 2 *martial may direct.*

3 “(b) *SEXUAL ASSAULT OF A CHILD.*—*Any person sub-*
 4 *ject to this chapter who commits a sexual act upon a child*
 5 *who has attained the age of 12 years is guilty of sexual*
 6 *assault of a child and shall be punished as a court-martial*
 7 *may direct.*

8 “(c) *SEXUAL ABUSE OF A CHILD.*—*Any person subject*
 9 *to this chapter who commits a lewd act upon a child is*
 10 *guilty of sexual abuse of a child and shall be punished as*
 11 *a court-martial may direct.*

12 “(d) *AGE OF CHILD.*—

13 “(1) *UNDER 12 YEARS.*—*In a prosecution under*
 14 *this section, it need not be proven that the accused*
 15 *knew the age of the other person engaging in the sex-*
 16 *ual act or lewd act. It is not a defense that the ac-*
 17 *cused reasonably believed that the child had attained*
 18 *the age of 12 years.*

19 “(2) *UNDER 16 YEARS.*—*In a prosecution under*
 20 *this section, it need not be proven that the accused*
 21 *knew that the other person engaging in the sexual act*
 22 *or lewd act had not attained the age of 16 years, but*
 23 *it is a defense in a prosecution under subsection (b)*
 24 *(sexual assault of a child) or subsection (c) (sexual*
 25 *abuse of a child), which the accused must prove by a*

1 preponderance of the evidence, that the accused rea-
2 sonably believed that the child had attained the age
3 of 16 years, if the child had in fact attained at least
4 the age of 12 years.

5 “(e) *PROOF OF THREAT.*—In a prosecution under this
6 section, in proving that a person made a threat, it need
7 not be proven that the person actually intended to carry
8 out the threat or had the ability to carry out the threat.

9 “(f) *MARRIAGE.*—In a prosecution under subsection
10 (b) (sexual assault of a child) or subsection (c) (sexual abuse
11 of a child), it is a defense, which the accused must prove
12 by a preponderance of the evidence, that the persons engag-
13 ing in the sexual act or lewd act were at that time married
14 to each other, except where the accused commits a sexual
15 act upon the person when the accused knows or reasonably
16 should know that the other person is asleep, unconscious,
17 or otherwise unaware that the sexual act is occurring or
18 when the other person is incapable of consenting to the sex-
19 ual act due to impairment by any drug, intoxicant, or other
20 similar substance, and that condition was known or reason-
21 ably should have been known by the accused.

22 “(g) *CONSENT.*—Lack of consent is not an element and
23 need not be proven in any prosecution under this section.
24 A child not legally married to the person committing the

1 *sexual act, lewd act, or use of force cannot consent to any*
 2 *sexual act, lewd act, or use of force.*

3 “(h) *DEFINITIONS.—In this section:*

4 “(1) *SEXUAL ACT AND SEXUAL CONTACT.—The*
 5 *terms ‘sexual act’ and ‘sexual contact’ have the mean-*
 6 *ings given those terms in section 920(g) of this title*
 7 *(article 120(g)).*

8 “(2) *FORCE.—The term ‘force’ means—*

9 “(A) *the use of a weapon;*

10 “(B) *the use of such physical strength or vi-*
 11 *olence as is sufficient to overcome, restrain, or*
 12 *injure a child; or*

13 “(C) *inflicting physical harm.*

14 *In the case of a parent-child or similar relationship,*
 15 *the use or abuse of parental or similar authority is*
 16 *sufficient to constitute the use of force.*

17 “(3) *THREATENING OR PLACING THAT CHILD IN*
 18 *FEAR.—The term ‘threatening or placing that child*
 19 *in fear’ means a communication or action that is of*
 20 *sufficient consequence to cause the child to fear that*
 21 *non-compliance will result in the child or another*
 22 *person being subjected to the action contemplated by*
 23 *the communication or action.*

24 “(4) *CHILD.—The term ‘child’ means any person*
 25 *who has not attained the age of 16 years.*

1 “(5) *LEWD ACT.*—The term ‘lewd act’ means—

2 “(A) *any sexual contact with a child;*

3 “(B) *intentionally exposing one’s genitalia,*
 4 *anus, buttocks, or female areola or nipple to a*
 5 *child by any means, including via any commu-*
 6 *nication technology, with an intent to abuse, hu-*
 7 *miliate, or degrade any person, or to arouse or*
 8 *gratify the sexual desire of any person;*

9 “(C) *intentionally communicating indecent*
 10 *language to a child by any means, including via*
 11 *any communication technology, with an intent*
 12 *to abuse, humiliate, or degrade any person, or to*
 13 *arouse or gratify the sexual desire of any person;*
 14 *or*

15 “(D) *any indecent conduct, intentionally*
 16 *done with or in the presence of a child, including*
 17 *via any communication technology, that*
 18 *amounts to a form of immorality relating to sex-*
 19 *ual impurity which is grossly vulgar, obscene,*
 20 *and repugnant to common propriety, and tends*
 21 *to excite sexual desire or deprave morals with re-*
 22 *spect to sexual relations.”.*

23 (c) *OTHER SEXUAL MISCONDUCT.*—Such chapter (the
 24 *Uniform Code of Military Justice*) is further amended by

1 *inserting after section 920b (article 120b), as added by sub-*
 2 *section (b), the following new section:*

3 **“§ 920c. Art. 120c. Other sexual misconduct**

4 “(a) *INDECENT VIEWING, VISUAL RECORDING, OR*
 5 *BROADCASTING.—Any person subject to this chapter who,*
 6 *without legal justification or lawful authorization—*

7 “(1) *knowingly and wrongfully views the private*
 8 *area of another person, without that other person’s*
 9 *consent and under circumstances in which that other*
 10 *person has a reasonable expectation of privacy;*

11 “(2) *knowingly photographs, videotapes, films, or*
 12 *records by any means the private area of another per-*
 13 *son, without that other person’s consent and under*
 14 *circumstances in which that other person has a rea-*
 15 *sonable expectation of privacy; or*

16 “(3) *knowingly broadcasts or distributes any*
 17 *such recording that the person knew or reasonably*
 18 *should have known was made under the circumstances*
 19 *proscribed in paragraphs (1) and (2);*

20 *is guilty of an offense under this section and shall be pun-*
 21 *ished as a court-martial may direct.*

22 “(b) *FORCIBLE PANDERING.—Any person subject to*
 23 *this chapter who compels another person to engage in an*
 24 *act of prostitution with any person is guilty of forcible pan-*
 25 *dering and shall be punished as a court-martial may direct.*

1 “(c) *INDECENT EXPOSURE*.—Any person subject to
 2 this chapter who intentionally exposes, in an indecent man-
 3 ner, the genitalia, anus, buttocks, or female areola or nipple
 4 is guilty of indecent exposure and shall be punished as a
 5 court-martial may direct.

6 “(d) *DEFINITIONS*.—In this section:

7 “(1) *ACT OF PROSTITUTION*.—The term ‘act of
 8 prostitution’ means a sexual act or sexual contact (as
 9 defined in section 920(g) of this title (article 120(g)))
 10 on account of which anything of value is given to, or
 11 received by, any person.

12 “(2) *PRIVATE AREA*.—The term ‘private area’
 13 means the naked or underwear-clad genitalia, anus,
 14 buttocks, or female areola or nipple.

15 “(3) *REASONABLE EXPECTATION OF PRIVACY*.—
 16 The term ‘under circumstances in which that other
 17 person has a reasonable expectation of privacy’
 18 means—

19 “(A) circumstances in which a reasonable
 20 person would believe that he or she could disrobe
 21 in privacy, without being concerned that an
 22 image of a private area of the person was being
 23 captured; or

1 “(B) *circumstances in which a reasonable*
 2 *person would believe that a private area of the*
 3 *person would not be visible to the public.*

4 “(4) *BROADCAST.*—*The term ‘broadcast’ means*
 5 *to electronically transmit a visual image with the in-*
 6 *tent that it be viewed by a person or persons.*

7 “(5) *DISTRIBUTE.*—*The term ‘distribute’ means*
 8 *delivering to the actual or constructive possession of*
 9 *another, including transmission by electronic means.*

10 “(6) *INDECENT MANNER.*—*The term ‘indecent*
 11 *manner’ means conduct that amounts to a form of*
 12 *immorality relating to sexual impurity which is*
 13 *grossly vulgar, obscene, and repugnant to common*
 14 *propriety, and tends to excite sexual desire or deprave*
 15 *morals with respect to sexual relations.”.*

16 “(d) *REPEAL OF SODOMY ARTICLE.*—*Section 925 of*
 17 *such title (article 125 of the Uniform Code of Military Jus-*
 18 *tice) is repealed.*

19 “(e) *CONFORMING AMENDMENTS.*—*Chapter 47 of such*
 20 *title (the Uniform Code of Military Justice) is further*
 21 *amended as follows:*

22 “(1) *STATUTE OF LIMITATIONS.*—*Subparagraph*
 23 *(B) of section 843(b)(2) (article 43(b)(2)) is amend-*
 24 *ed—*

1 (A) in clause (i), by striking “section 920 of
2 this title (article 120)” and inserting “section
3 920, 920a, 920b, or 920c of this title (article 120,
4 120a, 120b, or 120c)”;

5 (B) by striking clause (iii); and

6 (C) in clause (v)—

7 (i) by striking “indecent assault”;

8 (ii) by striking “rape, or sodomy,” and
9 inserting “or rape,”; and

10 (iii) by striking “or liberties with a
11 child”.

12 (2) *MURDER*.—Paragraph (4) of section 918 (ar-
13 ticle 118) is amended—

14 (A) by striking “sodomy,”; and

15 (B) by striking “aggravated sexual assault,”
16 and all that follows through “with a child,” and
17 inserting “sexual assault, sexual assault of a
18 child, aggravated sexual contact, sexual abuse of
19 a child,”.

20 (f) *CLERICAL AMENDMENTS*.—The table of sections at
21 the beginning of subchapter X of such chapter (the Uniform
22 Code of Military Justice) is amended—

23 (1) by striking the items relating to sections 920
24 and 920a (articles 120 and 120a) and inserting the
25 following new items:

“920. 120. Rape and sexual assault generally.

“920a. 120a. Stalking.

“920b. 120b. Rape and sexual assault of a child.

“920c. 120c. Other sexual misconduct.”;

1 *and*

2 (2) *by striking the item relating to section 925*
3 *(article 125).*

4 (g) *EFFECTIVE DATE.*—*The amendments made by this*
5 *section shall take effect on the date of the enactment of this*
6 *Act and shall apply with respect to offenses committed on*
7 *or after such date.*

8 **SEC. 552. AUTHORITY TO COMPEL PRODUCTION OF DOCU-**
9 **MENTARY EVIDENCE.**

10 (a) *SUBPOENA DUCES TECUM.*—*Section 847 of title*
11 *10, United States Code (article 47 of the Uniform Code of*
12 *Military Justice), is amended—*

13 (1) *in subsection (a)(1), by striking “board;”*
14 *and inserting “board, or has been duly issued a sub-*
15 *poena duces tecum for an investigation, including an*
16 *investigation pursuant to section 832(b) of this title*
17 *(article 32(b)); and”; and*

18 (2) *in subsection (c), by striking “or board” and*
19 *inserting “board, trial counsel, or convening author-*
20 *ity”.*

21 (b) *REPEAL OF OBSOLETE PROVISIONS RELATING TO*
22 *FEES AND MILEAGE PAYABLE TO WITNESSES.*—*Such sec-*
23 *tion is further amended—*

24 (1) *in subsection (a)—*

1 (A) by striking paragraph (2); and

2 (B) by redesignating paragraph (3) as
3 paragraph (2); and

4 (2) by striking subsection (d).

5 (c) *TECHNICAL AMENDMENTS.*—Subsection (a) of such
6 section is further amended by striking “subpenaed” in
7 paragraphs (1) and (2), as redesignated by subsection
8 (b)(1)(B), and inserting “subpoenaed”.

9 (d) *EFFECTIVE DATE.*—The amendments made by
10 subsection (a) shall apply with respect to subpoenas issued
11 after the date of the enactment of this Act.

12 **SEC. 553. PROCEDURES FOR JUDICIAL REVIEW OF CERTAIN**
13 **MILITARY PERSONNEL DECISIONS.**

14 (a) *PROHIBITED PERSONNEL ACTIONS.*—Section 1034
15 of title 10, United States Code, is amended—

16 (1) in subsection (f), by adding at the end the
17 following new paragraph:

18 “(7) In any case in which the final decision of the Sec-
19 retary concerned results in denial, in whole or in part, of
20 any requested correction of the member or former member’s
21 record, the member or former member shall be provided a
22 concise written statement of the factual and legal basis for
23 the decision, together with a statement of the procedure and
24 time for obtaining review of the decision pursuant to section
25 1560 of this title.”;

1 (2) *in subsection (g)—*

2 (A) *by inserting “(1)” before “Upon the*
3 *completion of all”; and*

4 (B) *by adding at the end the following new*
5 *paragraph:*

6 “(2) *A submittal to the Secretary of Defense under*
7 *paragraph (1) must be made within 90 days of the receipt*
8 *of the final decision of the Secretary of the military depart-*
9 *ment concerned in the matter. In any case in which the*
10 *final decision of the Secretary of Defense results in denial,*
11 *in whole or in part, of any requested correction of the mem-*
12 *ber or former member’s record, the member or former mem-*
13 *ber shall be provided a concise written statement of the basis*
14 *for the decision, together with a statement of the procedure*
15 *and time for obtaining review of the decision pursuant to*
16 *section 1560 of this title.”;*

17 (3) *by redesignating subsections (h) and (i) as*
18 *subsections (i) and (j), respectively; and*

19 (4) *by inserting after subsection (g) the following*
20 *new subsection (h):*

21 “(h) *JUDICIAL REVIEW.—A decision of the Secretary*
22 *of Defense under subsection (g) or, in a case in which review*
23 *by the Secretary of Defense under subsection (g) was not*
24 *sought or in a case arising out of the Coast Guard when*
25 *the Coast Guard is not operating as a service in the Navy,*

1 *a decision of the Secretary of a military department or the*
 2 *Secretary of Homeland Security under subsection (f) shall*
 3 *be subject to judicial review only as provided in section*
 4 *1560 of this title.”.*

5 *(b) CORRECTION OF MILITARY RECORDS.—Section*
 6 *1552 of such title is amended—*

7 *(1) by redesignating subsection (g) as subsection*
 8 *(j); and*

9 *(2) by inserting after subsection (f) the following*
 10 *new subsections:*

11 *“(g) In any case in which the final decision of the Sec-*
 12 *retary concerned results in denial, in whole or in part, of*
 13 *any requested correction, the claimant shall be provided a*
 14 *concise written statement of the factual and legal basis for*
 15 *the decision, together with a statement of the procedure and*
 16 *time for obtaining review of the decision pursuant to section*
 17 *1560 of this title.*

18 *“(h) If an application for correction of military*
 19 *records involves a historically significant military event (as*
 20 *defined by the Secretary concerned), or would, if the appli-*
 21 *cation is approved, substantially modify the results of any*
 22 *disciplinary action or promotion decision regarding a gen-*
 23 *eral or flag officer which includes in the remedy a pro-*
 24 *motion by and with the advice and consent of the Senate,*
 25 *the Secretary concerned shall ensure that an advisory opin-*

1 ion is included in the record of the decision that includes
 2 a detailed chronology of the events in question and, at a
 3 minimum, considers the following information:

4 “(1) A thorough compilation of the information
 5 available in the historical record, including testi-
 6 mony, contemporary written statements, and all
 7 available records which formed the basis for the mili-
 8 tary records in question.

9 “(2) The testimony or written views of contem-
 10 porary decision makers, if available, regarding the
 11 matters raised in the application for relief regarding
 12 the military records in question.

13 “(3) A summary of the available evidence for
 14 and against the position taken by the applicant.

15 “(i) A decision by the Secretary concerned under this
 16 section shall be subject to judicial review only as provided
 17 in section 1560 of this title.”.

18 (c) JUDICIAL REVIEW.—

19 (1) IN GENERAL.—Chapter 79 of such title is
 20 amended by adding at the end the following new sec-
 21 tion:

22 **“§ 1560. Judicial review of decisions**

23 “(a) After a final decision is issued pursuant to section
 24 1552 of this title, or is issued by the Secretary of a military
 25 department or the Secretary of Homeland Security pursu-

1 *ant to section 1034(f) of this title or the Secretary of Defense*
2 *pursuant to section 1034(g) of this title, any person ag-*
3 *grieved by the decision may obtain judicial review.*

4 “(b) *In exercising its authority under this section, the*
5 *reviewing court shall review the record and may hold un-*
6 *lawful and set aside any decision demonstrated by the peti-*
7 *tioner in the record to be—*

8 “(1) *arbitrary or capricious;*

9 “(2) *not based on substantial evidence;*

10 “(3) *a result of material error of fact or material*
11 *administrative error, but only if the petitioner identi-*
12 *fied to the correction board how the failure to follow*
13 *procedures substantially prejudiced the petitioner’s*
14 *right to relief, and shows to the reviewing court by a*
15 *preponderance of the evidence that the error was*
16 *harmful; or*

17 “(4) *otherwise contrary to law.*

18 “(c) *Upon review under this section, the reviewing*
19 *court shall affirm, modify, vacate, or reverse the decision,*
20 *or remand the matter, as appropriate.*

21 “(d) *No judicial review may be made under this sec-*
22 *tion unless the petitioner shall first have requested a correc-*
23 *tion under section 1552 of this title, and the Secretary con-*
24 *cerned shall have rendered a final decision denying that*
25 *correction in whole or in part. In a case in which the final*

1 *decision of the Secretary concerned is subject to review by*
2 *the Secretary of Defense under section 1034(g) of this title,*
3 *the petitioner is not required to seek such review by the Sec-*
4 *retary of Defense before obtaining judicial review under this*
5 *section. If the petitioner seeks review by the Secretary of*
6 *Defense under section 1034(g) of this title, no judicial re-*
7 *view may be made until the Secretary of Defense shall have*
8 *rendered a final decision denying that request in whole or*
9 *in part.*

10 “(e) *In the case of a final decision described in sub-*
11 *section (a) made on or after the date of the enactment of*
12 *the National Defense Authorization Act for Fiscal Year*
13 *2012, a petition for judicial review under this section must*
14 *be filed within three years of the date on which the final*
15 *decision was actually received by the petitioner.*

16 “(f) *Notwithstanding subsections (a), (b), and (c), a*
17 *reviewing court does not have jurisdiction to entertain any*
18 *matter or issue raised in a petition of review under this*
19 *section that is not justiciable.*

20 “(g)(1) *In the case of a cause of action arising after*
21 *the date of the enactment of the National Defense Authoriza-*
22 *tion Act for Fiscal Year 2012, no court shall have jurisdic-*
23 *tion to entertain any request for correction of records cog-*
24 *nizable under section 1552 of this title, except as provided*
25 *in this section.*

1 “(2) *In the case of a cause of action arising after the*
 2 *date of the enactment of the National Defense Authorization*
 3 *Act for Fiscal Year 2012, except as provided by chapter 153*
 4 *of title 28 and this chapter, no court shall have jurisdiction*
 5 *over any civil action or claim seeking, in whole or in part,*
 6 *to challenge any decision for which administrative review*
 7 *is available under section 1552 of this title.”.*

8 (2) *CLERICAL AMENDMENT.—The table of sec-*
 9 *tions at the beginning of chapter 79 of such title is*
 10 *amended by adding at the end the following new item:*
 “1560. *Judicial review of decisions.”.*

11 (d) *EFFECTIVE DATE.—The amendments made by this*
 12 *section shall take effect one year after the date of the enact-*
 13 *ment of this Act. Such amendments shall apply to all final*
 14 *decisions of the Secretary of Defense under section 1034(g)*
 15 *of title 10, United States Code, and of the Secretary of a*
 16 *military department or the Secretary of Homeland Security*
 17 *under section 1034(f) or 1552 of title 10, United States*
 18 *Code, whether rendered before or after the date of the enact-*
 19 *ment of this Act. During the period between the date of the*
 20 *enactment of this Act and the date on which the amend-*
 21 *ments made by this section take effect, in any case in which*
 22 *the final decision of the Secretary of Defense under section*
 23 *1034 of title 10, United States Code, or the Secretary con-*
 24 *cerned under section 1552 of title 10, United States Code,*
 25 *results in denial, in whole or in part, of any requested cor-*

1 *rection of a record of a member, former member, or claim-*
 2 *ant, the individual shall be informed in writing of the time*
 3 *for obtaining review of the decision pursuant to section*
 4 *1560 of title 10, United States Code, as provided therein.*

5 (e) *IMPLEMENTATION.—The Secretaries concerned*
 6 *may prescribe appropriate regulations, and interim guid-*
 7 *ance before prescribing such regulations, to implement the*
 8 *amendments made by this section. In the case of the Sec-*
 9 *retary of a military department, such regulations may not*
 10 *take effect until approved by the Secretary of Defense.*

11 (f) *CONSTRUCTION.—This section does not affect the*
 12 *authority of any court to exercise jurisdiction over any case*
 13 *which was properly before it before the effective date speci-*
 14 *fied in subsection (d).*

15 (g) *SECRETARY CONCERNED DEFINED.—In this sec-*
 16 *tion, the term “Secretary concerned” has the meaning given*
 17 *that term in section 101(a)(9) of title 10, United States*
 18 *Code.*

19 **SEC. 554. DEPARTMENT OF DEFENSE SUPPORT FOR PRO-**
 20 **GRAMS ON PRO BONO LEGAL REPRESENTA-**
 21 **TION FOR MEMBERS OF THE ARMED FORCES.**

22 (a) *SUPPORT AUTHORIZED.—The Secretary of Defense*
 23 *may provide support to one or more public or private pro-*
 24 *grams designed to facilitate representation by attorneys*

1 *who provide pro bono legal assistance of members of the*
2 *Armed Forces who are in need of such representation.*

3 *(b) FINANCIAL SUPPORT.—*

4 *(1) IN GENERAL.—The support provided a pro-*
5 *gram under subsection (a) may include financial sup-*
6 *port of the program.*

7 *(2) LIMITATION ON AMOUNT.—The total amount*
8 *of financial support provided under subsection (a) in*
9 *any fiscal year may not exceed \$500,000.*

10 *(3) DETERMINATION.—The Secretary may not*
11 *provide financial support under subsection (a) unless*
12 *the Secretary determines that services available at no*
13 *cost to the Department of Defense or individual mem-*
14 *bers of the Armed Forces that facilitate representation*
15 *by attorneys who provide pro bono legal assistance to*
16 *members of the Armed Forces who are in need of such*
17 *assistance are not available.*

18 *(4) FUNDING.—Amounts for financial support*
19 *under this section shall be derived from amounts au-*
20 *thorized to be appropriated for the Department of De-*
21 *fense for operation and maintenance.*

***Subtitle F—Sexual Assault
Prevention and Response***

***SEC. 561. DIRECTOR OF THE SEXUAL ASSAULT PREVENTION
AND RESPONSE OFFICE.***

Section 1611(a) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4431; 10 U.S.C. 1561 note) is amended by adding before the period at the end of the first sentence the following: “, who shall be appointed from among general or flag officers of the Armed Forces or employees of the Department of Defense in a comparable Senior Executive Service position”.

***SEC. 562. SEXUAL ASSAULT RESPONSE COORDINATORS
AND SEXUAL ASSAULT VICTIM ADVOCATES.***

(a) GUIDANCE REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance to implement the appropriate recommendations of the Report of the Defense Task Force on Sexual Assault in the Military Services (December 2009). Such guidance shall—

(1) require the Secretary of each military department to determine (which determination shall be based on the unique mission, military population, and force structure of the applicable Armed Force) the appropriate number of Sexual Assault Response Coor-

1 *dinators and Sexual Assault Victim Advocates to be*
2 *assigned to deployed and non-deployed military units*
3 *under the jurisdiction of such Secretary;*

4 *(2) require that each installation or similar or-*
5 *ganizational level have at least one Sexual Assault*
6 *Response Coordinator;*

7 *(3) establish, or require the Secretary of each*
8 *military department to establish, credentialing pro-*
9 *grams for Sexual Assault Response Coordinators and*
10 *for Sexual Assault Victim Advocates; and*

11 *(4) ensure that, after October 1, 2013, only mem-*
12 *bers of the Armed Forces on active duty or full-time*
13 *civilian employees of the Department of Defense who*
14 *have obtained the appropriate credentials under a*
15 *program under paragraph (3) may be assigned to*
16 *duty as a Sexual Assault Response Coordinator or a*
17 *Sexual Assault Victim Advocate.*

18 *(b) REPORT REQUIRED.—Not later than 180 days*
19 *after the date of the enactment of this Act, the Secretary*
20 *of Defense shall submit Congress a report on the status of*
21 *the implementation of the recommendations of the Defense*
22 *Task Force on Sexual Assault in the Military Services. The*
23 *report shall set forth the anticipated date of the completion*
24 *of the implementation by each military department of the*
25 *guidance issued under subsection (a).*

1 **SEC. 563. ACCESS OF SEXUAL ASSAULT VICTIMS TO LEGAL**
 2 **ASSISTANCE AND SERVICES OF SEXUAL AS-**
 3 **SAULT RESPONSE COORDINATORS AND SEX-**
 4 **UAL ASSAULT VICTIM ADVOCATES.**

5 (a) *LEGAL ASSISTANCE FOR VICTIMS OF SEXUAL AS-*
 6 *SAULT.*—Not later than 60 days after the date of the enact-
 7 ment of this Act, the Secretaries of the military departments
 8 shall prescribe regulations on the provision of legal assist-
 9 ance to victims of sexual assault. Such regulations shall re-
 10 quire that legal assistance be provided by military or civil-
 11 ian legal assistance counsel pursuant to section 1044 of title
 12 10, United States Code.

13 (b) *ASSISTANCE AND REPORTING.*—

14 (1) *IN GENERAL.*—Chapter 80 of title 10, United
 15 States Code, is amended by inserting after section
 16 1565a the following new section:

17 **“§ 1565b. Victims of sexual assault: access to legal as-**
 18 **sistance and services of Sexual Assault**
 19 **Response Coordinators and Sexual As-**
 20 **sault Victim Advocates**

21 “(a) *AVAILABILITY OF LEGAL ASSISTANCE AND VICTIM*
 22 *ADVOCATE SERVICES.*—(1) *A member of the armed forces*
 23 *who is the victim of a sexual assault may be provided the*
 24 *following:*

1 “(A) *Legal assistance provided by military or ci-*
 2 *vilian legal assistance counsel pursuant to section*
 3 *1044 of this title.*

4 “(B) *Assistance provided by a Sexual Assault*
 5 *Response Coordinator.*

6 “(C) *Assistance provided by a Sexual Assault*
 7 *Victim Advocate.*

8 “(2) *A member of the armed forces who is the victim*
 9 *of sexual assault shall be informed of the availability of as-*
 10 *sistance under paragraph (1) as soon as the member seeks*
 11 *assistance from a Sexual Assault Response Coordinator, a*
 12 *Sexual Assault Victim Advocate, a military criminal inves-*
 13 *tigator, a victim/witness liaison, or a trial counsel. The*
 14 *member shall also be informed that the legal assistance and*
 15 *the services of a Sexual Assault Response Coordinator or*
 16 *a Sexual Assault Victim Advocate under paragraph (1) are*
 17 *optional and may be declined, in whole or in part, at any*
 18 *time.*

19 “(3) *Legal assistance and the services of Sexual As-*
 20 *sault Response Coordinators and Sexual Assault Victim Ad-*
 21 *vocates under paragraph (1) shall be available to a member*
 22 *regardless of whether the member elects unrestricted or re-*
 23 *stricted (confidential) reporting of the sexual assault.*

24 “(b) *RESTRICTED REPORTING.—(1) Under regulations*
 25 *prescribed by the Secretary of Defense, a member of the*

1 *armed forces who is the victim of a sexual assault may elect*
 2 *to confidentially disclose the details of the assault to an in-*
 3 *dividual specified in paragraph (2) and receive medical*
 4 *treatment, legal assistance under section 1044 of this title,*
 5 *or counseling, without initiating an official investigation*
 6 *of the allegations.*

7 “(2) *The individuals specified in this paragraph are*
 8 *the following:*

9 “(A) *A military legal assistance counsel.*

10 “(B) *A Sexual Assault Response Coordinator.*

11 “(C) *A Sexual Assault Victim Advocate.*

12 “(D) *Healthcare personnel specifically identified*
 13 *in the regulations required by paragraph (1).*

14 “(E) *A chaplain.*”.

15 (2) *CLERICAL AMENDMENT.—The table of sec-*
 16 *tions at the beginning of chapter 80 of such title is*
 17 *amended by inserting after the item relating to sec-*
 18 *tion 1565a the following new item:*

“1565b. Victims of sexual assault: access to legal assistance and services of Sexual Assault Response Coordinators and Sexual Assault Victim Advocates.”.

1 **SEC. 564. REQUIREMENT FOR PRIVILEGE IN CASES ARISING**
 2 **UNDER UNIFORM CODE OF MILITARY JUS-**
 3 **TICE AGAINST DISCLOSURE OF COMMUNICA-**
 4 **TIONS BETWEEN SEXUAL ASSAULT VICTIMS**
 5 **AND SEXUAL ASSAULT RESPONSE COORDINA-**
 6 **TORS, SEXUAL ASSAULT VICTIM ADVOCATES,**
 7 **AND CERTAIN OTHER PERSONS.**

8 *Not later than 60 days after the date of the enactment*
 9 *of this Act, the President shall establish in the Manual for*
 10 *Courts-Martial an evidentiary privilege against disclosure*
 11 *of certain communications by victims of sexual assault with*
 12 *Sexual Assault Response Coordinators, Sexual Assault Vic-*
 13 *tim Advocates, and such other persons as the President shall*
 14 *specify for purposes of the privilege.*

15 **SEC. 565. EXPEDITED CONSIDERATION AND DECISION-MAK-**
 16 **ING ON REQUESTS FOR PERMANENT CHANGE**
 17 **OF STATION OR UNIT TRANSFER OF VICTIMS**
 18 **OF SEXUAL ASSAULT.**

19 *(a) EXPEDITED CONSIDERATION AND PRIORITY FOR*
 20 *DECISIONMAKING.—The Secretaries of the military depart-*
 21 *ments shall provide guidance on expedited consideration*
 22 *and decision-making, to the maximum extent practicable,*
 23 *on requests for a permanent change of station or unit trans-*
 24 *fer submitted by a member of the Armed Forces serving on*
 25 *active duty who was a victim of a sexual assault.*

1 (b) *REGULATIONS.*—*The Secretaries of the military de-*
 2 *partments shall prescribe regulations to carry out this sec-*
 3 *tion.*

4 **SEC. 566. DEPARTMENT OF DEFENSE POLICY AND PROCE-**
 5 **DURES ON RETENTION AND ACCESS TO EVI-**
 6 **DENCE AND RECORDS RELATING TO SEXUAL**
 7 **ASSAULTS INVOLVING MEMBERS OF THE**
 8 **ARMED FORCES.**

9 (a) *COMPREHENSIVE POLICY ON RETENTION AND AC-*
 10 *CESS TO RECORDS.*—*Not later than February 1, 2013, the*
 11 *Secretary of Defense shall, in consultation with the Sec-*
 12 *retary of Veterans Affairs, develop a comprehensive policy*
 13 *for the Department of Defense on the retention of and access*
 14 *to evidence and records relating to sexual assaults involving*
 15 *members of the Armed Forces.*

16 (b) *OBJECTIVES.*—*The comprehensive policy required*
 17 *by subsection (a) shall include policies and procedures (in-*
 18 *cluding systems of records) necessary to ensure preservation*
 19 *of records and evidence for periods of time that ensure that*
 20 *members of the Armed Forces and veterans of military serv-*
 21 *ice who were the victims of sexual assault during military*
 22 *service are able to substantiate claims for veterans benefits,*
 23 *to support criminal or civil prosecutions by military or*
 24 *civil authorities, and for such purposes relating to the docu-*

1 *mentation of the incidence of sexual assault in the Armed*
2 *Forces as the Secretary of Defense considers appropriate.*

3 *(c) ELEMENTS.—In developing the comprehensive pol-*
4 *icy required by subsection (a), the Secretary of Defense shall*
5 *consider, at a minimum, the following matters:*

6 *(1) Identification of records, including non-De-*
7 *partment of Defense records, relating to an incident*
8 *of sexual assault, that must be retained.*

9 *(2) Criteria for collection and retention of*
10 *records.*

11 *(3) Identification of physical evidence and non-*
12 *documentary forms of evidence relating to sexual as-*
13 *saults that must be retained.*

14 *(4) Length of time records and evidence must be*
15 *retained, except that the length of time documentary*
16 *evidence, physical evidence and forensic evidence must*
17 *be retained shall be not less than five years.*

18 *(5) Locations where records must be stored.*

19 *(6) Media which may be used to preserve records*
20 *and assure access, including an electronic systems of*
21 *records.*

22 *(7) Protection of privacy of individuals named*
23 *in records and status of records under section 552 of*
24 *title 5, United States Code (commonly referred to as*
25 *the “Freedom of Information Act”), section 552a of*

1 *title 5, United States Code (commonly referred to as*
2 *the “Privacy Act”), and laws related to privilege.*

3 *(8) Access to records by victims of sexual assault,*
4 *the Department of Veterans Affairs, and others, in-*
5 *cluding alleged assailants and law enforcement au-*
6 *thorities.*

7 *(9) Responsibilities for record retention by the*
8 *military departments.*

9 *(10) Education and training on record retention*
10 *requirements.*

11 *(11) Uniform collection of data on the incidence*
12 *of sexual assaults and on disciplinary actions taken*
13 *in substantiated cases of sexual assault.*

14 *(d) UNIFORM APPLICATION TO MILITARY DEPART-*
15 *MENTS.—The Secretary of Defense shall ensure that, to the*
16 *maximum extent practicable, the policy developed under*
17 *subsection (a) is implemented uniformly by the military de-*
18 *partments.*

1 ***Subtitle G—Defense Dependents’***
 2 ***Education***

3 ***SEC. 571. CONTINUATION OF AUTHORITY TO ASSIST LOCAL***
 4 ***EDUCATIONAL AGENCIES THAT BENEFIT DE-***
 5 ***PENDENTS OF MEMBERS OF THE ARMED***
 6 ***FORCES AND DEPARTMENT OF DEFENSE CI-***
 7 ***VILIAN EMPLOYEES.***

8 *(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT*
 9 *NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the*
 10 *amount authorized to be appropriated for fiscal year 2012*
 11 *by section 301 and available for operation and maintenance*
 12 *for Defense-wide activities as specified in the funding table*
 13 *in section 4301, \$25,000,000 shall be available only for the*
 14 *purpose of providing assistance to local educational agen-*
 15 *cies under subsection (a) of section 572 of the National De-*
 16 *fense Authorization Act for Fiscal Year 2006 (Public Law*
 17 *109–163; 20 U.S.C. 7703b).*

18 *(b) LOCAL EDUCATIONAL AGENCY DEFINED.—In this*
 19 *section, the term “local educational agency” has the*
 20 *meaning given that term in section 8013(9) of the Elemen-*
 21 *tary and Secondary Education Act of 1965 (20 U.S.C.*
 22 *7713(9)).*

1 **SEC. 572. IMPACT AID FOR CHILDREN WITH SEVERE DIS-**
 2 **ABILITIES.**

3 *Of the amount authorized to be appropriated for fiscal*
 4 *year 2012 pursuant to section 301 and available for oper-*
 5 *ation and maintenance for Defense-wide activities as speci-*
 6 *fied in the funding table in section 4301, \$5,000,000 shall*
 7 *be available for payments under section 363 of the Floyd*
 8 *D. Spence National Defense Authorization Act for Fiscal*
 9 *Year 2001 (as enacted into law by Public Law 106–398;*
 10 *114 Stat. 1654A–77; 20 U.S.C. 7703a).*

11 **SEC. 573. THREE-YEAR EXTENSION AND ENHANCEMENT OF**
 12 **AUTHORITIES ON TRANSITION OF MILITARY**
 13 **DEPENDENT STUDENTS AMONG LOCAL EDU-**
 14 **CATIONAL AGENCIES.**

15 *(a) ADDITIONAL AUTHORITIES.—Paragraph (2)(B) of*
 16 *section 574(d) of the John Warner National Defense Author-*
 17 *ization Act for Fiscal Year 2007 (20 U.S.C. 7703b note)*
 18 *is amended—*

19 *(1) by inserting “grant assistance” after “To*
 20 *provide”; and*

21 *(2) by striking “including—“ and all that fol-*
 22 *lows and inserting “including programs on the fol-*
 23 *lowing:*

24 *“(i) Access to virtual and distance learning*
 25 *capabilities and related applications.*

26 *“(ii) Training for teachers.*

1 “(iii) *Academic strategies to increase aca-*
2 *demic achievement.*

3 “(iv) *Curriculum development.*

4 “(v) *Support for practices that minimize*
5 *the impact of transition and deployment.*

6 “(vi) *Other appropriate services to improve*
7 *the academic achievement of such students.”.*

8 (b) *THREE-YEAR EXTENSION.*—Paragraph (3) of such
9 section is amended by striking “September 30, 2013” and
10 inserting “September 30, 2016”.

11 ***Subtitle H—Military Family*** 12 ***Readiness***

13 ***SEC. 576. MODIFICATION OF MEMBERSHIP OF DEPARTMENT*** 14 ***OF DEFENSE MILITARY FAMILY READINESS*** 15 ***COUNCIL.***

16 Subsection (b) of section 1781a of title 10, United
17 States Code, is amended to read as follows:

18 “(b) *MEMBERS.*—(1) *The Council shall consist of the*
19 *following members:*

20 “(A) *The Under Secretary of Defense for Per-*
21 *sonnel and Readiness, who shall serve as chair of the*
22 *Council and who may designate a representative to*
23 *chair the council in the Under Secretary’s absence.*

24 “(B) *The following, who shall be appointed or*
25 *designated by the Secretary of Defense:*

1 “(i) One representative of each of the Army,
2 Navy, Marine Corps, and Air Force, each of
3 whom may be a member of the armed force to be
4 represented, the spouse of such a member, or the
5 parent of such a member, and may represent ei-
6 ther the regular component or a reserve compo-
7 nent of that armed force.

8 “(ii) One representative of the Army Na-
9 tional Guard or Air National Guard, who may
10 be a member of the National Guard, the spouse
11 of such a member, or the parent of such a mem-
12 ber.

13 “(iii) One spouse of a member of each of the
14 Army, Navy, Marine Corps, and Air Force, two
15 of whom shall be the spouse of a regular compo-
16 nent member and two of whom shall be the
17 spouse of a reserve component member.

18 “(iv) Three individuals appointed by the
19 Secretary of Defense from among representatives
20 of military family organizations, including mili-
21 tary family organizations of families of members
22 of the regular components and of families of
23 members of the reserve components.

1 “(v) *The senior enlisted advisor, or the*
 2 *spouse of a senior enlisted member, from each of*
 3 *the Army, Navy, Marine Corps, and Air Force.*

4 “(C) *The Director of the Office of Community*
 5 *Support for Military Families with Special Needs.*

6 “(2)(A) *The term on the Council of the members ap-*
 7 *pointed or designated under clauses (i) and (iii) of para-*
 8 *graph (1)(B) shall be two years and may be renewed by*
 9 *the Secretary of Defense. Representation on the Council*
 10 *under clause (ii) of that paragraph shall rotate between the*
 11 *Army National Guard and Air National Guard every two*
 12 *years on a calendar year basis.*

13 “(B) *The term on the Council of the members ap-*
 14 *pointed under clause (iv) of paragraph (1)(B) shall be three*
 15 *years.”.*

16 **SEC. 577. COMPTROLLER GENERAL OF THE UNITED STATES**
 17 **REPORT ON DEPARTMENT OF DEFENSE MILI-**
 18 **TARY SPOUSE EMPLOYMENT PROGRAMS.**

19 (a) *IN GENERAL.*—*The Comptroller General of the*
 20 *United States shall carry out a review of all current De-*
 21 *partment of Defense military spouse employment programs.*

22 (b) *ELEMENTS.*—*The review required by subsection (a)*
 23 *shall, address, at a minimum, the following:*

24 (1) *The efficacy and effectiveness of Department*
 25 *of Defense military spouse employment programs.*

1 (2) *All current Department programs to support*
2 *military spouses or dependents for the purposes of em-*
3 *ployment assistance.*

4 (3) *The types of military spouse employment*
5 *programs that have been considered or used in the*
6 *past by the Department.*

7 (4) *The ways in which military spouse employ-*
8 *ment programs have changed in recent years.*

9 (5) *The benefits or programs that are specifically*
10 *available to provide employment assistance to spouses*
11 *of members of the Armed Forces serving in Operation*
12 *Iraqi Freedom, Operation Enduring Freedom, or Op-*
13 *eration New Dawn, or any other contingency oper-*
14 *ation being conducted by the Armed Forces as of the*
15 *date of such review.*

16 (6) *Existing mechanisms available to military*
17 *spouses to express their views on the effectiveness and*
18 *future direction of Department programs and policies*
19 *on employment assistance for military spouses.*

20 (7) *The oversight provided by the Office of Per-*
21 *sonnel and Management regarding preferences for*
22 *military spouses in Federal employment.*

23 (c) *COMPTROLLER GENERAL REPORT.*—*Not later than*
24 *180 days after the date of the enactment of this Act, the*
25 *Comptroller General shall submit to the congressional de-*

1 *fense committees a report on the review carried out under*
2 *subsection (a). The report shall set forth the following:*

3 *(1) The results of the review concerned.*

4 *(2) Such clear and concrete metrics as the Comp-*
5 *troller General considers appropriate for the current*
6 *and future evaluation and assessment of the efficacy*
7 *and effectiveness of Department of Defense military*
8 *spouse employment programs.*

9 *(3) A description of the assumptions utilized in*
10 *the review, and an assessment of the validity and*
11 *completeness of such assumptions.*

12 *(4) Such recommendations as the Comptroller*
13 *General considers appropriate for improving Depart-*
14 *ment of Defense military spouse employment pro-*
15 *grams.*

16 *(d) DEPARTMENT OF DEFENSE REPORT.—Not later*
17 *than 180 days after the date of the enactment of this Act,*
18 *the Secretary of Defense shall submit to the congressional*
19 *defense committees a report setting forth the number (or a*
20 *reasonable estimate if a precise number is not available)*
21 *of military spouses who have obtained employment fol-*
22 *lowing participation in Department of Defense military*
23 *spouse employment programs. The report shall set forth*
24 *such number (or estimate) for the Department of Defense*

1 *military spouse employment programs as a whole and for*
 2 *each such military spouse employment program.*

3 ***Subtitle I—Other Matters***

4 ***SEC. 581. COLD WAR SERVICE MEDAL.***

5 *(a) MEDAL AUTHORIZED.—The Secretary of Defense*
 6 *may authorize the issuance by the Secretaries concerned of*
 7 *a service medal, to be known as the “Cold War Service*
 8 *Medal”, to persons eligible to receive the medal under the*
 9 *regulations under subsection (b).*

10 *(b) REGULATIONS.—*

11 *(1) IN GENERAL.—The issuance of a Cold War*
 12 *Service Medal under this section shall be subject to*
 13 *regulations prescribed by Secretary of Defense.*

14 *(2) ELEMENTS.—The regulations shall—*

15 *(A) provide for an appropriate design for*
 16 *the Cold War Service Medal; and*

17 *(B) specify the persons eligible to receive the*
 18 *medal.*

19 *(c) SECRETARIES CONCERNED DEFINED.—In this sec-*
 20 *tion, the term “Secretaries concerned” has the meaning*
 21 *given that term in section 101(a)(9) of title 10, United*
 22 *States Code.*

1 **SEC. 582. ENHANCEMENT AND IMPROVEMENT OF YELLOW**
 2 **RIBBON REINTEGRATION PROGRAM.**

3 (a) *INCLUSION OF PROGRAMS OF OUTREACH IN PRO-*
 4 *GRAM.*—Subsection (b) of section 582 of the National De-
 5 *fense Authorization Act for Fiscal Year 2008 (10 U.S.C.*
 6 *10101 note)* is amended by inserting “(including programs
 7 *of outreach)”* after “informational events and activities”.

8 (b) *RESTATEMENT OF FUNCTIONS OF CENTER FOR EX-*
 9 *CELLENCE IN REINTEGRATION AND INCLUSION IN FUNC-*
 10 *TIONS OF IDENTIFICATION OF BEST PRACTICES IN PRO-*
 11 *GRAMS OF OUTREACH.*—Subsection (d)(2) of such section
 12 *is amended by striking the second, third, and fourth sen-*
 13 *tences and inserting the following: “The Center shall have*
 14 *the following functions:*

15 “(A) *To collect and analyze ‘lessons learned’*
 16 *and suggestions from State National Guard and*
 17 *Reserve organizations with existing or developing*
 18 *reintegration programs.*

19 “(B) *To assist in developing training aids*
 20 *and briefing materials and training representa-*
 21 *tives from State National Guard and Reserve or-*
 22 *ganizations.*

23 “(C) *To develop and implement a process*
 24 *for evaluating the effectiveness of the Yellow Rib-*
 25 *bon Reintegration Program in supporting the*
 26 *health and well-being of members of the Armed*

1 *Forces and their families throughout the deploy-*
 2 *ment cycle described in subsection (g).*

3 “(D) *To develop and implement a process*
 4 *for identifying best practices in the delivery of*
 5 *information and services in programs of out-*
 6 *reach as described in subsection (j).”.*

7 (c) *STATE-LED PROGRAMS OF OUTREACH.*—*Such sec-*
 8 *tion is further amended by adding at the end the following*
 9 *new subsection:*

10 “(j) *STATE-LED PROGRAMS OF OUTREACH.*—*The Of-*
 11 *fice for Reintegration Programs may work with the States,*
 12 *whether acting through or in coordination with their Na-*
 13 *tional Guard and Reserve organizations, to assist the States*
 14 *and such organizations in developing and carrying out pro-*
 15 *grams of outreach for members of the Armed Forces and*
 16 *their families to inform and educate them on the assistance*
 17 *and services available to them under the Yellow Ribbon Re-*
 18 *integration Program, including the assistance and services*
 19 *described in subsection (h).”.*

20 (d) *SCOPE OF ACTIVITIES UNDER PROGRAMS OF OUT-*
 21 *REACH.*—*Such section is further amended by adding at the*
 22 *end the following new subsection:*

23 “(k) *SCOPE OF ACTIVITIES UNDER PROGRAMS OF*
 24 *OUTREACH.*—*For purposes of this section, the activities and*
 25 *services provided under programs of outreach may include*

1 *personalized and substantive care coordination services tar-*
 2 *geted specifically to individual members of the Armed*
 3 *Forces and their families.”.*

4 **SEC. 583. REPORT ON PROCESS FOR EXPEDITED DETER-**
 5 **MINATION OF DISABILITY OF MEMBERS OF**
 6 **THE ARMED FORCES WITH CERTAIN DIS-**
 7 **ABLING CONDITIONS.**

8 (a) *IN GENERAL.*—Not later than September 1, 2012,
 9 the Secretary of Defense shall submit to Congress a report
 10 setting forth an assessment of the feasibility and advis-
 11 ability of the establishment by the military departments of
 12 a process to expedite the determination of disability with
 13 respect members of the Armed Forces, including regular
 14 members and members of the reserve components, who suffer
 15 from certain disabling diseases or conditions. If the estab-
 16 lishment of such a process is considered feasible and advis-
 17 able, the report shall set forth such recommendations for leg-
 18 islative and administrative action as the Secretary consider
 19 appropriate for the establishment of such process.

20 (b) *REQUIREMENTS FOR STUDY FOR REPORT.*—

21 (1) *EVALUATION OF APPROPRIATE ELEMENTS OF*
 22 *SIMILAR FEDERAL PROGRAMS.*—In conducting the
 23 study required for purposes of the preparation of the
 24 report required by subsection (a), the Secretary of De-
 25 fense shall evaluate elements of programs for expe-

1 *dited determinations of disability that are currently*
 2 *carried out by other departments and agencies of the*
 3 *Federal Government, including the Quick Disability*
 4 *Determination program and the Compassionate Al-*
 5 *lowances program of the Social Security Administra-*
 6 *tion.*

7 (2) *CONSULTATION.*—*The Secretary of Defense*
 8 *shall conduct the study in consultation with the Sec-*
 9 *retary of Veterans Affairs.*

10 **SEC. 584. REPORT ON THE ACHIEVEMENT OF DIVERSITY**

11 **GOALS FOR THE LEADERSHIP OF THE ARMED**
 12 **FORCES.**

13 (a) *REPORT REQUIRED.*—*Not later than one year*
 14 *after the date of the enactment of this Act, the Secretary*
 15 *of Defense shall submit to the Committees on Armed Serv-*
 16 *ices of the Senate and the House of Representatives a report*
 17 *on the achievement of diversity goals for the leadership of*
 18 *the Armed Forces.*

19 (b) *ELEMENTS.*—*The report required by subsection (a)*
 20 *shall include the following:*

21 (1) *An assessment by each Secretary of a mili-*
 22 *tary department of progress towards the achievement*
 23 *of diversity goals for the leadership within each*
 24 *Armed Force under the jurisdiction of such Secretary,*

1 including the reserve components of such Armed
2 Force.

3 (2) A discussion of the findings and rec-
4 ommendations included in the final report of the
5 Military Leadership Diversity Commission entitled
6 “From Representation to Inclusion: Diversity Leader-
7 ship for the 21st Century Military”, and in other rel-
8 evant policies, studies, reports, evaluations, and as-
9 sessments.

10 **SEC. 585. SPECIFICATION OF PERIOD IN WHICH APPLICA-**
11 **TION FOR VOTER REGISTRATION OR ABSEN-**
12 **TEE BALLOT FROM AN OVERSEAS VOTER IS**
13 **VALID.**

14 Section 104 of the Uniformed and Overseas Citizens
15 Absentee Voting Act (42 U.S.C. 1973ff-3) is amended—

16 (1) by inserting “or overseas voter” after “absent
17 uniformed services voter”; and

18 (2) by striking “members of the uniformed serv-
19 ices” and inserting “uniformed services voters or over-
20 seas voters”.

21 **SEC. 586. AUTHORIZATION AND REQUEST FOR AWARD OF**
22 **MEDAL OF HONOR TO EMIL KAPAUN FOR**
23 **ACTS OF VALOR DURING THE KOREAN WAR.**

24 (a) *AUTHORIZATION.*—Notwithstanding the time limi-
25 tations specified in section 3744 of title 10, United States

1 Code, or any other time limitation with respect to the
 2 awarding of certain medals to persons who served in the
 3 Armed Forces, the President is authorized and requested to
 4 award the Medal of Honor posthumously under section
 5 3741 of such title to Emil Kapaun for the acts of valor
 6 during the Korean War described in subsection (b).

7 (b) *ACTS OF VALOR DESCRIBED.*—The acts of valor
 8 referred to in subsection (a) are the actions of then Captain
 9 Emil Kapaun as a member of the 8th Cavalry Regiment
 10 during the Battle of Unsan on November 1 and 2, 1950,
 11 and while a prisoner of war until his death on May 23,
 12 1951, during the Korean War.

13 **SEC. 587. AUTHORIZATION FOR AWARD OF THE DISTIN-**
 14 **GUISHED SERVICE CROSS FOR CAPTAIN**
 15 **FREDRICK L. SPAULDING FOR ACTS OF**
 16 **VALOR DURING THE VIETNAM WAR.**

17 (a) *AUTHORIZATION.*—Notwithstanding the time limi-
 18 tations specified in section 3744 of title 10, United States
 19 Code, or any other time limitation with respect to the
 20 awarding of certain medals to persons who served in the
 21 United States Armed Forces, the Secretary of the Army is
 22 authorized to award the Distinguished Service Cross under
 23 section 3742 of such title to Captain Fredrick L. Spaulding
 24 for acts of valor during the Vietnam War described in sub-
 25 section (b).

1 (b) *ACTS OF VALOR DESCRIBED.*—*The acts of valor*
 2 *referred to in subsection (a) are the actions of Fredrick L.*
 3 *Spaulding, on July 23, 1970, as a member of the United*
 4 *States Army serving in the grade of Captain in the Repub-*
 5 *lic of Vietnam while assigned with Headquarters and Head-*
 6 *quarters Company, 3d Brigade, 101st Airborne Division.*

7 ***TITLE VI—COMPENSATION AND***
 8 ***OTHER PERSONNEL BENEFITS***
 9 ***Subtitle A—Bonuses and Special***
 10 ***and Incentive Pays***

11 ***SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING***
 12 ***BONUS AND SPECIAL PAY AUTHORITIES.***

13 (a) *AUTHORITIES RELATING TO RESERVE FORCES.*—
 14 *The following sections of title 37, United States Code, are*
 15 *amended by striking “December 31, 2011” and inserting*
 16 *“December 31, 2012”:*

17 (1) *Section 308b(g), relating to Selected Reserve*
 18 *reenlistment bonus.*

19 (2) *Section 308c(i), relating to Selected Reserve*
 20 *affiliation or enlistment bonus.*

21 (3) *Section 308d(c), relating to special pay for*
 22 *enlisted members assigned to certain high-priority*
 23 *units.*

24 (4) *Section 308g(f)(2), relating to Ready Reserve*
 25 *enlistment bonus for persons without prior service.*

1 (5) *Section 308h(e), relating to Ready Reserve*
 2 *enlistment and reenlistment bonus for persons with*
 3 *prior service.*

4 (6) *Section 308i(f), relating to Selected Reserve*
 5 *enlistment and reenlistment bonus for persons with*
 6 *prior service.*

7 (7) *Section 910(g), relating to income replace-*
 8 *ment payments for reserve component members expe-*
 9 *riencing extended and frequent mobilization for active*
 10 *duty service.*

11 (b) *TITLE 10 AUTHORITIES RELATING TO HEALTH*
 12 *CARE PROFESSIONALS.—The following sections of title 10,*
 13 *United States Code, are amended by striking “December 31,*
 14 *2011” and inserting “December 31, 2012”:*

15 (1) *Section 2130a(a)(1), relating to nurse officer*
 16 *candidate accession program.*

17 (2) *Section 16302(d), relating to repayment of*
 18 *education loans for certain health professionals who*
 19 *serve in the Selected Reserve.*

20 (c) *TITLE 37 AUTHORITIES RELATING TO HEALTH*
 21 *CARE PROFESSIONALS.—The following sections of title 37,*
 22 *United States Code, are amended by striking “December 31,*
 23 *2011” and inserting “December 31, 2012”:*

24 (1) *Section 302c–1(f), relating to accession and*
 25 *retention bonuses for psychologists.*

1 (2) *Section 302d(a)(1), relating to accession*
 2 *bonus for registered nurses.*

3 (3) *Section 302e(a)(1), relating to incentive spe-*
 4 *cial pay for nurse anesthetists.*

5 (4) *Section 302g(e), relating to special pay for*
 6 *Selected Reserve health professionals in critically*
 7 *short wartime specialties.*

8 (5) *Section 302h(a)(1), relating to accession*
 9 *bonus for dental officers.*

10 (6) *Section 302j(a), relating to accession bonus*
 11 *for pharmacy officers.*

12 (7) *Section 302k(f), relating to accession bonus*
 13 *for medical officers in critically short wartime spe-*
 14 *cialties.*

15 (8) *Section 302l(g), relating to accession bonus*
 16 *for dental specialist officers in critically short war-*
 17 *time specialties.*

18 (9) *Section 335(k), relating to bonus and incen-*
 19 *tive pay authorities for officers in health professions.*

20 (d) *AUTHORITIES RELATING TO NUCLEAR OFFI-*
 21 *CERS.—The following sections of title 37, United States*
 22 *Code, are amended by striking “December 31, 2011” and*
 23 *inserting “December 31, 2012”:*

1 (1) *Section 312(f), relating to special pay for*
 2 *nuclear-qualified officers extending period of active*
 3 *service.*

4 (2) *Section 312b(c), relating to nuclear career*
 5 *accession bonus.*

6 (3) *Section 312c(d), relating to nuclear career*
 7 *annual incentive bonus.*

8 (4) *Section 333(i), relating to special bonus and*
 9 *incentive pay authorities for nuclear officers.*

10 (e) *AUTHORITIES RELATING TO TITLE 37 CONSOLI-*
 11 *DATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AU-*
 12 *THORITIES.—The following sections of title 37, United*
 13 *States Code, are amended by striking “December 31, 2011”*
 14 *and inserting “December 31, 2012”:*

15 (1) *Section 331(h), relating to general bonus au-*
 16 *thority for enlisted members.*

17 (2) *Section 332(g), relating to general bonus au-*
 18 *thority for officers.*

19 (3) *Section 334(i), relating to special aviation*
 20 *incentive pay and bonus authorities for officers.*

21 (4) *Section 351(h), relating to hazardous duty*
 22 *pay.*

23 (5) *Section 352(g), relating to assignment pay or*
 24 *special duty pay.*

1 (6) *Section 353(i), relating to skill incentive pay*
 2 *or proficiency bonus.*

3 (7) *Section 355(h), relating to retention incen-*
 4 *tives for members qualified in critical military skills*
 5 *or assigned to high priority units.*

6 (f) *OTHER TITLE 37 BONUS AND SPECIAL PAY AU-*
 7 *THORITIES.—The following sections of title 37, United*
 8 *States Code, are amended by striking “December 31, 2011”*
 9 *and inserting “December 31, 2012”:*

10 (1) *Section 301b(a), relating to aviation officer*
 11 *retention bonus.*

12 (2) *Section 307a(g), relating to assignment in-*
 13 *centive pay.*

14 (3) *Section 308(g), relating to reenlistment*
 15 *bonus for active members.*

16 (4) *Section 309(e), relating to enlistment bonus.*

17 (5) *Section 324(g), relating to accession bonus*
 18 *for new officers in critical skills.*

19 (6) *Section 326(g), relating to incentive bonus*
 20 *for conversion to military occupational specialty to*
 21 *ease personnel shortage.*

22 (7) *Section 327(h), relating to incentive bonus*
 23 *for transfer between the Armed Forces.*

24 (8) *Section 330(f), relating to accession bonus for*
 25 *officer candidates.*

1 (g) *INCREASED BAH FOR AREAS EXPERIENCING DIS-*
 2 *ASTERS OR SUDDEN INCREASES IN PERSONNEL.*—Section
 3 403(b)(7)(E) of title 37, United States Code, is amended
 4 by inserting before the period at the end the following: “,
 5 except that such an increase may be prescribed for the pe-
 6 riod beginning on January 1, 2012, and ending on Decem-
 7 ber 31, 2012”.

8 **SEC. 612. MODIFICATION OF QUALIFYING PERIOD FOR PAY-**
 9 **MENT OF HOSTILE FIRE AND IMMINENT DAN-**
 10 **GER SPECIAL PAY AND HAZARDOUS DUTY**
 11 **SPECIAL PAY.**

12 (a) *HOSTILE FIRE AND IMMINENT DANGER PAY.*—
 13 Section 310 of title 37, United States Code, is amended—

14 (1) in subsection (a), by striking “for any month
 15 or portion of a month” and inserting “for any day
 16 or portion of a day”;

17 (2) by striking subsection (b) and inserting the
 18 following new subsection (b):

19 “(b) *SPECIAL PAY AMOUNT.*—The amount of special
 20 pay authorized by subsection (a) for a day or portion of
 21 a day may not exceed an amount equal to \$225 divided
 22 by the number of days of the month in which such day
 23 falls.”;

1 (3) in subsection (c)(1), by inserting “for any
2 day (or portion of a day) of” before “not more than
3 three additional months”; and

4 (4) in subsection (d)(2), by striking “any
5 month” and inserting “any day”.

6 (b) *HAZARDOUS DUTY PAY*.—Section 351(c)(2) of such
7 title is amended by striking “receipt of hazardous duty
8 pay,” and all that follows and inserting “receipt of haz-
9 ardous duty pay—

10 “(A) in the case of hazardous duty pay pay-
11 able under paragraph (1) of subsection (a), the
12 Secretary concerned shall prorate the payment
13 amount to reflect the duration of the member’s
14 actual qualifying service during the month; and

15 “(B) in the case of hazardous duty pay
16 payable under paragraph (2) or (3) of subsection
17 (a), the Secretary concerned may prorate the
18 payment amount to reflect the duration of the
19 member’s actual qualifying service during the
20 month.”.

21 (c) *EFFECTIVE DATE*.—The amendments made by this
22 section shall take effect on October 1, 2011, and shall apply
23 with respect to duty performed on or after that date.

1 ***Subtitle B—Consolidation and Re-***
 2 ***form of Travel and Transpor-***
 3 ***tation Authorities***

4 **SEC. 621. CONSOLIDATION AND REFORM OF TRAVEL AND**
 5 **TRANSPORTATION AUTHORITIES OF THE UNI-**
 6 **FORMED SERVICES.**

7 (a) *PURPOSE.*—This section establishes general travel
 8 and transportation provisions for members of the uniformed
 9 services and other travelers authorized to travel under offi-
 10 cial conditions. Recognizing the complexities and the chang-
 11 ing nature of travel, the amendments made by this section
 12 provide the Secretary of Defense and the other admin-
 13 istering Secretaries with the authority to prescribe and im-
 14 plement travel and transportation policy that is simple,
 15 clear, efficient, and flexible, and that meets mission and
 16 servicemember needs, while realizing cost savings that
 17 should come with a more efficient and less cumbersome sys-
 18 tem for travel and transportation.

19 (b) *CONSOLIDATED AUTHORITIES.*—Title 37, United
 20 States Code, is amended by inserting after chapter 7 the
 21 following new chapter:

22 **“CHAPTER 8—TRAVEL AND**
 23 **TRANSPORTATION ALLOWANCES**

“Sec.

“SUBCHAPTER I—TRAVEL AND TRANSPORTATION AUTHORITIES—NEW LAW

“451. Definitions.

- “452. Allowable travel and transportation: general authorities.*
- “453. Allowable travel and transportation: specific authorities.*
- “454. Travel and transportation: pilot programs.*
- “455. Appropriations for travel: may not be used for attendance at certain meetings.*

“SUBCHAPTER II—ADMINISTRATIVE PROVISIONS

- “461. Relationship to other travel and transportation authorities.*
- “462. Travel and transportation allowances paid to members that are unauthorized or in excess of authorized amounts: requirement for repayment.*
- “463. Program of compliance; electronic processing of travel claims.*
- “464. Regulations.*

“SUBCHAPTER III—TRAVEL AND TRANSPORTATION AUTHORITIES—OLD LAW

- “471. Travel authorities transition expiration date.*
- “472. Definitions and other incorporated provisions of chapter 7.*
- “474. Travel and transportation allowances: general.*
- “474a. Travel and transportation allowances: temporary lodging expenses.*
- “474b. Travel and transportation allowances: payment of lodging expenses at temporary duty location during authorized absence of member.*
- “475. Travel and transportation allowances: per diem while on duty outside the continental United States.*
- “475a. Travel and transportation allowances: departure allowances.*
- “476. Travel and transportation allowances: dependents; baggage and household effects.*
- “476a. Travel and transportation allowances: authorized for travel performed under orders that are canceled, revoked, or modified.*
- “476b. Travel and transportation allowances: members of the uniformed services attached to a ship overhauling or inactivating.*
- “476c. Travel and transportation allowances: members assigned to a vessel under construction.*
- “477. Travel and transportation allowances: dislocation allowance.*
- “478. Travel and transportation allowances: travel within limits of duty station.*
- “478a. Travel and transportation allowances: inactive duty training outside of the normal commuting distances.*
- “479. Travel and transportation allowances: house trailers and mobile homes.*
- “480. Travel and transportation allowances: miscellaneous categories.*
- “481. Travel and transportation allowances: administrative provisions.*
- “481a. Travel and transportation allowances: travel performed in connection with convalescent leave.*
- “481b. Travel and transportation allowances: travel performed in connection with leave between consecutive overseas tours.*
- “481c. Travel and transportation allowances: travel performed in connection with rest and recuperative leave from certain stations in foreign countries.*
- “481d. Travel and transportation allowances: transportation incident to personal emergencies for certain members and dependents.*
- “481e. Travel and transportation allowances: transportation incident to certain emergencies for members performing temporary duty.*
- “481f. Travel and transportation allowances: transportation for survivors of deceased member to attend the member’s burial ceremonies.*

- “481h. *Travel and transportation allowances: transportation of designated individuals incident to hospitalization of members for treatment of wounds, illness, or injury.*
- “481i. *Travel and transportation allowances: parking expenses.*
- “481j. *Travel and transportation allowances: transportation of family members incident to the repatriation of members held captive.*
- “481k. *Travel and transportation allowances: non-medical attendants for members determined to be very seriously or seriously wounded, ill, or injured.*
- “481l. *Travel and transportation allowances: attendance of members and others at Yellow Ribbon Reintegration Program events.*
- “484. *Travel and transportation: dependents of members in a missing status; household and personal effects; trailers; additional movements; motor vehicles; sale of bulky items; claims for proceeds; appropriation chargeable.*
- “488. *Allowance for recruiting expenses.*
- “489. *Travel and transportation allowances: minor dependent schooling.*
- “490. *Travel and transportation: dependent children of members stationed overseas.*
- “491. *Benefits for certain members assigned to the Defense Intelligence Agency.*
- “492. *Travel and transportation: members escorting certain dependents.*
- “494. *Subsistence reimbursement relating to escorts of foreign arms control inspection teams.*
- “495. *Funeral honors duty: allowance.*

1 “SUBCHAPTER I—TRAVEL AND

2 TRANSPORTATION AUTHORITIES—NEW LAW

3 **“§ 451. Definitions**

4 “(a) *DEFINITIONS RELATING TO PERSONS.—In this*

5 *subchapter and subchapter II:*

6 “(1) *The term ‘administering Secretary’ or ‘ad-*

7 *ministering Secretaries’ means the following:*

8 “(A) *The Secretary of Defense, with respect*

9 *to the armed forces (including the Coast Guard*

10 *when it is operating as a service in the Navy).*

11 “(B) *The Secretary of Homeland Security,*

12 *with respect to the Coast Guard when it is not*

13 *operating as a service in the Navy.*

1 “(C) *The Secretary of Commerce, with re-*
2 *spect to the National Oceanic and Atmospheric*
3 *Administration.*

4 “(D) *The Secretary of Health and Human*
5 *Services, with respect to the Public Health Serv-*
6 *ice.*

7 “(2) *The term ‘authorized traveler’ means a per-*
8 *son who is authorized travel and transportation al-*
9 *lowances when performing official travel ordered or*
10 *authorized by the administering Secretary. Such term*
11 *includes the following:*

12 “(A) *A member of the uniformed services.*

13 “(B) *A family member of a member of the*
14 *uniformed services.*

15 “(C) *A person acting as an escort or attend-*
16 *ant for a member or family member who is trav-*
17 *eling on official travel or is traveling with the*
18 *remains of a deceased member.*

19 “(D) *A person who participates in a mili-*
20 *tary funeral honors detail.*

21 “(E) *A Senior Reserve Officers’ Training*
22 *Corps cadet or midshipman.*

23 “(F) *An applicant or rejected applicant for*
24 *enlistment.*

1 “(G) Any person whose employment or serv-
2 ice is considered directly related to a Govern-
3 ment official activity or function under regula-
4 tions prescribed under section 464 of this title.

5 “(H) Any other person not covered by sub-
6 paragraphs (A) through (G) who is determined
7 by the administering Secretary pursuant to reg-
8 ulations prescribed under section 464 of this title
9 as warranting the provision of travel benefits for
10 purposes of a particular travel incident.

11 “(3) The term ‘family member’, with respect to
12 a member of the uniformed services, means the fol-
13 lowing:

14 “(A) A dependent.

15 “(B) A child, as defined in section 401(b)(1)
16 of this title.

17 “(C) A parent, as defined in section
18 401(b)(2) of this title.

19 “(D) A sibling of the member.

20 “(E) A former spouse of the member.

21 “(F) Any person not covered by subpara-
22 graphs (A) through (E) who is in a category
23 specified in regulations prescribed under section
24 464 of this title as having an association, con-
25 nection, or affiliation with a member or the fam-

1 *ily of a member, including any person specifi-*
 2 *cally designated by a member to receive travel*
 3 *benefits for a particular purpose.*

4 *“(4) The term ‘dependent’, with respect to a*
 5 *member of the uniformed services, has the meaning*
 6 *given that term in section 401(a) of this title.*

7 *“(b) DEFINITIONS RELATING TO TRAVEL AND TRANS-*
 8 *PORTATION ALLOWANCES.—In this subchapter and sub-*
 9 *chapter II:*

10 *“(1) The term ‘official travel’ means the fol-*
 11 *lowing:*

12 *“(A) Military duty or official business per-*
 13 *formed by an authorized traveler away from a*
 14 *duty assignment location or other authorized lo-*
 15 *cation.*

16 *“(B) Travel performed by an authorized*
 17 *traveler ordered to relocate from a permanent*
 18 *duty station to another permanent duty station.*

19 *“(C) Travel performed by an authorized*
 20 *traveler ordered to the first permanent duty sta-*
 21 *tion, or separated or retired from uniformed*
 22 *service.*

23 *“(D) Local travel in or around the tem-*
 24 *porary duty or permanent duty station.*

1 “(E) Other travel as authorized or ordered
2 by the administering Secretary.

3 “(2) The term ‘actual and necessary expenses’
4 means expenses incurred in fact by an authorized
5 traveler as a reasonable consequence of official travel.

6 “(3) The term ‘travel allowances’ means the
7 daily lodging, meals, and other related expenses, in-
8 cluding relocation expenses, incurred by an author-
9 ized traveler while on official travel.

10 “(4) The term ‘transportation allowances’ means
11 the costs of temporarily or permanently moving an
12 authorized traveler, the personal property of an au-
13 thorized traveler, or a combination thereof.

14 “(5) The term ‘transportation-, lodging-, or
15 meals-in-kind’ means transportation, lodging, or
16 meals provided by the Government without cost to an
17 authorized traveler.

18 “(6) The term ‘miscellaneous expenses’ means
19 authorized expenses incurred in addition to author-
20 ized allowances during the performance of official
21 travel by an authorized traveler.

22 “(7) The term ‘personal property’, with respect
23 to transportation allowances, includes baggage, fur-
24 niture, and other household items, clothing, privately
25 owned vehicles, house trailers, mobile homes, and any

1 *other personal items that would not otherwise be pro-*
2 *hibited by any other provision of law or regulation*
3 *prescribed under section 464 of this title.*

4 “(8) *The term ‘relocation allowances’ means the*
5 *costs associated with relocating a member of the uni-*
6 *formed services and the member’s dependents between*
7 *an old and new temporary or permanent duty assign-*
8 *ment location or other authorized location.*

9 “(9) *The term ‘dislocation allowances’ means the*
10 *costs associated with relocation of the household of a*
11 *member of the uniformed services and the member’s*
12 *dependents in relation to a change in the member’s*
13 *permanent duty assignment location ordered for the*
14 *convenience of the Government or incident to an evac-*
15 *uation.*

16 **“§452. Allowable travel and transportation: general**
17 **authorities**

18 “(a) *IN GENERAL.—Except as otherwise prohibited by*
19 *law, a member of the uniformed services or other authorized*
20 *traveler may be provided transportation-, lodging-, or*
21 *meals-in-kind, or actual and necessary expenses of travel*
22 *and transportation, for, or in connection with, official trav-*
23 *el under circumstances as specified in regulations pre-*
24 *scribed under section 464 of this title.*

1 “(b) *SPECIFIC CIRCUMSTANCES.*—*The authority under*
2 *subsection (a) includes travel under or in connection with,*
3 *but not limited to, the following circumstances, to the extent*
4 *specified in regulations prescribed under section 464 of this*
5 *title:*

6 “(1) *Temporary duty that requires travel be-*
7 *tween a permanent duty assignment location and an-*
8 *other authorized temporary duty location, and travel*
9 *in or around the temporary duty location.*

10 “(2) *Permanent change of station that requires*
11 *travel between an old and new temporary or perma-*
12 *nent duty assignment location or other authorized lo-*
13 *cation.*

14 “(3) *Temporary duty or assignment relocation*
15 *related to consecutive overseas tours or in-place-con-*
16 *secutive overseas tours.*

17 “(4) *Recruiting duties for the armed forces.*

18 “(5) *Assignment or detail to another Government*
19 *department or agency.*

20 “(6) *Rest and recuperative leave.*

21 “(7) *Convalescent leave.*

22 “(8) *Reenlistment leave.*

23 “(9) *Reserve component inactive-duty training*
24 *performed outside the normal commuting distance of*
25 *the member’s permanent residence.*

1 “(10) *Ready Reserve muster duty.*

2 “(11) *Unusual, extraordinary, hardship, or*
3 *emergency circumstances.*

4 “(12) *Presence of family members at a military*
5 *medical facility incident to the illness or injury of*
6 *members.*

7 “(13) *Presence of family members at the repatri-*
8 *ation of members held captive.*

9 “(14) *Presence of non-medical attendants for*
10 *very seriously or seriously wounded, ill, or injured*
11 *members.*

12 “(15) *Attendance at Yellow Ribbon Reintegra-*
13 *tion Program events.*

14 “(16) *Missing status, as determined by the Sec-*
15 *retary concerned under chapter 10 of this title.*

16 “(17) *Attendance at or participation in inter-*
17 *national sports competitions described under section*
18 *717 of title 10.*

19 “(c) *MATTERS INCLUDED.—Travel and transportation*
20 *allowances which may be provided under subsection (a) in-*
21 *clude the following:*

22 “(1) *Allowances for transportation, lodging, and*
23 *meals.*

1 “(2) *Dislocation or relocation allowances paid in*
2 *connection with a change in a member’s temporary or*
3 *permanent duty assignment location.*

4 “(3) *Other related miscellaneous expenses.*

5 “(d) *MODE OF PROVIDING TRAVEL AND TRANSPOR-*
6 *TATION ALLOWANCES.—Any authorized travel and trans-*
7 *portation may be provided—*

8 “(1) *as an actual expense;*

9 “(2) *as an authorized allowance;*

10 “(3) *in-kind; or*

11 “(4) *using a combination of the authorities*
12 *under paragraphs (1), (2), and (3).*

13 “(e) *TRAVEL AND TRANSPORTATION ALLOWANCES*
14 *WHEN TRAVEL ORDERS ARE MODIFIED, ETC.—An author-*
15 *ized traveler whose travel and transportation order or au-*
16 *thorization is canceled, revoked, or modified may be allowed*
17 *actual and necessary expenses or travel and transportation*
18 *allowances in connection with travel performed pursuant*
19 *to such order or authorization before such order or author-*
20 *ization is cancelled, revoked, or modified.*

21 “(f) *ADVANCE PAYMENTS.—An authorized traveler*
22 *may be allowed advance payments for authorized travel and*
23 *transportation allowances.*

1 “(g) *RESPONSIBILITY FOR UNAUTHORIZED EX-*
 2 *PENSES.*—*Any unauthorized travel or transportation ex-*
 3 *pense is not the responsibility of the United States.*

4 “(h) *RELATIONSHIP TO OTHER AUTHORITIES.*—*The*
 5 *administering Secretary may not provide payment under*
 6 *this section for an expense for which payment may be pro-*
 7 *vided from any other appropriate Government or non-Gov-*
 8 *ernment entity.*

9 **“§453. Allowable travel and transportation: specific**
 10 ***authorities***

11 “(a) *IN GENERAL.*—*In addition to any other authority*
 12 *for the provision of travel and transportation allowances,*
 13 *the administering Secretaries may provide travel and*
 14 *transportation allowances under this subchapter in accord-*
 15 *ance with this section.*

16 “(b) *AUTHORIZED ABSENCE FROM TEMPORARY DUTY*
 17 *LOCATION.*—*An authorized traveler may be paid travel and*
 18 *transportation allowances, or reimbursed for actual and*
 19 *necessary expenses of travel, incurred at a temporary duty*
 20 *location during an authorized absence from that location.*

21 “(c) *MOVEMENT OF PERSONAL PROPERTY.*—(1) *A*
 22 *member of a uniformed service may be allowed moving ex-*
 23 *penses and transportation allowances for self and depend-*
 24 *ents associated with the movement of personal property and*

1 household goods, including such expenses when associated
2 with a self-move.

3 “(2) The authority in paragraph (1) includes the
4 movement and temporary and non-temporary storage of
5 personal property, household goods, and privately owned ve-
6 hicles (but not to exceed one privately owned vehicle per
7 member household) in connection with the temporary or
8 permanent move between authorized locations.

9 “(3) For movement of household goods, the admin-
10 istering Secretaries shall prescribe weight allowances in reg-
11 ulations under section 464 of this title. The prescribed
12 weight allowances may not exceed 18,000 pounds (including
13 packing, crating, and household goods in temporary stor-
14 age), except that the administering Secretary may, on a
15 case-by-case basis, authorize additional weight allowances
16 as necessary.

17 “(4) The administering Secretary may prescribe the
18 terms, rates, and conditions that authorize a member of the
19 uniformed services to ship or store a privately owned vehi-
20 cle.

21 “(5) No carrier, port agent, warehouseman, freight for-
22 warder, or other person involved in the transportation of
23 property may have any lien on, or hold, impound, or other-
24 wise interfere with, the movement of baggage and household
25 goods being transported under this section.

1 “(d) *UNUSUAL OR EMERGENCY CIRCUMSTANCES.*—An
 2 *authorized traveler may be provided travel and transpor-*
 3 *tation allowances under this section for unusual, extraor-*
 4 *dinary, hardship, or emergency circumstances, including*
 5 *circumstances warranting evacuation from a permanent*
 6 *duty assignment location.*

7 “(e) *PARTICULAR SEPARATION PROVISIONS.*—The ad-
 8 *ministering Secretary may provide travel-in-kind and*
 9 *transportation-in-kind for the following persons in accord-*
 10 *ance with regulations prescribed under section 464 of this*
 11 *title:*

12 “(1) *A member who is retired, or is placed on*
 13 *the temporary disability retired list, under chapter 61*
 14 *of title 10.*

15 “(2) *A member who is retired with pay under*
 16 *any other law or who, immediately following at least*
 17 *eight years of continuous active duty with no single*
 18 *break therein of more than 90 days, is discharged*
 19 *with separation pay or is involuntarily released from*
 20 *active duty with separation pay or readjustment pay.*

21 “(3) *A member who is discharged under section*
 22 *1173 of title 10.*

23 “(f) *ATTENDANCE AT MEMORIAL CEREMONIES AND*
 24 *SERVICES.*—*A family member or member of the uniformed*
 25 *services who attends a deceased member’s repatriation, bur-*

1 ial, or memorial ceremony or service may be provided travel
 2 and transportation allowances to the extent provided in reg-
 3 ulations prescribed under section 464 of this title.

4 **“§454. Travel and transportation: pilot programs**

5 “(a) *PILOT PROGRAMS.*—Except as otherwise prohib-
 6 ited by law, the Secretary of Defense may conduct pilot pro-
 7 grams to evaluate alternative travel and transportation
 8 programs, policies, and processes for Department of Defense
 9 authorized travelers. Any such pilot program shall be de-
 10 signed to enhance cost savings or other efficiencies that ac-
 11 crue to the Government and be conducted so as to evaluate
 12 one or more of the following:

13 “(1) *Alternative methods for performing and re-*
 14 *imbursing travel.*

15 “(2) *Means for limiting the need for travel.*

16 “(3) *Means for reducing the environmental im-*
 17 *pact of travel.*

18 “(b) *LIMITATIONS.*—(1) *Not more than three pilot pro-*
 19 *grams may be carried out under subsection (a) at any one*
 20 *time.*

21 “(2) *The duration of a pilot program may not exceed*
 22 *four years.*

23 “(3) *The authority to carry out a pilot program is*
 24 *subject to the availability of appropriated funds.*

1 “(c) *REPORTS.*—(1) *Not later than 30 days before the*
 2 *commencement of a pilot program under subsection (a), the*
 3 *Secretary shall submit to the congressional defense commit-*
 4 *tees a report on the pilot program. The report on a pilot*
 5 *program under this paragraph shall set forth a description*
 6 *of the pilot program, including the following:*

7 “(A) *The purpose of the pilot program.*

8 “(B) *The duration of the pilot program.*

9 “(C) *The cost savings or other efficiencies antici-*
 10 *pated to accrue to the Government under the pilot*
 11 *program.*

12 “(2) *Not later than 60 days after the completion of*
 13 *a pilot program, the Secretary shall submit to the congres-*
 14 *sional defense committees a report on the pilot program.*
 15 *The report on a pilot program under this paragraph shall*
 16 *set forth the following:*

17 “(A) *A description of results of the pilot pro-*
 18 *gram.*

19 “(B) *Such recommendations for legislative or ad-*
 20 *ministrative action as the Secretary considers appro-*
 21 *priate in light of the pilot program.*

22 “(d) *CONGRESSIONAL DEFENSE COMMITTEES DE-*
 23 *FINED.*—*In this section, the term ‘congressional defense*
 24 *committees’ has the meaning given that term in section*
 25 *101(a)(16) of title 10.*

1 “SUBCHAPTER II—ADMINISTRATIVE PROVISIONS

2 **“§461. Relationship to other travel and transpor-**
3 **tation authorities**

4 “An authorized traveler may not be paid travel and
5 transportation allowances or receive travel-in-kind and
6 transportation-in-kind, or a combination thereof, under
7 both subchapter I and subchapter III for official travel per-
8 formed under a single or related travel and transportation
9 order or authorization by the administering Secretary.

10 **“§462. Travel and transportation allowances paid to**
11 **members that are unauthorized or in ex-**
12 **cess of authorized amounts: requirement**
13 **for repayment**

14 “(a) *REPAYMENT REQUIRED.*—Except as provided in
15 subsection (b), a member of the uniformed services or other
16 person who is paid travel and transportation allowances
17 under subchapter I shall repay to the United States any
18 amount of such payment that is determined to be unauthor-
19 ized or in excess of the applicable authorized amount.

20 “(b) *EXCEPTION.*—The regulations prescribed under
21 section 464 of this title shall specify procedures for deter-
22 mining the circumstances under which an exception to re-
23 payment otherwise required by subsection (a) may be grant-
24 ed.

1 “(c) *EFFECT OF BANKRUPTCY.*—An obligation to
 2 *repay the United States under this section is, for all pur-*
 3 *poses, a debt owed the United States. A discharge in bank-*
 4 *ruptcy under title 11 does not discharge a person from such*
 5 *debt if the discharge order is entered less than five years*
 6 *after the date on which the debt was incurred.*

7 **“§463. Programs of compliance; electronic processing**
 8 ***of travel claims***

9 “(a) *PROGRAMS OF COMPLIANCE.*—The administering
 10 *Secretaries shall provide for compliance with the require-*
 11 *ments of this chapter through programs of compliance estab-*
 12 *lished and maintained for that purpose.*

13 “(b) *ELEMENTS.*—The programs of compliance under
 14 *subsection (a) shall—*

15 “(1) *minimize the provision of benefits under*
 16 *this chapter based on inaccurate claims, unauthorized*
 17 *claims, overstated or inflated claims, and multiple*
 18 *claims for the same benefits through the electronic*
 19 *verification of travel claims on a near-time basis and*
 20 *such other means as the administering Secretaries*
 21 *may establish for purposes of the programs of compli-*
 22 *ance; and*

23 “(2) *ensure that benefits provided under this*
 24 *chapter do not exceed reasonable or actual and nec-*

1 *essary expenses of travel claimed or reasonable allow-*
 2 *ances based on commercial travel rates.*

3 “(c) *ELECTRONIC PROCESSING OF TRAVEL CLAIMS.—*
 4 *(1) By not later than the date that is five years after the*
 5 *date of the enactment of the National Defense Authorization*
 6 *Act for Fiscal Year 2012, any travel claim under this chap-*
 7 *ter shall be processed electronically.*

8 “(2) *The administering Secretary, or the Secretary’s*
 9 *designee, may waive the requirement in paragraph (1) with*
 10 *respect to a particular claim in the interests of the depart-*
 11 *ment concerned.*

12 “(3) *The electronic processing of claims under this sub-*
 13 *section shall be subject to the regulations prescribed by the*
 14 *Secretary of Defense under section 464 of this title which*
 15 *shall apply uniformly to all members of the uniformed serv-*
 16 *ices and, to the extent practicable, to all other authorized*
 17 *travelers.*

18 **“§ 464. Regulations**

19 “*This subchapter and subchapter I shall be adminis-*
 20 *tered under terms, rates, conditions, and regulations pre-*
 21 *scribed by the Secretary of Defense in consultation with the*
 22 *other administering Secretaries for members of the uni-*
 23 *formed services. Such regulations shall be uniform for the*
 24 *Department of Defense and shall apply as uniformly as*

1 *practicable to the uniformed services under the jurisdiction*
 2 *of the other administering Secretaries.*

3 “SUBCHAPTER III—TRAVEL AND
 4 TRANSPORTATION AUTHORITIES—OLD LAW

5 **“§ 471. Travel authorities transition expiration date**

6 *“In this subchapter, the term ‘travel authorities transi-*
 7 *tion expiration date’ means the last day of the 10-year pe-*
 8 *riod beginning on the first day of the first month beginning*
 9 *after the date of the enactment of the National Defense Au-*
 10 *thorization Act for Fiscal Year 2012.*

11 **“§ 472. Definitions and other incorporated provisions**
 12 **of chapter 7**

13 “(a) *DEFINITIONS.*—*The provisions of section 401 of*
 14 *this title apply to this subchapter.*

15 “(b) *OTHER PROVISIONS.*—*The provisions of sections*
 16 *421 and 423 of this title apply to this subchapter.”.*

17 (c) *REPEAL OF OBSOLETE AUTHORITY.*—*Section 411g*
 18 *of title 37, United States Code, is repealed.*

19 (d) *TRANSFER OF SECTIONS.*—

20 (1) *TRANSFER TO SUBCHAPTER I.*—*Section 412*
 21 *of title 37, United States Code, is transferred to chap-*
 22 *ter 8 of such title, as added by subsection (b), inserted*
 23 *after section 454, and redesignated as section 455.*

24 (2) *TRANSFER OF CURRENT CHAPTER 7 AU-*
 25 *THORITIES TO SUBCHAPTER III.*—*Sections 404, 404a,*

1 404b, 405, 405a, 406, 406a, 406b, 406c, 407, 408,
 2 408a, 409, 410, 411, 411a through 411f, 411h through
 3 411l, 428 through 432, 434, and 435 of such title are
 4 transferred (in that order) to chapter 8 of such title,
 5 as added by subsection (b), inserted after section 472,
 6 and redesignated as follows:

<i>Section:</i>	<i>Redesignated Section:</i>
404	474
404a	474a
404b	474b
405	475
405a	475a
406	476
406a	476a
406b	476b
406c	476c
407	477
408	478
408a	478a
409	479
410	480
411	481
411a	481a
411b	481b
411c	481c
411d	481d
411e	481e
411f	481f
411h	481h
411i	481i
411j	481j
411k	481k
411l	481l
428	488
429	489
430	490
432	492
434	494
435	495

7 (3) *TRANSFER OF SECTION 554.*—Section 554 of
 8 such title is transferred to chapter 8 of such title, as
 9 added by subsection (b), inserted after section 481l (as

1 transferred and redesignated by paragraph (2)), and
2 redesignated as section 484.

3 (e) *SUNSET OF OLD-LAW AUTHORITIES.*—Provisions
4 of subchapter III of chapter 8 of title 37, United States
5 Code, as transferred and redesignated by paragraphs (2)
6 and (3) of subsection (c), are amended as follows:

7 (1) Section 474 is amended by adding at the end
8 the following new subsection:

9 “(k) No travel and transportation allowance or reim-
10 bursement may be provided under this section for travel
11 that begins after the travel authorities transition expiration
12 date.”.

13 (2) Section 474a is amended by adding at the
14 end the following new subsection:

15 “(f) *TERMINATION.*—No payment or reimbursement
16 may be provided under this section with respect to a change
17 of permanent station for which orders are issued after the
18 travel authorities transition expiration date.”.

19 (3) Section 474b is amended by adding at the
20 end the following new subsection:

21 “(e) *TERMINATION.*—No payment or reimbursement
22 may be provided under this section with respect to an au-
23 thorized absence that begins after the travel authorities
24 transition expiration date.”.

1 (4) Section 475 is amended by adding at the end
2 the following new subsection:

3 “(f) *TERMINATION.*—During and after the travel au-
4 thorities expiration date, no per diem may be paid under
5 this section for any period.”.

6 (5) Section 475a is amended by adding at the
7 end the following new subsection:

8 “(c) During and after the travel authorities expiration
9 date, no allowance under subsection (a) or transportation
10 or reimbursement under subsection (b) may be provided
11 with respect to an authority or order to depart.”.

12 (6) Section 476 is amended by adding at the end
13 the following new subsection:

14 “(n) No transportation, reimbursement, allowance, or
15 per diem may be provided under this section—

16 “(1) with respect to a change of temporary or
17 permanent station for which orders are issued after
18 the travel authorities transition expiration date; or

19 “(2) in a case covered by this section when such
20 orders are not issued, with respect to a movement of
21 baggage or household effects that begins after such
22 date.”.

23 (7) Section 476a is amended—

24 (A) by inserting “(a) *AUTHORITY.*—” before

25 “Under uniform regulations”; and

1 (B) by adding at the end the following new
2 subsection:

3 “(b) *TERMINATION.*—No transportation or travel or
4 transportation allowance may be provided under this sec-
5 tion for travel that begins after the travel authorities transi-
6 tion expiration date.”.

7 (8) Section 476b is amended by adding at the
8 end the following new subsection:

9 “(e) No transportation or allowance may be provided
10 under this section for travel that begins after the travel au-
11 thorities transition expiration date.”.

12 (9) Section 476c is amended by adding at the
13 end the following new subsection:

14 “(e) *TERMINATION.*—No transportation or allowance
15 may be provided under this section for travel that begins
16 after the travel authorities transition expiration date.”.

17 (10) Section 477 is amended by adding at the
18 end the following new subsection:

19 “(i) *TERMINATION.*—No dislocation allowance may be
20 paid under this section for a move that begins after the
21 travel authorities transition expiration date.”.

22 (11) Section 478 is amended by adding at the
23 end the following new subsection:

24 “(c) No travel or transportation allowance, payment,
25 or reimbursement may be provided under this section for

1 *travel that begins after the travel authorities transition ex-*
2 *piration date.”.*

3 (12) *Section 478a(e) is amended by striking*
4 *“December 31, 2011” and inserting “the travel au-*
5 *thorities transition expiration date”.*

6 (13) *Section 479 is amended by adding at the*
7 *end the following new subsection:*

8 *“(e) No transportation of a house trailer or mobile*
9 *home, or storage or payment in connection therewith, may*
10 *be provided under this section for transportation that begins*
11 *after the travel authorities transition expiration date.”.*

12 (14) *Section 480 is amended by adding at the*
13 *end the following new subsection:*

14 *“(c) No travel or transportation allowance may be pro-*
15 *vided under this section for travel that begins after the trav-*
16 *el authorities transition expiration date.”.*

17 (15) *Section 481 is amended by adding at the*
18 *end the following new subsection:*

19 *“(e) The regulations prescribed under this section shall*
20 *cease to be in effect as of the travel authorities transition*
21 *expiration date.”.*

22 (16) *Section 481a is amended by adding at the*
23 *end the following new subsection:*

1 “(c) No travel and transportation allowance may be
2 provided under this section for travel that is authorized
3 after the travel authorities transition expiration date.”.

4 (17) Section 481b is amended by adding at the
5 end the following new subsection:

6 “(d) *TERMINATION.*—No travel and transportation al-
7 lowance may be provided under this section for travel that
8 is authorized after the travel authorities transition expira-
9 tion date.”.

10 (18) Section 481c is amended by adding at the
11 end the following new subsection:

12 “(c) No transportation may be provided under this sec-
13 tion after the travel authorities transition expiration date,
14 and no payment may be made under this section for trans-
15 portation that begins after that date.”.

16 (19) Section 481d is amended by adding at the
17 end the following new subsection:

18 “(d) No transportation may be provided under this
19 section after the travel authorities transition expiration
20 date.”.

21 (20) Section 481e is amended by adding at the
22 end the following new subsection:

23 “(c) No travel and transportation allowance or reim-
24 bursement may be provided under this section for travel

1 *that begins after the travel authorities transition expiration*
2 *date.”.*

3 (21) *Section 481f is amended by adding at the*
4 *end the following new subsection:*

5 “(h) *TERMINATION.—No travel and transportation al-*
6 *lowance or reimbursement may be provided under this sec-*
7 *tion for travel that begins after the travel authorities transi-*
8 *tion expiration date.”.*

9 (22) *Section 481h is amended by adding at the*
10 *end the following new subsection:*

11 “(e) *TERMINATION.—No transportation, allowance, re-*
12 *imbursement, or per diem may be provided under this sec-*
13 *tion for travel that begins after the travel authorities transi-*
14 *tion expiration date.”.*

15 (23) *Section 481i is amended by adding at the*
16 *end the following new subsection:*

17 “(c) *TERMINATION.—No reimbursement may be pro-*
18 *vided under this section for expenses incurred after the trav-*
19 *el authorities transition expiration date.”.*

20 (24) *Section 481j is amended by adding at the*
21 *end the following new subsection:*

22 “(e) *TERMINATION.—No transportation, allowance, re-*
23 *imbursement, or per diem may be provided under this sec-*
24 *tion for travel that begins after the travel authorities transi-*
25 *tion expiration date.”.*

1 (25) *Section 481k is amended by adding at the*
 2 *end the following new subsection:*

3 “(e) *TERMINATION.*—*No transportation, allowance, re-*
 4 *imbursement, or per diem may be provided under this sec-*
 5 *tion for travel that begins after the travel authorities transi-*
 6 *tion expiration date.”.*

7 (26) *Section 481l is amended by adding at the*
 8 *end the following new subsection:*

9 “(e) *TERMINATION.*—*No transportation, allowance, re-*
 10 *imbursement, or per diem may be provided under this sec-*
 11 *tion for travel that begins after the travel authorities transi-*
 12 *tion expiration date.”.*

13 (27) *Section 484 is amended by adding at the*
 14 *end the following new subsection:*

15 “(k) *No transportation, allowance, or reimbursement*
 16 *may be provided under this section for a move that begins*
 17 *after the travel authorities transition expiration date.”.*

18 (28) *Section 488 is amended—*

19 (A) *by inserting “(a) AUTHORITY.—” before*
 20 *“In addition”; and*

21 (B) *by adding at the end the following new*
 22 *subsection:*

23 “(b) *TERMINATION.*—*No reimbursement may be pro-*
 24 *vided under this section for expenses incurred after the trav-*
 25 *el authorities transition expiration date.”.*

1 (29) *Section 489 is amended—*

2 (A) *by inserting “(a) AUTHORITY.—” before*

3 *“In addition”; and*

4 (B) *by adding at the end the following new*
5 *subsection:*

6 “(b) *TERMINATION.—No transportation or allowance*
7 *may be provided under this section for travel that begins*
8 *after the travel authorities transition expiration date.”.*

9 (30) *Section 490 is amended by adding at the*
10 *end the following new subsection:*

11 “(g) *TERMINATION.—No transportation, allowance, re-*
12 *imbursement, or per diem may be provided under this sec-*
13 *tion for travel that begins after the travel authorities transi-*
14 *tion expiration date.”.*

15 (31) *Section 492 is amended by adding at the*
16 *end the following new subsection:*

17 “(c) *No transportation or allowance may be provided*
18 *under this section for travel that begins after the travel au-*
19 *thorities transition expiration date.”.*

20 (32) *Section 494 is amended by adding at the*
21 *end the following new subsection:*

22 “(d) *TERMINATION.—No reimbursement may be pro-*
23 *vided under this section for expenses incurred after the trav-*
24 *el authorities transition expiration date.”.*

1 (33) *Section 495 is amended by adding at the*
 2 *end the following new subsection:*

3 “(c) *TERMINATION.*—*No allowance may be paid under*
 4 *this section for any day after the travel authorities transi-*
 5 *tion expiration date.”.*

6 (f) *TECHNICAL AND CLERICAL AMENDMENTS.*—

7 (1) *CHAPTER HEADING.*—*The heading of chapter*
 8 *7 of such title is amended to read as follows:*

9 **“CHAPTER 7—ALLOWANCES OTHER**
 10 **THAN TRAVEL AND TRANSPORTATION**
 11 **ALLOWANCES”.**

12 (2) *TABLE OF CHAPTERS.*—*The table of chapter*
 13 *preceding chapter 1 of such title is amended by strik-*
 14 *ing the item relating to chapter 7 and inserting the*
 15 *following:*

“7. *Allowances Other Than Travel and Transportation Allowances* 401
 “8. *Travel and Transportation Allowances* 451”.

16 (3) *TABLES OF SECTIONS.*—

17 (A) *The table of sections at the beginning of*
 18 *chapter 7 of such title is amended by striking the*
 19 *items relating to sections 404 through 412, 428*
 20 *through 432, 434, and 435.*

21 (B) *The table of sections at the beginning of*
 22 *chapter 9 of such title is amended by striking the*
 23 *item relating to section 554.*

24 (4) *CROSS-REFERENCES.*—

1 (A) Any section of title 10 or 37, United
 2 States Code, that includes a reference to a section
 3 of title 37 that is transferred and redesignated
 4 by subsection (c) is amended so as to conform the
 5 reference to the section number of the section as
 6 so redesignated.

7 (B) Any reference in a provision of law
 8 other than a section of title 10 or 37, United
 9 States Code, to a section of title 37 that is trans-
 10 ferred and redesignated by subsection (c) is
 11 deemed to refer to the section as so redesignated.

12 **SEC. 622. TRANSITION PROVISIONS.**

13 (a) *IMPLEMENTATION PLAN.*—The Secretary of De-
 14 fense shall develop a plan to implement subchapters I and
 15 II of chapter 8 of title 37, United States Code (as added
 16 by section 621(b) of this Act), and to transition all of the
 17 travel and transportation programs for members of the uni-
 18 formed services under chapter 7 of title 37, United States
 19 Code, solely to provisions of those subchapters by the end
 20 of the transition period.

21 (b) *AUTHORITY FOR MODIFICATIONS TO OLD-LAW AU-*
 22 *THORITIES DURING TRANSITION PERIOD.*—During the
 23 transition period, the Secretary of Defense and the Secre-
 24 taries concerned, in using the authorities under subchapter
 25 III of chapter 8 of title 37, United States Code (as so

1 *added), may apply those authorities subject to the terms of*
2 *such provisions and such modifications as the Secretary of*
3 *Defense may include in the implementation plan required*
4 *under subsection (a) or in any subsequent modification to*
5 *that implementation plan.*

6 (c) *COORDINATION.—The Secretary of Defense shall*
7 *prepare the implementation plan under subsection (a) and*
8 *any modification to that plan under subsection (b) in co-*
9 *ordination with—*

10 (1) *the Secretary of Homeland Security, with re-*
11 *spect to the Coast Guard;*

12 (2) *the Secretary of Health and Human Serv-*
13 *ices, with respect to the commissioned corps of the*
14 *Public Health Service; and*

15 (3) *the Secretary of Commerce, with respect to*
16 *the National Oceanic and Atmospheric Administra-*
17 *tion.*

18 (d) *PROGRAM OF COMPLIANCE.—The Secretary of De-*
19 *fense and the other administering Secretaries shall com-*
20 *mence the operation of the programs of compliance required*
21 *by section 463 of title 37, United States Code (as so added),*
22 *by not later than one year after the date of the enactment*
23 *of this Act.*

24 (e) *TRANSITION PERIOD.—In this section, the term*
25 *“transition period” means the 10-year period beginning on*

1 *the first day of the first month beginning after the date of*
 2 *the enactment of this Act.*

3 ***Subtitle C—Disability, Retired Pay,***
 4 ***and Survivor Benefits***

5 ***SEC. 631. REPEAL OF AUTOMATIC ENROLLMENT IN FAMILY***
 6 ***SERVICEMEMBERS’ GROUP LIFE INSURANCE***
 7 ***FOR MEMBERS OF THE ARMED FORCES MAR-***
 8 ***RIED TO OTHER MEMBERS.***

9 *Section 1967(a)(1) of title 38, United States Code, is*
 10 *amended—*

11 *(1) in subparagraph (A)(ii), by inserting after*
 12 *“insurable dependent of the member” the following:*
 13 *“(other than a dependent who is also a member of a*
 14 *uniformed service and, because of such membership,*
 15 *automatically insured under this paragraph)”;* and

16 *(2) in subparagraph (C)(ii), by inserting after*
 17 *“insurable dependent of the member” the following:*
 18 *“(other than a dependent who is also a member of a*
 19 *uniformed service and, because of such membership,*
 20 *automatically insured under this paragraph)”.*

1 **SEC. 632. LIMITATION ON AVAILABILITY OF CERTAIN**
 2 **FUNDS PENDING REPORT ON PROVISION OF**
 3 **SPECIAL COMPENSATION FOR MEMBERS OF**
 4 **THE UNIFORMED SERVICES WITH INJURY OR**
 5 **ILLNESS REQUIRING ASSISTANCE IN EVERY-**
 6 **DAY LIVING.**

7 (a) *LIMITATION ON FUNDS FOR TRAVEL OF*
 8 *USD(PR).—Of the amount authorized to be appropriated*
 9 *for fiscal year 2012 for the Department of Defense for oper-*
 10 *ation and maintenance for defense-wide activities as speci-*
 11 *fied in the funding table in section 4301 and available for*
 12 *purposes of travel of the Office of the Under Secretary of*
 13 *Defense for Personnel and Readiness, not more than 50 per-*
 14 *cent of such amount may be obligated or expended for such*
 15 *purposes until the Under Secretary of Defense for Personnel*
 16 *and Readiness submits to the congressional defense commit-*
 17 *tees a report on the implementation by the Department of*
 18 *Defense of the authorities in section 439 of title 37, United*
 19 *States Code, for payment of special compensation for mem-*
 20 *bers of the uniformed services with catastrophic injuries or*
 21 *illnesses requiring assistance in everyday living.*

22 (b) *ELEMENTS.—The report described in subsection (a)*
 23 *shall include a detailed description of the implementation*
 24 *by the Department of the authorities in section 439 of title*
 25 *37, United States Code, including the following:*

(1) *A description of the criteria established pursuant to such section for the payment of special compensation under that section.*

(2) *An assessment of the training needs of caregivers of members paid special compensation under that section, including—*

(A) *a description of the types of training currently provided;*

(B) *a description of additional types of training that could be provided; and*

(C) *an assessment whether current Department programs are adequate to meet such training needs.*

SEC. 633. REPEAL OF SENSE OF CONGRESS ON AGE AND SERVICE REQUIREMENTS FOR RETIRED PAY FOR NON-REGULAR SERVICE.

Section 635 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4241) is repealed.

SEC. 634. DEATH GRATUITY AND RELATED BENEFITS FOR RESERVES WHO DIE DURING AN AUTHORIZED STAY AT THEIR RESIDENCE DURING OR BETWEEN SUCCESSIVE DAYS OF INACTIVE DUTY TRAINING.

(a) *DEATH GRATUITY.—*

1 (1) *PAYMENT AUTHORIZED.*—Section 1475(a)(3)
 2 of title 10, United States Code, is amended by insert-
 3 ing before the semicolon the following: “or while stay-
 4 ing at the Reserve’s residence, when so authorized by
 5 proper authority, during the period of such inactive
 6 duty training or between successive days of inactive
 7 duty training”.

8 (2) *TREATMENT AS DEATH DURING INACTIVE*
 9 *DUTY TRAINING.*—Section 1478(a) of such title is
 10 amended—

11 (A) by redesignating paragraphs (4)
 12 through (8) as paragraphs (5) through (9), re-
 13 spectively; and

14 (B) by inserting after paragraph (3) the fol-
 15 lowing new paragraph (4):

16 “(4) A person covered by subsection (a)(3) of sec-
 17 tion 1475 of this title who died while on authorized
 18 stay at the person’s residence during a period of inac-
 19 tive duty training or between successive days of inac-
 20 tive duty training is considered to have been on inac-
 21 tive duty training on the date of his death.”.

22 (b) *RECOVERY, CARE, AND DISPOSITION OF REMAINS*
 23 *AND RELATED BENEFITS.*—Section 1481(a)(2) of such title
 24 is amended—

(1) by redesignating subparagraph (E) and (F) as subparagraphs (F) and (G), respectively; and

(2) by inserting after subparagraph (D) the following new subparagraph (E):

“(E) staying at the member’s residence, when so authorized by proper authority, during a period of inactive duty training or between successive days of inactive duty training;”.

(c) *EFFECTIVE DATE.*—The amendments made by this section shall take effect on January 1, 2010, and shall apply with respect to deaths that occur on or after that date.

SEC. 635. REPEAL OF REQUIREMENT OF REDUCTION OF SURVIVOR BENEFITS PLAN SURVIVOR ANNUITIES BY DEPENDENCY AND INDEMNITY COMPENSATION.

(a) *REPEAL.*—

(1) *IN GENERAL.*—Subchapter II of chapter 73 of title 10, United States Code, is amended as follows:

(A) In section 1450, by striking subsection (c).

(B) In section 1451(c)—

(i) by striking paragraph (2); and

(ii) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

1 (2) *CONFORMING AMENDMENTS.—Such sub-*
 2 *chapter is further amended as follows:*

3 (A) *In section 1450—*

4 (i) *by striking subsection (e);*

5 (ii) *by striking subsection (k); and*

6 (iii) *by striking subsection (m).*

7 (B) *In section 1451(g)(1), by striking sub-*
 8 *paragraph (C).*

9 (C) *In section 1452—*

10 (i) *in subsection (f)(2), by striking*
 11 *“does not apply—” and all that follows and*
 12 *inserting “does not apply in the case of a*
 13 *deduction made through administrative*
 14 *error.”; and*

15 (ii) *by striking subsection (g).*

16 (D) *In section 1455(c), by striking “,*
 17 *1450(k)(2),”.*

18 (b) *PROHIBITION ON RETROACTIVE BENEFITS.—No*
 19 *benefits may be paid to any person for any period before*
 20 *the effective date provided under subsection (f) by reason*
 21 *of the amendments made by subsection (a).*

22 (c) *PROHIBITION ON RECOUPMENT OF CERTAIN*
 23 *AMOUNTS PREVIOUSLY REFUNDED TO SBP RECIPIENTS.—*
 24 *A surviving spouse who is or has been in receipt of an an-*
 25 *nuity under the Survivor Benefit Plan under subchapter*

1 *II of chapter 73 of title 10, United States Code, that is in*
 2 *effect before the effective date provided under subsection (f)*
 3 *and that is adjusted by reason of the amendments made*
 4 *by subsection (a) and who has received a refund of retired*
 5 *pay under section 1450(e) of title 10, United States Code,*
 6 *shall not be required to repay such refund to the United*
 7 *States.*

8 *(d) REPEAL OF AUTHORITY FOR OPTIONAL ANNUITY*
 9 *FOR DEPENDENT CHILDREN.—Section 1448(d) of such title*
 10 *is amended—*

11 *(1) in paragraph (1), by striking “Except as*
 12 *provided in paragraph (2)(B), the Secretary con-*
 13 *cerned” and inserting “The Secretary concerned”;*
 14 *and*

15 *(2) in paragraph (2)—*

16 *(A) by striking “DEPENDENT CHILDREN.—*
 17 *” and all that follows through “In the case of a*
 18 *member described in paragraph (1),” and insert-*
 19 *ing “DEPENDENT CHILDREN ANNUITY WHEN NO*
 20 *ELIGIBLE SURVIVING SPOUSE.—In the case of a*
 21 *member described in paragraph (1),”; and*

22 *(B) by striking subparagraph (B).*

23 *(e) RESTORATION OF ELIGIBILITY FOR PREVIOUSLY*
 24 *ELIGIBLE SPOUSES.—The Secretary of the military depart-*
 25 *ment concerned shall restore annuity eligibility to any eli-*

1 gible surviving spouse who, in consultation with the Sec-
 2 retary, previously elected to transfer payment of such annu-
 3 ity to a surviving child or children under the provisions
 4 of section 1448(d)(2)(B) of title 10, United States Code, as
 5 in effect on the day before the effective date provided under
 6 subsection (f). Such eligibility shall be restored whether or
 7 not payment to such child or children subsequently was ter-
 8 minated due to loss of dependent status or death. For the
 9 purposes of this subsection, an eligible spouse includes a
 10 spouse who was previously eligible for payment of such an-
 11 nuity and is not remarried, or remarried after having at-
 12 tained age 55, or whose second or subsequent marriage has
 13 been terminated by death, divorce or annulment.

14 (f) *EFFECTIVE DATE.*—The sections and the amend-
 15 ments made by this section shall take effect on the later of—

16 (1) the first day of the first month that begins
 17 after the date of the enactment of this Act; or

18 (2) the first day of the fiscal year that begins in
 19 the calendar year in which this Act is enacted.

1 ***Subtitle D—Pay and Allowances***

2 ***SEC. 641. NO REDUCTION IN BASIC ALLOWANCE FOR HOUS-***
3 ***ING FOR NATIONAL GUARD MEMBERS WHO***
4 ***TRANSITION BETWEEN ACTIVE DUTY AND***
5 ***FULL-TIME NATIONAL GUARD DUTY WITHOUT***
6 ***A BREAK IN ACTIVE SERVICE.***

7 *Section 403(g) of title 37, United States Code, is*
8 *amended by adding at the end the following new paragraph:*

9 *“(6) The rate of basic allowance for housing to be paid*
10 *a member of the Army National Guard of the United States*
11 *or the Air National Guard of the United States shall not*
12 *be reduced upon the transition of the member from active*
13 *duty under title 10, United States Code, to full-time Na-*
14 *tional Guard duty under title 32, United States Code, or*
15 *from full-time National Guard duty under title 32, United*
16 *States Code, to active duty under title 10, United States*
17 *Code, when the transition occurs without a break in active*
18 *service of at least one calendar day”.*

19 ***TITLE VII—HEALTH CARE***
20 ***PROVISIONS***

21 ***Subtitle A—TRICARE Program***

22 ***SEC. 701. ANNUAL COST-OF-LIVING ADJUSTMENT IN EN-***
23 ***ROLLMENT FEES IN TRICARE PRIME.***

24 *(a) IN GENERAL.—Section 1097a of title 10, United*
25 *States Code, is amended—*

1 (1) by redesignating subsections (c), (d), (e), and
 2 (f) as subsections (d), (e), (f), and (g), respectively;
 3 and

4 (2) by inserting after subsection (b) the following
 5 new subsection (c):

6 “(c) *COST-OF-LIVING ADJUSTMENT IN ENROLLMENT*
 7 *FEE.*—(1) Whenever after September 30, 2012, the Sec-
 8 retary of Defense increases the retired pay of members and
 9 former members of the armed forces pursuant to section
 10 1401a of this title, the Secretary shall increase the amount
 11 of the fee payable for enrollment in TRICARE Prime by
 12 an amount equal to the percentage of such fee payable on
 13 the day before the date of the increase of such fee that is
 14 equal to the percentage increase in such retired pay. In de-
 15 termining the amount of the increase in such retired pay
 16 for purposes of this subsection, the Secretary shall use the
 17 amount computed pursuant to section 1401a(b)(2) of this
 18 title. The increase in such fee shall be effective as of January
 19 1 following the date of the increase in such retired pay.

20 “(2) The Secretary shall publish in the Federal Reg-
 21 ister the amount of the fee payable for enrollment in
 22 TRICARE Prime whenever increased pursuant to this sub-
 23 section.”.

24 (b) *CONFORMING AND CLERICAL AMENDMENTS.*—

3 **“§ 1097a. TRICARE Prime: automatic enrollment; en-**
4 **rollment fee; payment options”.**

(2) *CLERICAL AMENDMENT.*—The table of sections at the beginning of chapter 55 of such title is amended by striking the item relating to section 1097a and inserting the following new item:

“1097a. TRICARE Prime: automatic enrollment; enrollment fee; payment options.”

9 SEC. 702. MAINTENANCE OF THE ADEQUACY OF PROVIDER
10 NETWORKS UNDER THE TRICARE PROGRAM.

11 *Section 1097b(a) of title 10, United States Code, is*
12 *amended by adding at the end the following new paragraph:*

“(3) In establishing rates and procedures for reimbursement of providers and other administrative requirements, including those contained in provider network agreements, the Secretary shall to the extent practicable maintain adequate networks of providers, including institutional, professional, and pharmacy. Network providers under such provider network agreements are not considered subcontractors for purposes of the Federal Acquisition Regulation or any other law.”.

1 **SEC. 703. TRANSITION ENROLLMENT OF UNIFORMED SERV-**
 2 **ICES FAMILY HEALTH PLAN MEDICARE-ELIGI-**
 3 **BLE RETIREES TO TRICARE FOR LIFE.**

4 *Section 724(e) of the National Defense Authorization*
 5 *Act for Fiscal Year 1997 (10 U.S.C. 1073 note) is amend-*
 6 *ed—*

7 *(1) by striking “If a covered beneficiary” and in-*
 8 *serting “(1) Except as provided in paragraph (2), if*
 9 *a covered beneficiary”; and*

10 *(2) by adding at the end the following new para-*
 11 *graph:*

12 *“(2) After September 30, 2011, a covered beneficiary*
 13 *(other than a beneficiary under section 1079 of title 10,*
 14 *United States Code) who is also entitled to hospital insur-*
 15 *ance benefits under part A of title XVIII of the Social Secu-*
 16 *rity Act due to age may not enroll in the managed care*
 17 *program of a designated provider unless the beneficiary was*
 18 *enrolled in that program on September 30, 2011.”.*

19 **SEC. 704. MODIFICATION OF AUTHORITIES ON SURVEYS ON**
 20 **CONTINUED VIABILITY OF TRICARE STAND-**
 21 **ARD AND TRICARE EXTRA.**

22 *(a) SCOPE OF CERTAIN SURVEYS.—Subsection*
 23 *(a)(3)(A) of section 711 of the National Defense Authoriza-*
 24 *tion Act for Fiscal Year 2008 (Public Law 110–181; 122*
 25 *Stat. 190; 10 U.S.C. 1073 note) by striking “2011” and*
 26 *inserting “2015”.*

1 (b) *FREQUENCY OF SUBMITTAL OF GAO REVIEWS.*—
 2 Subsection (b)(2) of such section is amended by striking “bi-
 3 annual basis” and inserting “biennial basis”.

4 **SEC. 705. EXTENSION OF TIME LIMIT FOR SUBMITTAL OF**
 5 **CLAIMS UNDER THE TRICARE PROGRAM FOR**
 6 **CARE PROVIDED OUTSIDE THE UNITED**
 7 **STATES.**

8 Section 1106(b) of title 10, United States Code, is
 9 amended by striking “not later than” and all that follows
 10 and inserting the following: “as follows:

11 “(1) In the case of services provided outside the
 12 United States, the Commonwealth of Puerto Rico, or
 13 the possessions of the United States, by not later than
 14 three years after the services are provided.

15 “(2) In the case of any other services, by not
 16 later than one year after the services are provided.”.

17 **Subtitle B—Other Health Care**
 18 **Benefits**

19 **SEC. 711. TRAVEL FOR ANESTHESIA SERVICES FOR CHILD-**
 20 **BIRTH FOR COMMAND-SPONSORED DEPEND-**
 21 **ENTS OF MEMBERS ASSIGNED TO REMOTE**
 22 **LOCATIONS OUTSIDE THE CONTINENTAL**
 23 **UNITED STATES.**

24 Section 1040(a) of title 10, United States Code, is
 25 amended—

1 (1) by inserting “(1)” after “(a)”; and

2 (2) by adding at the end the following new para-
3 graph:

4 “(2)(A) For purposes of paragraph (1), required med-
5 ical attention of a dependent includes, in the case of a de-
6 pendent authorized to accompany a member at a location
7 described in that paragraph, obstetrical anesthesia services
8 for childbirth equivalent to the obstetrical anesthesia serv-
9 ices for childbirth available in a military treatment facility
10 in the United States.

11 “(B) In the case of a dependent at a remote location
12 outside the continental United States who elects services de-
13 scribed in subparagraph (A) and for whom air transpor-
14 tation would be needed to travel under paragraph (1) to
15 the nearest appropriate medical facility in which adequate
16 medical care is available, the Secretary may authorize the
17 dependent to receive transportation under that paragraph
18 to the continental United States and be treated at the mili-
19 tary treatment facility that can provide appropriate obstet-
20 rical services that is nearest to the closest port of entry into
21 the continental United States from such remote location.

22 “(C) The second through sixth sentences of paragraph
23 (1) shall apply to a dependent provided transportation by
24 reason of this paragraph.

1 “(D) *The total cost incurred by the United States for*
 2 *the provision of transportation and expenses (including per*
 3 *diem) with respect to a dependent by reason of this para-*
 4 *graph may not exceed the cost the United States would oth-*
 5 *erwise incur for the provision of transportation and ex-*
 6 *penses with respect to that dependent under paragraph (1)*
 7 *if the transportation and expenses were provided to that*
 8 *dependent without regard to this paragraph.*

9 “(E) *The authority under this paragraph shall expire*
 10 *on September 30, 2016.*”.

11 **SEC. 712. TRANSITIONAL HEALTH BENEFITS FOR CERTAIN**
 12 **MEMBERS WITH EXTENSION OF ACTIVE DUTY**
 13 **FOLLOWING ACTIVE DUTY IN SUPPORT OF A**
 14 **CONTINGENCY OPERATION.**

15 *Section 1145(a)(4) of title 10, United States Code, is*
 16 *amended by adding at the end the following new sentence:*
 17 *“For purposes of the preceding sentence, in the case of a*
 18 *member on active duty as described in subparagraph (B),*
 19 *(C), or (D) of paragraph (2) who, without a break in serv-*
 20 *ice, is extended on active duty for any reason, the 180-day*
 21 *period shall begin on the date on which the member is sepa-*
 22 *rated from such extended active duty.*”.

1 **SEC. 713. CODIFICATION AND IMPROVEMENT OF PROCE-**
 2 **DURES FOR MENTAL HEALTH EVALUATIONS**
 3 **FOR MEMBERS OF THE ARMED FORCES.**

4 (a) *CODIFICATION AND IMPROVEMENT OF PROCE-*
 5 *DURES.—*

6 (1) *IN GENERAL.—Chapter 55 of title 10, United*
 7 *States Code, is amended by inserting after section*
 8 *1090 the following new section:*

9 **“§ 1090a. Commanding officer and supervisor refer-**
 10 **als of members for mental health evalua-**
 11 **tions**

12 *“(a) REGULATIONS.—The Secretary of Defense shall*
 13 *prescribe and maintain regulations relating to com-*
 14 *manding officer and supervisor referrals of members of the*
 15 *armed forces for mental health evaluations. The regulations*
 16 *shall incorporate the requirements set forth in subsections*
 17 *(b), (c), and (d) and such other matters as the Secretary*
 18 *considers appropriate.*

19 *“(b) REDUCTION OF PERCEIVED STIGMA.—The regula-*
 20 *tions required by subsection (a) shall, to the greatest extent*
 21 *possible—*

22 *“(1) seek to eliminate perceived stigma associ-*
 23 *ated with seeking and receiving mental health serv-*
 24 *ices, promoting the use of mental health services on*
 25 *a basis comparable to the use of other medical and*
 26 *health services; and*

1 “(2) clarify the appropriate action to be taken
2 by commanders or supervisory personnel who, in good
3 faith, believe that a subordinate may require a mental
4 health evaluation.

5 “(c) *PROCEDURES FOR INPATIENT EVALUATIONS.*—
6 The regulations required by subsection (a) shall provide
7 that, when a commander or supervise determines that it
8 is necessary to refer a member of the armed forces for a
9 mental health evaluation—

10 “(1) the mental health evaluation shall only be
11 conducted on an inpatient basis if and when such an
12 evaluation cannot appropriately or reasonably be con-
13 ducted on an outpatient basis, in accordance with the
14 least restrictive alternative principle; and

15 “(2) only a psychiatrist, or, in cases in which a
16 psychiatrist is not available, another mental health
17 professional or a physician, may admit the member
18 pursuant to the referral for a mental health evalua-
19 tion to be conducted on an inpatient basis.

20 “(d) *PROHIBITION ON USE OF REFERRALS FOR MEN-*
21 *TAL HEALTH EVALUATIONS TO RETALIATE AGAINST WHIS-*
22 *TLBLOWERS.*—(1) The regulations required by subsection
23 (a) shall provide that no person may refer a member of
24 the armed forces for a mental health evaluation as a re-
25 prisal for making or preparing a lawful communication of

1 *the type described in section 1034(c)(2) of this title, and*
 2 *applicable regulations. For purposes of this subsection, such*
 3 *communication also shall include a communication to any*
 4 *appropriate authority in the chain of command of the mem-*
 5 *ber.*

6 “(2) *Such regulations shall provide that a referral for*
 7 *a mental health evaluation by a commander or supervisor,*
 8 *when taken as a reprisal for a communication referred to*
 9 *in paragraph (1), may be the basis for a proceeding under*
 10 *section 892 of this title (article 92 of the Uniform Code of*
 11 *Military Justice). Persons not subject to chapter 47 of this*
 12 *title (the Uniform Code of Military Justice) who fail to*
 13 *comply with the provisions of this section are subject to ad-*
 14 *verse administrative action.*

15 “(3)(A) *No person may restrict a member of the armed*
 16 *forces in communicating with an Inspector General, attor-*
 17 *ney, member of Congress, or others about the referral of a*
 18 *member of the armed forces for a mental health evaluation.*

19 “(B) *Subparagraph (A) does not apply to a commu-*
 20 *nication that is unlawful.*

21 “(e) *DEFINITIONS.—In this section:*

22 “(1) *The term ‘Inspector General’ means the fol-*
 23 *lowing:*

1 “(A) *An Inspector General appointed under*
2 *the Inspector General Act of 1978 (5 U.S.C.*
3 *App.).*

4 “(B) *An officer of the armed forces assigned*
5 *or detailed under regulations of the Secretary*
6 *concerned to serve as an Inspector General at*
7 *any command level in one of the armed forces.*

8 “(2) *The term ‘mental health professional’ means*
9 *a psychiatrist or clinical psychologist, a person with*
10 *a doctorate in clinical social work, or a psychiatric*
11 *clinical nurse specialist.*

12 “(3) *The term ‘mental health evaluation’ means*
13 *a psychiatric examination or evaluation, a psycho-*
14 *logical examination or evaluation, an examination*
15 *for psychiatric or psychological fitness for duty, or*
16 *any other means of assessing the state of mental*
17 *health of a member of the armed forces.*

18 “(4) *The term ‘least restrictive alternative prin-*
19 *ciple’ means a principle under which a member of the*
20 *armed forces committed for hospitalization and treat-*
21 *ment shall be placed in the most appropriate and*
22 *therapeutic available setting—*

23 “(A) *that is no more restrictive than is con-*
24 *ducive to the most effective form of treatment;*
25 *and*

1 “(B) in which treatment is available and
 2 the risks of physical injury or property damage
 3 posed by such placement are warranted by the
 4 proposed plan of treatment.”.

5 (2) *CLERICAL AMENDMENT.*—The table of sec-
 6 tions at the beginning of chapter 55 of such title is
 7 amended by inserting after the item relating to sec-
 8 tion 1090 the following new item:

“1090a. Commanding officer and supervisor referrals of members for mental
 health evaluations.”.

9 (b) *CONFORMING REPEAL.*—Section 546 of the Na-
 10 tional Defense Authorization Act for Fiscal Year 1993 (Pub-
 11 lic Law 102–484; 106 Stat. 2416; 10 U.S.C. 1074 note) is
 12 repealed.

13 **Subtitle C—Health Care** 14 **Administration**

15 **SEC. 721. EXPANSION OF STATE LICENSURE EXCEPTIONS** 16 **FOR CERTAIN MENTAL HEALTH-CARE PRO-** 17 **FESSIONALS.**

18 Section 1094(d) of title 10, United States Code, is
 19 amended—

20 (1) in paragraph (1)—

21 (A) by inserting “(A)” after “(1)”; and

22 (B) by adding at the end the following new
 23 subparagraph:

1 “(B) Notwithstanding any law regarding the licensure
 2 of health care providers, a health-care professional described
 3 in paragraph (4) may perform the duties relating to mental
 4 health care specified in the regulations under subparagraph
 5 (B) of that paragraph at any location in any State, the
 6 District of Columbia, or a Commonwealth, territory or pos-
 7 session of the United States, regardless of where such health-
 8 care professional or the patient are located, so long as the
 9 practice is within the scope of the authorized Federal duties
 10 specified in that subparagraph.”;

11 (2) in paragraphs (2) and (3), by striking
 12 “paragraph (1)” and inserting “paragraph (1)(A)”;
 13 and

14 (3) by adding at the end the following new para-
 15 graph:

16 “(4) A health-care professional referred to in para-
 17 graph (1)(B) is a member of the armed forces, civilian em-
 18 ployee of the Department of Defense, personal services con-
 19 tractor under section 1091 of this title, or other health-care
 20 professional credentialed and privileged at a Federal health
 21 care institution or location specially designated by the Sec-
 22 retary for purposes of that paragraph who—

23 “(A) has a current license to practice medicine,
 24 osteopathic medicine, or another health profession;
 25 and

1 “(B) is performing such authorized duties relat-
 2 ing to mental health care for the Department of De-
 3 fense as the Secretary shall prescribe in regulations
 4 for purposes of this paragraph.”.

5 **SEC. 722. CLARIFICATION ON CONFIDENTIALITY OF MED-**
 6 **ICAL QUALITY ASSURANCE RECORDS.**

7 (a) *IN GENERAL.*—Section 1102(j) of title 10, United
 8 States Code, is amended—

9 (1) in paragraph (1), by striking “any activity
 10 carried out” and inserting “any peer review activity
 11 carried out”; and

12 (2) by adding at the end the following new para-
 13 graph:

14 “(4) The term ‘peer review’ means an assessment
 15 of professional performance by professionally-equiva-
 16 lent health care providers.”.

17 (b) *EFFECTIVE DATE.*—The amendments made by sub-
 18 section (a) shall take effect on January 1, 2012.

1 ***TITLE VIII—ACQUISITION POL-***
 2 ***ICY, ACQUISITION MANAGE-***
 3 ***MENT, AND RELATED MAT-***
 4 ***TERS***

5 ***Subtitle A—Provisions Relating to***
 6 ***Major Defense Acquisition Pro-***
 7 ***grams***

8 ***SEC. 801. WAIVER OF REQUIREMENTS RELATING TO NEW***
 9 ***MILESTONE APPROVAL FOR CERTAIN MAJOR***
 10 ***DEFENSE ACQUISITION PROGRAMS EXPERI-***
 11 ***ENCING CRITICAL COST GROWTH DUE TO***
 12 ***CHANGE IN QUANTITY PURCHASED.***

13 *Section 2433a(c) of title 10, United States Code, is*
 14 *amended by adding at the end the following new paragraph:*

15 *“(3)(A) The requirements of subparagraphs (B) and*
 16 *(C) of paragraph (1) shall not apply to a program or sub-*
 17 *program if—*

18 *“(i) the Milestone Decision Authority determines*
 19 *in writing, on the basis of a cost assessment and root*
 20 *cause analysis conducted pursuant to subsection (a),*
 21 *that—*

22 *“(I) but for a change in the quantity of*
 23 *items to be purchased under the program or sub-*
 24 *program, the program acquisition unit cost or*
 25 *procurement unit cost for the program or subpro-*

1 *gram would not have increased by a percentage*
2 *equal to or greater than the cost growth thresh-*
3 *olds for the program or subprogram set forth in*
4 *subparagraph (B); and*

5 *“(II) the change in quantity of items de-*
6 *scribed in subclause (I) was not made as a result*
7 *of an increase in program cost, a delay in the*
8 *program, or a problem meeting program require-*
9 *ments;*

10 *“(ii) the Secretary determines in writing that*
11 *the cost to the Department of Defense of complying*
12 *with such requirements is likely to exceed the benefits*
13 *to the Department of complying with such require-*
14 *ments; and*

15 *“(iii) the Secretary submits to Congress, before*
16 *the end of the 60-day period beginning on the day the*
17 *Selected Acquisition Report containing the informa-*
18 *tion described in section 2433(g) of this title is re-*
19 *quired to be submitted under section 2432(f) of this*
20 *title—*

21 *“(I) a copy of the written determination*
22 *under clause (i) and an explanation of the basis*
23 *for the determination; and*

1 “(II) a copy of the written determination
2 under clause (ii) and an explanation of the basis
3 for the determination.

4 “(B) The cost growth thresholds specified in this sub-
5 paragraph are as follows:

6 “(i) In the case of a major defense acquisition
7 program or designated major defense subprogram, a
8 percentage increase in the program acquisition unit
9 cost for the program or subprogram of—

10 “(I) 5 percent over the program acquisition
11 unit cost for the program or subprogram as
12 shown in the current Baseline Estimate for the
13 program or subprogram; and

14 “(II) 10 percent over the program acquisi-
15 tion unit cost for the program or subprogram as
16 shown in the original Baseline Estimate for the
17 program or subprogram.

18 “(ii) In the case of a major defense acquisition
19 program or designated major defense subprogram that
20 is a procurement program, a percentage increase in
21 the procurement unit cost for the program or subpro-
22 gram of—

23 “(I) 5 percent over the procurement unit
24 cost for the program or subprogram as shown in

1 *the current Baseline Estimate for the program or*
 2 *subprogram; and*

3 “(II) 10 percent over the procurement unit
 4 *cost for the program or subprogram as shown in*
 5 *the original Baseline Estimate for the program*
 6 *or subprogram.”.*

7 **SEC. 802. MODIFICATION OF CERTAIN REQUIREMENTS OF**
 8 **THE WEAPON SYSTEMS ACQUISITION RE-**
 9 **FORM ACT OF 2009.**

10 (a) *REPEAL OF CERTIFICATION OF COMPLIANCE OF*
 11 *CERTAIN MAJOR DEFENSE ACQUISITION PROGRAMS WITH*
 12 *ACTIONS ON TREATMENT OF SYSTEMIC PROBLEMS BEFORE*
 13 *MILESTONE APPROVAL.*—Subsection (c) of section 204 of
 14 *the Weapon Systems Acquisition Reform Act of 2009 (Pub-*
 15 *lic Law 111–23; 123 Stat. 1723; 10 U.S.C. 2366a note) is*
 16 *repealed.*

17 (b) *WAIVER OF REQUIREMENT TO REVIEW PROGRAMS*
 18 *RECEIVING WAIVER OR CERTAIN CERTIFICATION REQUIRE-*
 19 *MENTS.*—Section 2366b(d) of title 10, United States Code,
 20 *is amended by adding the following new paragraph:*

21 “(3) *The requirement in paragraph (2)(B) shall not*
 22 *apply to a program for which a certification was required*
 23 *pursuant to section 2433a(c) of this title if the milestone*
 24 *decision authority—*

25 “(A) *determines in writing that—*

1 “(i) the program has reached a stage in the
2 acquisition process at which it would not be
3 practicable to meet the certification component
4 that was waived; and

5 “(ii) the milestone decision authority has
6 taken appropriate alternative actions to address
7 the underlying purposes of such certification
8 component; and

9 “(B) submits the written determination, and an
10 explanation of the basis for the determination, to the
11 congressional defense committees.”.

12 **SEC. 803. ASSESSMENT, MANAGEMENT, AND CONTROL OF**
13 **OPERATING AND SUPPORT COSTS FOR**
14 **MAJOR WEAPON SYSTEMS.**

15 (a) *GUIDANCE REQUIRED.*—Not later than 180 days
16 after the date of the enactment of this Act, the Secretary
17 of Defense shall issue guidance on actions to be taken to
18 assess, manage, and control Department of Defense costs for
19 the operation and support of major weapon systems.

20 (b) *ELEMENTS.*—The guidance required by subsection
21 (a) shall, at a minimum—

22 (1) require the military departments to retain
23 each estimate of operating and support costs that is
24 developed at any time during the life cycle of a major

1 *weapon system, together with supporting documenta-*
2 *tion used to develop the estimate;*

3 *(2) require the military departments to update*
4 *estimates of operating and support costs periodically*
5 *throughout the life cycle of a major weapon system,*
6 *to determine whether preliminary information and*
7 *assumptions remain relevant and accurate, and iden-*
8 *tify and record reasons for variances;*

9 *(3) establish standard requirements for the collec-*
10 *tion of data on operating and support costs for major*
11 *weapon systems and require the military departments*
12 *to revise their Visibility and Management of Oper-*
13 *ating and Support Costs (VAMOSC) systems to en-*
14 *sure that they collect complete and accurate data in*
15 *compliance with such requirements and make such*
16 *data available in a timely manner;*

17 *(4) establish standard requirements for the collec-*
18 *tion and reporting of data on operating and support*
19 *costs for major weapon systems by contractors per-*
20 *forming weapon system sustainment functions in an*
21 *appropriate format, and develop contract clauses to*
22 *ensure that contractors comply with such require-*
23 *ments;*

24 *(5) require the military departments—*

1 (A) to collect and retain data from oper-
2 ational and developmental testing and evalua-
3 tion on the reliability and maintainability of
4 major weapon systems; and

5 (B) to use such data to inform system de-
6 sign decisions, provide insight into sustainment
7 costs, and inform estimates of operating and
8 support costs for such systems;

9 (6) require the military departments to ensure
10 that sustainment factors are fully considered at key
11 life cycle management decision points and that ap-
12 propriate measures are taken to reduce operating and
13 support costs by influencing system design early in
14 development, developing sound sustainment strategies,
15 and addressing key drivers of costs;

16 (7) require the military departments to conduct
17 an independent logistics assessment of each major
18 weapon system prior to key acquisition decision
19 points (including milestone decisions) to identify fea-
20 tures that are likely to drive future operating and
21 support costs, changes to system design that could re-
22 duce such costs, and effective strategies for managing
23 such costs;

24 (8) include—

1 (A) *reliability metrics for major weapon*
 2 *systems; and*

3 (B) *requirements on the use of metrics*
 4 *under subparagraph (A) as triggers—*

5 (i) *to conduct further investigation and*
 6 *analysis into drivers of those metrics; and*

7 (ii) *to develop strategies for improving*
 8 *reliability, availability, and maintain-*
 9 *ability of such systems at an affordable cost;*
 10 *and*

11 (9) *require the military departments to conduct*
 12 *periodic reviews of operating and support costs of*
 13 *major weapon systems after such systems achieve ini-*
 14 *tial operational capability to identify and address*
 15 *factors resulting in growth in operating and support*
 16 *costs and adapt support strategies to reduce such*
 17 *costs.*

18 (c) *RETENTION OF DATA ON OPERATING AND SUPPORT*
 19 *COSTS.—*

20 (1) *IN GENERAL.—The Director of Cost Assess-*
 21 *ment and Program Evaluation shall be responsible*
 22 *for developing and maintaining a database on oper-*
 23 *ating and support estimates, supporting documenta-*
 24 *tion, and actual operating and support costs for*
 25 *major weapon systems.*

1 (2) *SUPPORT.*—*The Secretary of Defense shall*
2 *ensure that the Director, in carrying out such respon-*
3 *sibility—*

4 (A) *promptly receives the results of all cost*
5 *estimates and cost analyses conducted by the*
6 *military departments with regard to operating*
7 *and support costs of major weapon systems;*

8 (B) *has timely access to any records and*
9 *data of the military departments (including clas-*
10 *sified and proprietary information) that the Di-*
11 *rector considers necessary to carry out such re-*
12 *sponsibility; and*

13 (C) *with the concurrence of the Under Sec-*
14 *retary of Defense for Acquisition, Technology,*
15 *and Logistics, may direct the military depart-*
16 *ments to collect and retain information nec-*
17 *essary to support the database.*

18 (d) *MAJOR WEAPON SYSTEM DEFINED.*—*In this sec-*
19 *tion, the term “major weapon system” has the meaning*
20 *given that term in section 2379(f) of title 10, United States*
21 *Code.*

1 **SEC. 804. CLARIFICATION OF RESPONSIBILITY FOR COST**
 2 **ANALYSES AND TARGETS FOR CONTRACT NE-**
 3 **GOTIATION PURPOSES.**

4 *Section 2334(e) of title 10, United States Code, is*
 5 *amended—*

6 *(1) by redesignating paragraphs (2), (3), and (4)*
 7 *as paragraphs (3), (4), and (5), respectively;*

8 *(2) in paragraph (1)—*

9 *(A) by striking “shall provide that—” and*
 10 *all that follows through “cost estimates” and in-*
 11 *serting “shall provide that cost estimates”; and*

12 *(B) by striking “; and” and inserting a pe-*
 13 *riod;*

14 *(3) by redesignating subparagraph (B) as para-*
 15 *graph (2) and indenting such paragraph two ems*
 16 *from the left margin;*

17 *(4) in paragraph (2) as redesignated by para-*
 18 *graph (3) of this section, by striking “cost analyses*
 19 *and targets” and inserting “The Under Secretary of*
 20 *Defense for Acquisition, Technology, and Logistics*
 21 *shall, in consultation with the Director of Cost Assess-*
 22 *ment and Program Evaluation, develop policies, pro-*
 23 *cedures, and guidance to ensure that cost analyses*
 24 *and targets”;*

25 *(5) in paragraph (3), as redesignated by para-*
 26 *graph (1) of this section, by striking “issued by the*

1 *Director of Cost Assessment and Program Evalua-*
 2 *tion” and inserting “issued by the Under Secretary of*
 3 *Defense for Acquisition, Technology, and Logistics*
 4 *under paragraph (2)”;* and

5 *(6) in paragraph (5), as redesignated by para-*
 6 *graph (1) of this section, by striking “paragraph (3)”*
 7 *and inserting “paragraph (4)”.*

8 **SEC. 805. MODIFICATION OF REQUIREMENTS FOR GUID-**
 9 **ANCE ON MANAGEMENT OF MANUFACTURING**
 10 **RISK IN MAJOR DEFENSE ACQUISITION PRO-**
 11 **GRAMS.**

12 *Section 812(b) of the Ike Skelton National Defense Au-*
 13 *thorization Act for Fiscal Year 2011 (Public Law 111–383;*
 14 *124 Stat. 4264; 10 U.S.C. 2430 note) is amended—*

15 *(1) by striking “manufacturing readiness levels”*
 16 *each place it appears and inserting “manufacturing*
 17 *readiness levels or other manufacturing readiness*
 18 *standards”;*

19 *(2) by redesignating paragraphs (4) and (5) as*
 20 *paragraphs (5) and (6), respectively; and*

21 *(3) by inserting after paragraph (3) the fol-*
 22 *lowing new paragraph (4):*

23 *“(4) provide for the tailoring of manufacturing*
 24 *readiness levels or other manufacturing readiness*

1 standards to address the unique characteristics of spe-
 2 cific industry sectors or weapon system portfolios;”.

3 **SEC. 806. MANAGEMENT OF DEVELOPMENTAL TEST AND**
 4 **EVALUATION FOR MAJOR DEFENSE ACQUI-**
 5 **SITION PROGRAMS.**

6 (a) *CHIEF DEVELOPMENTAL TESTER*.—Section 820(a)
 7 of the John Warner National Defense Authorization Act for
 8 Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2330),
 9 as amended by section 805(c) of the National Defense Au-
 10 thorization Act for Fiscal Year 2010 (Public Law 110–181;
 11 123 Stat. 2403), is further amended—

12 (1) by redesignating paragraph (6) as para-
 13 graph (7); and

14 (2) by inserting after paragraph (5) the fol-
 15 lowing new paragraph (6):

16 “(6) Chief developmental tester.”.

17 (b) *RESPONSIBILITIES OF CHIEF DEVELOPMENTAL*
 18 *TESTER AND LEAD DEVELOPMENTAL TEST AND EVALUA-*
 19 *TION ORGANIZATION*.—Section 139b of title 10, United
 20 States Code, is amended—

21 (1) by redesignating subsections (c), (d), and (e)
 22 as subsections (d), (e), and (f), respectively; and

23 (2) by inserting after subsection (b) the following
 24 new subsection (c):

1 “(c) *SUPPORT OF MDAPS BY CHIEF DEVELOPMENTAL*
2 *TESTER AND LEAD DEVELOPMENTAL TEST AND EVALUA-*
3 *TION ORGANIZATION.*—

4 “(1) *SUPPORT.*—*The Secretary of Defense shall*
5 *require that each major defense acquisition program*
6 *be supported by—*

7 “(A) *a chief developmental tester; and*

8 “(B) *a governmental test agency, serving as*
9 *lead developmental test and evaluation organiza-*
10 *tion for the program.*

11 “(2) *RESPONSIBILITIES OF CHIEF DEVELOP-*
12 *MENTAL TESTER.*—*The chief developmental tester for*
13 *a major defense acquisition program shall be respon-*
14 *sible for—*

15 “(A) *coordinating the planning, manage-*
16 *ment, and oversight of all developmental test and*
17 *evaluation activities for the program;*

18 “(B) *maintaining insight into contractor*
19 *activities under the program and overseeing the*
20 *test and evaluation activities of other partici-*
21 *pating government activities under the program;*
22 *and*

23 “(C) *helping program managers make tech-*
24 *nically informed, objective judgments about con-*

1 *tractor developmental test and evaluation results*
 2 *under the program.*

3 “(3) *RESPONSIBILITIES OF LEAD DEVELOP-*
 4 *MENTAL TEST AND EVALUATION ORGANIZATION.*—*The*
 5 *lead developmental test and evaluation organization*
 6 *for a major defense acquisition program shall be re-*
 7 *sponsible for—*

8 “(A) *providing technical expertise on test-*
 9 *ing and evaluation issues to the chief develop-*
 10 *mental tester for the program;*

11 “(B) *conducting developmental testing and*
 12 *evaluation activities for the program, as directed*
 13 *by the chief developmental tester; and*

14 “(C) *assisting the chief developmental tester*
 15 *in providing oversight of contractors under the*
 16 *program and in reaching technically informed,*
 17 *objective judgments about contractor develop-*
 18 *mental test and evaluation results under the pro-*
 19 *gram.”.*

20 **SEC. 807. ASSESSMENT OF RISK ASSOCIATED WITH DEVEL-**
 21 **OPMENT OF MAJOR WEAPON SYSTEMS TO BE**
 22 **PROCURED UNDER COOPERATIVE PROJECTS**
 23 **WITH FRIENDLY FOREIGN COUNTRIES.**

24 (a) *ASSESSMENT OF RISK REQUIRED.*—

1 (1) *IN GENERAL.*—Not later than two days after
2 the President transmits a certification to Congress
3 pursuant to section 27(f) of the Arms Export Control
4 Act (22 U.S.C. 2767(f)) regarding a proposed cooper-
5 ative project agreement that is expected to result in
6 the award of a Department of Defense contract for the
7 engineering and manufacturing development of a
8 major weapon system, the Secretary of Defense shall
9 submit to the Chairmen of the Committees on Armed
10 Services of the Senate and the House of Representa-
11 tives a report setting forth a risk assessment of the
12 proposed cooperative project.

13 (2) *PREPARATION.*—The Secretary shall prepare
14 each report required by paragraph (1) in consultation
15 with the Under Secretary of Defense for Acquisition,
16 Technology, and Logistics, the Assistant Secretary of
17 Defense for Research and Engineering, and the Direc-
18 tor of Cost Assessment and Program Evaluation of
19 the Department of Defense.

20 (b) *ELEMENTS.*—The risk assessment on a cooperative
21 project under subsection (a) shall include the following:

22 (1) *An assessment of the design, technical, manu-*
23 *facturing, and integration risks associated with devel-*
24 *oping and procuring the weapon system to be pro-*
25 *cured under the cooperative project.*

1 (2) *A statement identifying any termination li-*
 2 *ability that would be incurred under the development*
 3 *contract to be entered into under subsection (a)(1),*
 4 *and a statement of the extent to which such termi-*
 5 *nation liability would not be fully funded by appro-*
 6 *priations available or sought in the fiscal year in*
 7 *which the agreement for the cooperative project is*
 8 *signed on behalf of the United States.*

9 (3) *An assessment of the advisability of incur-*
 10 *ring any unfunded termination liability identified*
 11 *under paragraph (2) given the risks identified in the*
 12 *assessment under paragraph (1).*

13 (4) *A listing of which, if any, requirements asso-*
 14 *ciated with the oversight and management of a major*
 15 *defense acquisition program (as prescribed under De-*
 16 *partment of Defense Instruction 5000.02 or related*
 17 *authorities) will be waived, or in any way modified,*
 18 *in carrying out the development contract to be entered*
 19 *into under (a)(1), and a full explanation why such*
 20 *requirements need to be waived or modified.*

21 (c) *DEFINITIONS.—In this section:*

22 (1) *The term “engineering and manufacturing*
 23 *development” has the meaning given that term in De-*
 24 *partment of Defense Instruction 5000.02.*

1 (2) *The term “major weapon system” has the*
 2 *meaning given that term in section 2379(f) of title 10,*
 3 *United States Code.*

4 ***Subtitle B—Acquisition Policy and***
 5 ***Management***

6 ***SEC. 821. INCLUSION OF DATA ON CONTRACTOR PERFORM-***
 7 ***ANCE IN PAST PERFORMANCE DATABASES***
 8 ***FOR SOURCE SELECTION DECISIONS.***

9 (a) *STRATEGY ON INCLUSION REQUIRED.—Not later*
 10 *than 180 days after the date of the enactment of this Act,*
 11 *the Under Secretary of Defense for Acquisition, Technology,*
 12 *and Logistics shall develop a strategy for ensuring that*
 13 *timely, accurate, and complete information on contractor*
 14 *performance is included in past performance databases used*
 15 *for making source selection decisions.*

16 (b) *ELEMENTS.—The strategy required by subsection*
 17 *(a) shall, at a minimum—*

18 (1) *establish standards for the timeliness and*
 19 *completeness of past performance submissions for pur-*
 20 *poses of databases described in subsection (a);*

21 (2) *assign responsibility and management ac-*
 22 *countability for the completeness of past performance*
 23 *submissions for such purposes; and*

24 (3) *ensure that past performance submissions for*
 25 *such purposes are consistent with award fee evalua-*

1 *tions in cases where such evaluations have been con-*
2 *ducted.*

3 (c) *CONTRACTOR COMMENTS.*—*Not later than 180*
4 *days after the date of the enactment of this Act, the Under*
5 *Secretary of Defense for Acquisition, Technology, and Lo-*
6 *gistics shall revise the Defense Supplement to the Federal*
7 *Acquisition Regulation to require the following:*

8 (1) *That agency evaluations of contractor past*
9 *performance are included in the relevant past per-*
10 *formance database as soon as such evaluations are*
11 *completed.*

12 (2) *That affected contractors are notified in a*
13 *timely manner when such agency evaluations are en-*
14 *tered into such database.*

15 (3) *That such contractors are afforded a reason-*
16 *able opportunity to submit comments, rebutting state-*
17 *ments, or additional information pertaining to such*
18 *agency evaluations for inclusion in such database.*

19 (d) *COMPTROLLER GENERAL REPORT.*—*Not later than*
20 *18 months after the date of the enactment of this Act, the*
21 *Comptroller General of the United States shall submit to*
22 *the congressional defense committees a report on the actions*
23 *taken by the Under Secretary of Defense for Acquisition,*
24 *Technology, and Logistics pursuant to this section, includ-*

1 *ing an assessment of the extent to which such actions have*
 2 *achieved the objectives of this section.*

3 **SEC. 822. IMPLEMENTATION OF RECOMMENDATIONS OF DE-**
 4 **FENSE SCIENCE BOARD TASK FORCE ON**
 5 **SERVICE CONTRACTING.**

6 *(a) PLAN FOR IMPLEMENTATION.—Not later than 180*
 7 *days after the date of the enactment of this Act, the Under*
 8 *Secretary of Defense for Acquisition, Technology, and Lo-*
 9 *gistics shall, acting pursuant to the Under Secretary’s re-*
 10 *sponsibility under section 2330 of title 10, United States*
 11 *Code, develop a plan for implementing the recommenda-*
 12 *tions of the Defense Science Board Task Force on Improve-*
 13 *ments to Service Contracting.*

14 *(b) ELEMENTS.—The plan developed pursuant to sub-*
 15 *section (a) shall include, to the extent determined appro-*
 16 *priate by the Under Secretary for Acquisition, Technology,*
 17 *and Logistics, the following:*

18 *(1) A meaningful taxonomy to track services,*
 19 *which can be built into the inventory of contract serv-*
 20 *ices required by section 2330a(c) of title 10, United*
 21 *States Code.*

22 *(2) Standards, definitions, and performance*
 23 *measures for each portfolio of contract services which*
 24 *can be used for the purposes of performance assess-*
 25 *ments conducted pursuant to section 2548 of title 10,*

1 *United States Code, and independent management re-*
2 *views conducted pursuant to section 808 of the Na-*
3 *tional Defense Authorization Act for Fiscal Year 2008*
4 *(Public Law 110–181; 122 Stat. 215; 10 U.S.C. 2330*
5 *note).*

6 (3) *Meaningful incentives to service contractors*
7 *for high performance at low cost, consistent with the*
8 *objectives of the Better Buying Power Initiative estab-*
9 *lished by the Under Secretary.*

10 (4) *Improved means of communication between*
11 *the Government and the services contracting industry*
12 *in the process of developing requirements for services*
13 *contracts.*

14 (5) *Clear guidance for defense acquisition per-*
15 *sonnel on the use of appropriate contract types for*
16 *particular categories of services contracts.*

17 (6) *Formal certification and training require-*
18 *ments for services acquisition personnel, consistent*
19 *with the requirements of sections 1723 and 1724 of*
20 *title 10, United States Code.*

21 (7) *Appropriate emphasis on the recruiting and*
22 *training of services acquisition personnel, consistent*
23 *with the strategic workforce plan developed pursuant*
24 *to section 115b of title 10, United States Code, and*
25 *the funds available through the Department of Defense*

1 *Acquisition Workforce Development Fund established*
2 *pursuant to section 1705 of title 10, United States*
3 *Code.*

4 *(8) Policies and guidance on career development*
5 *for services acquisition personnel, consistent with the*
6 *requirements of sections 1722a and 1722b of title 10,*
7 *United States Code.*

8 *(9) Actions to ensure that the military depart-*
9 *ments dedicate portfolio-specific commodity managers*
10 *to coordinate the procurement of key categories of con-*
11 *tract services, as required by section 2330(b)(3)(C) of*
12 *title 10, United States Code.*

13 *(10) Actions to ensure that the Department of*
14 *Defense conducts realistic exercises and training that*
15 *account for services contracting during contingency*
16 *operations, as required by section 2333(e) of title 10,*
17 *United States Code.*

18 *(c) COMPTROLLER GENERAL REPORT.—Not later than*
19 *18 months after the date of the enactment of this Act, the*
20 *Comptroller General of the United States shall submit to*
21 *the congressional defense committees a report on the fol-*
22 *lowing:*

23 *(1) The actions taken by the Under Secretary of*
24 *Defense for Acquisition, Technology, and Logistics to*
25 *carry out the requirements of this section.*

1 (2) *The actions taken by the Under Secretary to*
 2 *carry out the requirements of section 2330 of title 10,*
 3 *United States Code.*

4 (3) *The actions taken by the military depart-*
 5 *ments to carry out the requirements of section 2330*
 6 *of title 10, United States Code.*

7 (4) *The extent to which the actions described in*
 8 *paragraphs (1), (2), and (3) have resulted in the im-*
 9 *proved acquisition and management of contract serv-*
 10 *ices.*

11 **SEC. 823. TEMPORARY LIMITATION ON AGGREGATE AN-**
 12 **NUAL AMOUNT AVAILABLE FOR CONTRACT**
 13 **SERVICES.**

14 (a) *LIMITATION.*—*Except as provided in subsection*
 15 *(b), the total amount obligated by the Department of De-*
 16 *fense for contract services in fiscal year 2012 or 2013 may*
 17 *not exceed the total amount requested for the Department*
 18 *for contract services in the budget of the President for fiscal*
 19 *year 2010 (as submitted to Congress pursuant to section*
 20 *1105(b) of title 31, United States Code) adjusted for net*
 21 *transfers from funding for overseas contingency operations.*

22 (b) *EXCEPTION.*—*Notwithstanding the limitation in*
 23 *subsection (a), the total amount obligated by the Depart-*
 24 *ment for contract services in fiscal year 2012 or 2013 may*
 25 *exceed the amount otherwise provided pursuant to sub-*

1 *section (a) by an amount elected by the Secretary that is*
2 *not greater than the cost of any increase in such fiscal year*
3 *in the number of civilian billets at the Department that*
4 *has been approved by the Secretary over the number of such*
5 *billets at the Department in fiscal year 2010.*

6 *(c) GUIDANCE.—Not later than 60 days after the date*
7 *of the enactment of this Act, the Secretary shall issue guid-*
8 *ance to the military departments and the Defense Agencies*
9 *on implementation of this section during fiscal years 2012*
10 *and 2013. The guidance shall, at a minimum—*

11 *(1) establish a negotiation objective that labor*
12 *rates and overhead rates in any contract or task order*
13 *for contract services with an estimated value in excess*
14 *of \$10,000,000 awarded to a contractor in fiscal year*
15 *2012 or 2013 shall not exceed labor rates and over-*
16 *head rates paid to the contractor for contract services*
17 *in fiscal year 2010;*

18 *(2) require the Secretaries of the military de-*
19 *partments and the heads of the Defense Agencies to*
20 *approve in writing any contract or task order for*
21 *contract services with an estimated value in excess of*
22 *\$10,000,000 awarded to a contractor in fiscal year*
23 *2012 or 2013 that provides for continuing services at*
24 *an annual cost that exceeds the annual cost paid by*

1 *the military department or Defense Agency concerned*
2 *for the same or similar services in fiscal year 2010;*

3 *(3) require the Secretaries of the military de-*
4 *partments and the heads of the Defense Agencies to*
5 *eliminate any contractor positions identified by the*
6 *military department or Defense Agency concerned as*
7 *being responsible for the performance of inherently*
8 *governmental functions;*

9 *(4) require the Secretaries of the military de-*
10 *partments and the heads of the Defense Agencies to re-*
11 *duce by 10 percent per fiscal year in each of fiscal*
12 *years 2012 and 2013 the funding of the military de-*
13 *partment or Defense Agency concerned for—*

14 *(A) staff augmentation contracts; and*

15 *(B) contracts for the performance of func-*
16 *tions closely associated with inherently govern-*
17 *mental functions; and*

18 *(5) assign responsibility to the management offi-*
19 *cials designated pursuant to section 2330 of title 10,*
20 *United States Code, and section 812(b) of the Na-*
21 *tional Defense Authorization Act for Fiscal Year 2006*
22 *(Public Law 109–163; 119 Stat. 3378; 10 U.S.C.*
23 *2330 note) to provide oversight and ensure the imple-*
24 *mentation of the requirements of this section during*
25 *fiscal years 2012 and 2013.*

1 (d) *DEFINITIONS.—In this section:*

2 (1) *The term “contract services” has the meaning*
3 *given that term in section 235 of title 10, United*
4 *States Code, except that the term does not include*
5 *services that are funded out of amounts available for*
6 *overseas contingency operations.*

7 (2) *The term “function closely associated with*
8 *inherently governmental functions” has the meaning*
9 *given that term in section 2383(b)(3) of title 10,*
10 *United States Code.*

11 (3) *The term “staff augmentation contracts”*
12 *means contracts for personnel who are subject to the*
13 *direction of a government official other than the con-*
14 *tracting officer for the contract, including, but not*
15 *limited to, contractor personnel who perform personal*
16 *services contracts (as that term is defined in section*
17 *2330a(g)(5) of title 10, United States Code).*

18 (4) *The term “transfers from funding for over-*
19 *seas contingency operations” means amounts funded*
20 *out of amounts available for overseas contingency op-*
21 *erations in fiscal year 2010 that are funded out of*
22 *amounts other than amounts so available in fiscal*
23 *year 2012 or 2013.*

1 **SEC. 824. ANNUAL REPORT ON SINGLE-AWARD TASK AND**
 2 **DELIVERY ORDER CONTRACTS.**

3 (a) *ANNUAL REPORT.*—

4 (1) *IN GENERAL.*—Paragraph (2) of section
 5 817(d) of the Bob Stump National Defense Authoriza-
 6 tion Act for Fiscal Year 2003 (Public Law 107–314;
 7 116 Stat. 2611; 10 U.S.C. 2306a note) is amended—

8 (A) in subparagraph (A), by striking “and”
 9 at the end;

10 (B) in subparagraph (B), by striking the
 11 period at the end and inserting “; and”; and

12 (C) by adding at the end the following new
 13 subparagraph:

14 “(C) with respect to any determination pursuant
 15 to section 2304a(d)(3)(D) of title 10, United States
 16 Code, that because of exceptional circumstances it is
 17 necessary in the public interest to award a task or de-
 18 livery order contract with an estimated value in ex-
 19 cess of \$100,000,000 to a single source, an expla-
 20 nation of the basis for the determination.”.

21 (2) *CONFORMING AMENDMENT.*—The heading of
 22 such section is amended by striking “WITH PRICE OR
 23 VALUE GREATER THAN \$15,000,000”.

24 (b) *REPEAL OF CASE-BY-CASE REPORTING REQUIRE-*
 25 *MENT.*—Section 2304a(d)(3) of title 10, United States Code,
 26 is amended—

- 1 (1) *by striking subparagraph (B);*
- 2 (2) *by striking “(A)”;*
- 3 (3) *by redesignating clauses (i), (ii), (iii), and*
4 *(iv) as subparagraphs (A), (B), (C), and (D), respec-*
5 *tively, of paragraph (1); and*
- 6 (4) *in subparagraph (B), as redesignated by*
7 *paragraph (3), by redesignating subclauses (I) and*
8 *(II) as clauses (i) and (ii), respectively.*

9 **SEC. 825. INCORPORATION OF CORROSION PREVENTION**
10 **AND CONTROL INTO REQUIREMENTS APPLI-**
11 **CABLE TO DEVELOPMENT AND ACQUISITION**
12 **OF WEAPON SYSTEMS.**

13 (a) *IN GENERAL.*—*Not later than 180 days after the*
14 *date of the enactment of this Act, the Under Secretary of*
15 *Defense for Acquisition, Technology, and Logistics, in con-*
16 *sultation with the Director of Corrosion Policy and Over-*
17 *sight, shall, for purposes of ensuring that corrosion preven-*
18 *tion and control are addressed early in the development and*
19 *acquisition of weapon systems—*

- 20 (1) *identify and disseminate throughout the De-*
21 *partment of Defense recommendations from the 2010*
22 *Corrosion Evaluation of the F–22 Raptor and F–35*
23 *Lightning II Joint Strike Fighter that are applicable*
24 *Department-wide;*

1 (2) commence implementation of any modifica-
2 tions of policies and practices that the Under Sec-
3 retary considers appropriate in light of such rec-
4 ommendations to improve corrosion prevention and
5 control in new weapon systems; and

6 (3) establish a process for monitoring and assess-
7 ing the effectiveness of the actions taken by the De-
8 partment pursuant to paragraph (2) to improve cor-
9 rosion prevention and control in new weapon systems.

10 (b) *PLAN*.—In carrying out subsection (a), the Under
11 Secretary of Defense for Acquisition, Technology, and Lo-
12 gistics shall develop a plan to achieve, to the extent and
13 in a manner the Under Secretary determines to be feasible
14 and appropriate, the following:

15 (1) Investment in research and development that
16 increases the understanding of corrosion on materials
17 and processes for weapon systems.

18 (2) Development and dissemination of expertise
19 on corrosion in the acquisition programs for weapon
20 systems and in the processes for developing require-
21 ments for weapon systems.

22 (3) Reestablishment of appropriate military
23 specifications and standards regarding corrosion re-
24 sistance in weapon systems.

(4) *Establishment of new test protocols and methodologies with respect to corrosion in new materials and processes for weapon systems.*

(5) *Development of contract language, metrics, and incentives to improve the emphasis on corrosion prevention and control and the effects of corrosion on life cycle costs in weapon systems.*

(6) *Development of a corrosion-focused design decision methodology to support acquisition programs for weapon systems when required to evaluate alternative designs and help quantify future operation and sustainment costs.*

(c) *CORROSION CONTROL IN CERTAIN FIGHTER AIRCRAFT PROGRAMS.*—

(1) *IN GENERAL.*—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall—

(A) *identify in the Corrosion Evaluation referred to in subsection (a) specific recommendations on corrosion prevention and control that are applicable to the F-22 Raptor aircraft and to the F-35 Lightning II Joint Strike Fighter aircraft;*

(B) commence implementation of appropriate actions to put the recommendations described in subparagraph (A) into effect; and

(C) establish and implement processes for monitoring and assessing the effectiveness of the actions put into effect under subparagraph (B).

(2) *ACTIONS ON F-22 RAPTOR AIRCRAFT.*—The actions implemented under paragraph (1) with respect to the F-22 Raptor aircraft shall include a plan and actions to manage cumulative corrosion damage to F-22 Raptor aircraft in order to mitigate long-term structural risk to such aircraft.

(3) *ACTIONS ON F-35 LIGHTNING II JOINT STRIKE FIGHTER AIRCRAFT.*—The actions implemented under paragraph (1) with respect to the F-35 Lightning II Joint Strike Fighter aircraft shall include actions as follows:

(A) *The updating of the F-35 Corrosion Prevention and Control Plan with lessons learned from corrosion prevention and control for the F-22 Raptor aircraft, guidelines for conducting trade studies, and appropriate test and verification methods.*

(B) *Planning for a full climatic test earlier in the acquisition schedule, and ensuring that—*

1 (i) such test robustly addresses the ef-
2 fects of severe wet weather, temperature ex-
3 tremes, and high humidity; and

4 (ii) enclosed areas of the aircraft are
5 opened and inspected for water or moisture
6 intrusion.

7 (C) Developing an appropriate corrosion
8 risk mitigation follow-on plan, including the
9 management of the corrosion risk of parts quali-
10 fied by similarity.

11 (D) Expanding the involvement of the
12 Naval Air Systems Command (NAVAIR) corro-
13 sion testing capability and the Air Force Reserve
14 Laboratory (AFRL) low observable testing capa-
15 bility as a means to independently test and as-
16 sess materials and components.

17 (E) Reconsidering the selection of materials
18 and coating for corrosion risks.

19 (F) Specifying responsibility for manage-
20 ment of the Autonomic Logistics Information
21 System (ALIS) link with the Aircraft Structural
22 Integrity Program (ASIP).

23 (G) Ensuring that the officials covered by
24 subparagraph (F) are involved in the develop-
25 ment of the Autonomic Logistics Information

1 *System and are capable of receiving and ana-*
 2 *lyzing the information to support the Aircraft*
 3 *Structural Integrity Program sustainment activ-*
 4 *ity.*

5 *(d) CORROSION CERTIFICATION AND ASSESSMENT FOR*
 6 *MAJOR DEFENSE ACQUISITION PROGRAMS.—*

7 *(1) IN GENERAL.—Not later than 180 days after*
 8 *the date of the enactment of this Act, the Secretary of*
 9 *Defense shall revise Department of Defense Instruc-*
 10 *tion 5000.02 to ensure that the Milestone Decision*
 11 *Authority for a major defense acquisition program is*
 12 *required to consider issues of corrosion and materials*
 13 *degradation for the purpose of any certification under*
 14 *sections 2366a and 2366b of title 10, United States*
 15 *Code.*

16 *(2) TEST AND EVALUATION.—In carrying out*
 17 *section 2399 of title 10, United States Code, the Di-*
 18 *rector of Operational Test and Evaluation shall—*

19 *(A) consider corrosion, environmental sever-*
 20 *ity, and duration in the adequacy of operational*
 21 *test and evaluation plans;*

22 *(B) include in the annual report under sub-*
 23 *section (g) of that section an assessment of the*
 24 *adequacy of the consideration of material deg-*

1 *radation and corrosion in each major defense ac-*
 2 *quisition program.*

3 **SEC. 826. PROHIBITION ON USE OF FUNDS FOR CERTAIN**
 4 **PROGRAMS.**

5 *No amounts authorized to be appropriated by this Act*
 6 *may be obligated or expended to implement or carry out*
 7 *any program that creates a price evaluation adjustment as*
 8 *described in section 2323(e)(3) of title 10, United States*
 9 *Code, or any other authority, that is inconsistent with the*
 10 *holdings in the following:*

11 (1) *Adarand Constructors, Inc. v. Peña*, 515
 12 *U.S. 200 (1995).*

13 (2) *Rothe Development Corporation. v. Depart-*
 14 *ment of Defense*, 545 *F.3d* 1023 (2008).

15 **SEC. 827. APPLICABILITY OF BUY AMERICAN ACT TO PRO-**
 16 **CUREMENT OF PHOTOVOLTAIC DEVICES BY**
 17 **DEPARTMENT OF DEFENSE.**

18 (a) *IN GENERAL.*—Section 2534 of title 10, *United*
 19 *States Code*, is amended by adding at the end the following
 20 *new subsection:*

21 “(k) *PROCUREMENT OF PHOTOVOLTAIC DEVICES.*—

22 “(1) *CONTRACT REQUIREMENT.*—*The Secretary*
 23 *of Defense shall ensure that each contract described in*
 24 *paragraph (2) awarded by the Department of Defense*
 25 *includes a provision requiring any photovoltaic de-*

1 *vices installed pursuant to the contract, or pursuant*
 2 *to a subcontract under the contract, to comply with*
 3 *the provisions of chapter 83 of title 41 (commonly*
 4 *known as the ‘Buy American Act’), without regard to*
 5 *whether the contract results in ownership of the pho-*
 6 *tovoltaic devices by the Department.*

7 “(2) *CONTRACTS DESCRIBED.—The contracts de-*
 8 *scribed in this paragraph include energy savings per-*
 9 *formance contracts, utility service contracts, power*
 10 *purchase agreements, land leases, and private housing*
 11 *contracts pursuant to which any photovoltaic devices*
 12 *are—*

13 “(A) *installed on property or in a facility*
 14 *owned by the Department of Defense; and*

15 “(B) *generate power consumed predomi-*
 16 *nantly by the Department of Defense and count-*
 17 *ed toward federal renewable energy purchase re-*
 18 *quirements.*

19 “(3) *CONSISTENCY WITH INTERNATIONAL OBLI-*
 20 *GATIONS.—Paragraph (1) shall be applied in a man-*
 21 *ner consistent with the obligations of the United*
 22 *States under international agreements.*

23 “(4) *DEFINITION OF PHOTOVOLTAIC DEVICES.—*
 24 *In this subsection, the term ‘photovoltaic devices’*

1 means devices that convert light directly into elec-
2 tricity.

3 “(5) *EFFECTIVE DATE.*—This subsection applies
4 to photovoltaic devices procured or installed on or
5 after the date that is 30 days after the date of the en-
6 actment of the National Defense Authorization Act for
7 Fiscal Year 2012 pursuant to contracts entered into
8 or after such date of enactment.”.

9 (b) *CONFORMING REPEAL.*—Section 846 of the Ike
10 Skelton National Defense Authorization Act for Fiscal Year
11 2011 (10 U.S.C. 2534 note) is repealed.

12 ***Subtitle C—Amendments Relating***
13 ***to General Contracting Authori-***
14 ***ties, Procedures, and Limita-***
15 ***tions***

16 ***SEC. 841. TREATMENT FOR TECHNICAL DATA PURPOSES OF***
17 ***INDEPENDENT RESEARCH AND DEVELOP-***
18 ***MENT AND BID AND PROPOSAL COSTS.***

19 (a) *TREATMENT.*—Section 2320(a) of title 10, United
20 States Code, is amended—

21 (1) in paragraph (2)(E), by striking “the respec-
22 tive rights” and inserting “the Government may use,
23 modify, release, reproduce, perform, display, or dis-
24 close the data pertaining to such item or process with-
25 in the Government without restriction, but may re-

1 *lease or disclose the data outside the Government only*
 2 *for Government purposes. The respective rights”;*

3 *(2) in paragraph (3), by striking “and shall*
 4 *specify that amounts spent for independent research*
 5 *and development and bid and proposal costs shall not*
 6 *be considered to be Federal funds for the purposes of*
 7 *paragraph (2)(B), but shall be considered to be Fed-*
 8 *eral funds for the purposes of paragraph (2)(A)”;* and

9 *(3) by adding at the end the following new para-*
 10 *graph:*

11 *“(4)(A) Except as provided in subparagraph (B),*
 12 *amounts spent for independent research and development*
 13 *and bid and proposal costs shall not be treated as Federal*
 14 *funds for the purposes of this section.*

15 *“(B) An item or process that is developed in whole or*
 16 *in part with amounts described in subparagraph (A) shall*
 17 *be treated as having been developed in part with Federal*
 18 *funds and in part at private expense in the following cir-*
 19 *cumstances:*

20 *“(i) In the case of an item or process for which*
 21 *the total amount of costs referred to in subparagraph*
 22 *(A) allocable to contracts other than Federal contracts*
 23 *and any other contractor funds expended is less than*
 24 *10 percent of the total funds provided for the develop-*

1 *ment of such item or process (including all sources of*
2 *Federal funding).*

3 *“(ii) In the case an item or process that is inte-*
4 *grated into a major system for which the rights in*
5 *technical data are otherwise described under para-*
6 *graph (2)(A) or (2)(E) and for which—*

7 *“(I) the total amount of such costs allocable*
8 *to contracts other than Federal contracts and*
9 *any other contractor funds expended is less than*
10 *50 percent of the total funds provided for the de-*
11 *velopment of such item or process (including all*
12 *sources of Federal funding); or*

13 *“(II) such item or process cannot be seg-*
14 *regated from other elements of the major system*
15 *in a practicable manner in order to allow the*
16 *system to be procured using competition.”.*

17 *(b) EFFECTIVE DATE.—The amendments made by sub-*
18 *section (a) shall take effect on January 7, 2011, imme-*
19 *diately after the enactment of section 824(b)(2) of the Ike*
20 *Skelton National Defense Authorization Act for Fiscal Year*
21 *2011 (Public Law 111–383; 124 Stat. 4269), to which such*
22 *amendments relate.*

1 **SEC. 842. LIMITATION ON DEFENSE CONTRACTOR COM-**
 2 **PENSATION.**

3 *Section 2324(e)(1)(P) of title 10, United States Code,*
 4 *is amended to read as follows:*

5 “(P) *Costs of compensation of contractor and*
 6 *subcontractor employees for a fiscal year, regardless of*
 7 *the contract funding source, to the extent that such*
 8 *compensation exceeds the annual amount paid to the*
 9 *President of the United States in accordance with sec-*
 10 *tion 102 of title 3.”.*

11 **SEC. 843. COVERED CONTRACTS FOR PURPOSES OF RE-**
 12 **QUIREMENTS ON CONTRACTOR BUSINESS**
 13 **SYSTEMS.**

14 *Paragraph (3) of section 893(f) of the Ike Skelton Na-*
 15 *tional Defense Authorization Act for Fiscal Year 2011 (Pub-*
 16 *lic Law 111–383; 124 Stat. 4312; 10 U.S.C. 2302 note) is*
 17 *amended to read as follows:*

18 “(3) *The term ‘covered contract’ means a con-*
 19 *tract that is subject to the cost accounting standards*
 20 *promulgated pursuant to section 1502 of title 41,*
 21 *United States Code, that could be affected if the data*
 22 *produced by a contractor business system has a sig-*
 23 *nificant deficiency.”.*

1 **SEC. 844. COMPLIANCE WITH DEFENSE PROCUREMENT RE-**
 2 **QUIREMENTS FOR PURPOSES OF INTERNAL**
 3 **CONTROLS OF NON-DEFENSE AGENCIES FOR**
 4 **PROCUREMENTS ON BEHALF OF THE DE-**
 5 **PARTMENT OF DEFENSE.**

6 *Section 801(d) of the National Defense Authorization*
 7 *Act for Fiscal Year 2008 (10 U.S.C. 2304 note) is amended*
 8 *by striking “with the requirements” and all that follows*
 9 *and inserting “with the following:*

10 *“(1) The Federal Acquisition Regulation and*
 11 *other laws and regulations that apply to procure-*
 12 *ments of property and services by Federal agencies.*

13 *“(2) Laws and regulations (including applicable*
 14 *Department of Defense financial management regula-*
 15 *tions) that apply to procurements of property and*
 16 *services made by the Department of Defense through*
 17 *other Federal agencies.”.*

18 **SEC. 845. PROHIBITION ON COLLECTION OF POLITICAL IN-**
 19 **FORMATION.**

20 *(a) IN GENERAL.—Chapter 137 of title 10, United*
 21 *States Code, is amended by adding at the end the following*
 22 *new section:*

23 **“§2335. Prohibition on collection of political informa-**
 24 **tion**

25 *“(a) PROHIBITION ON REQUIRING SUBMISSION OF PO-*
 26 *LITICAL INFORMATION.—The head of an agency may not*

1 *require a contractor to submit political information related*
 2 *to the contractor or a subcontractor at any tier, or any*
 3 *partner, officer, director, or employee of the contractor or*
 4 *subcontractor—*

5 “(1) *as part of a solicitation, request for bid, re-*
 6 *quest for proposal, or any other form of communica-*
 7 *tion designed to solicit offers in connection with the*
 8 *award of a contract for procurement of property or*
 9 *services;*

10 “(2) *during the course of contract performance*
 11 *as part of the process associated with modifying a*
 12 *contract or exercising a contract option; or*

13 “(3) *any time prior to contract completion and*
 14 *final contract closeout.*

15 “(b) *SCOPE.—The prohibition under this section ap-*
 16 *plies to the procurement of commercial items, the procure-*
 17 *ment of commercial-off-the-shelf-items, and the non-com-*
 18 *mercial procurement of supplies, property, services, and*
 19 *manufactured items, irrespective of contract vehicle, includ-*
 20 *ing contracts, purchase orders, task or deliver orders under*
 21 *indefinite delivery/indefinite quantity contracts, blanket*
 22 *purchase agreements, and basic ordering agreements.*

23 “(c) *RULE OF CONSTRUCTION.—Nothing in this sec-*
 24 *tion shall be construed as—*

1 “(1) *waiving, superseding, restricting, or lim-*
 2 *iting the application of the Federal Election Cam-*
 3 *paign Act of 1971 (2 U.S.C. 431 et seq.) or pre-*
 4 *venting Federal regulatory or law enforcement agen-*
 5 *cies from collecting or receiving information author-*
 6 *ized by law; or*

7 “(2) *precluding the Defense Contract Audit*
 8 *Agency from accessing and reviewing certain infor-*
 9 *mation, including political information, for the pur-*
 10 *pose of identifying unallowable costs and admin-*
 11 *istering cost principles established pursuant to section*
 12 *2324 of this title.*

13 “(d) *DEFINITIONS.—In this section:*

14 “(1) *CONTRACTOR.—The term ‘contractor’ in-*
 15 *cludes contractors, bidders, and offerors, and individ-*
 16 *uals and legal entities who would reasonably be ex-*
 17 *pected to submit offers or bids for Federal Govern-*
 18 *ment contracts.*

19 “(2) *POLITICAL INFORMATION.—The term ‘polit-*
 20 *ical information’ means information relating to polit-*
 21 *ical spending, including any payment consisting of a*
 22 *contribution, expenditure, independent expenditure,*
 23 *or disbursement for an electioneering communication*
 24 *that is made by the contractor, any of its partners,*
 25 *officers, directors or employees, or any of its affiliates*

1 or subsidiaries to a candidate or on behalf of a can-
 2 didate for election for Federal office, to a political
 3 committee, to a political party, to a third party enti-
 4 ty with the intention or reasonable expectation that
 5 it would use the payment to make independent ex-
 6 penditures or electioneering communications, or that
 7 is otherwise made with respect to any election for
 8 Federal office, party affiliation, and voting history.
 9 Each of the terms ‘contribution’, ‘expenditure’, ‘inde-
 10 pendent expenditure’, ‘candidate’, ‘election’, ‘election-
 11 eering communication’, and ‘Federal office’ has the
 12 meaning given the term in the Federal Campaign Act
 13 of 1971 (2 U.S.C. 431 et seq.).”.

14 (b) CLERICAL AMENDMENT.—The table of sections at
 15 the beginning of chapter 137 of such title is amended by
 16 inserting after the item relating to section 2334 the fol-
 17 lowing new item:

“2335. Prohibition on collection of political information.”.

18 **SEC. 846. WAIVER OF “BUY AMERICAN” REQUIREMENT FOR**
 19 **PROCUREMENT OF COMPONENTS OTHER-**
 20 **WISE PRODUCIBLE OVERSEAS WITH SPE-**
 21 **CIALTY METAL NOT PRODUCED IN THE**
 22 **UNITED STATES.**

23 Section 2533b of title 10, United States Code, is
 24 amended—

1 (1) *by redesignating subsections (l) and (m) as*
2 *subsections (m) and (n), respectively; and*

3 (2) *by inserting after subsection (k) the following*
4 *new subsection (l):*

5 “(l) *ADDITIONAL WAIVER AUTHORITY.—(1) The Sec-*
6 *retary of Defense may waive the requirement of subsection*
7 *(a) with regard to the procurement of a component con-*
8 *taining specialty metal if the Secretary determines that, in*
9 *the absence of the waiver, the component will be produced*
10 *overseas and will contain specialty metal not melted or pro-*
11 *duced in the United States.*

12 “(2) *The Secretary shall establish a process to review*
13 *petitions for waivers under this subsection by interested*
14 *persons. The process shall include an opportunity for com-*
15 *ment by persons engaged in melting or producing specialty*
16 *metals in the United States.*

17 “(3) *The authority to grant a waiver under paragraph*
18 *(1) may be delegated to any civilian official in the Depart-*
19 *ment of Defense or a military department who is appointed*
20 *by the President, by and with the advice and consent of*
21 *the Senate.”.*

1 **SEC. 847. COMPTROLLER GENERAL OF THE UNITED STATES**
2 **REPORTS ON NONCOMPETITIVE AND ONE-**
3 **OFFER CONTRACTS AWARDED BY THE DE-**
4 **PARTMENT OF DEFENSE.**

5 (a) *REPORTS REQUIRED.*—Not later than March 31
6 of each of 2013, 2014, and 2015, the Comptroller General
7 of the United States shall submit to the Committees on
8 Armed Services of the Senate and the House of Representa-
9 tives a report setting forth a review and assessment by the
10 Comptroller General of the noncompetitive contracts and
11 one-offer contracts awarded by the Department of Defense
12 during the preceding fiscal year.

13 (b) *ELEMENTS.*—Each report under subsection (a)
14 shall include the following:

15 (1) *The number of noncompetitive contracts*
16 *awarded by the Department of Defense during the fis-*
17 *cal year covered by such report, and the percentage of*
18 *such number to the total number of contracts awarded*
19 *by the Department during such fiscal year.*

20 (2) *A description of the competition exceptions*
21 *that served as the basis for the award of such non-*
22 *competitive contracts.*

23 (3) *An assessment of the adequacy of the jus-*
24 *tification and approvals issued under section 2304(f)*
25 *of title 10, United States Code, in support of such*
26 *noncompetitive contracts.*

1 (4) *The number of one-offer contracts awarded*
2 *by the Department during the fiscal year covered by*
3 *such report, and the percentage of such number to the*
4 *total number of contracts awarded by the Department*
5 *during such fiscal year.*

6 (5) *An assessment of the extent to which such*
7 *one-offer contracts were awarded in compliance with*
8 *applicable Department guidance on one-offer con-*
9 *tracts.*

10 (6) *An assessment whether the contracting prac-*
11 *tices of the Department during the fiscal year covered*
12 *by such report were in keeping with the objective of*
13 *promoting full and open competition in the award of*
14 *contracts in excess of the simplified acquisition*
15 *threshold.*

16 (c) *DEFINITIONS.—In this section:*

17 (1) *The term “competitive procedures” has the*
18 *meaning given that term in section 2302(2) of title*
19 *10, United States Code.*

20 (2) *The term “noncompetitive contract” means a*
21 *contract awarded through other than competitive pro-*
22 *cedures.*

23 (3) *The term “one-offer contract” means a con-*
24 *tract awarded after receiving a bid from only one*
25 *qualified vendor.*

1 **SEC. 848. DETECTION AND AVOIDANCE OF COUNTERFEIT**
2 **ELECTRONIC PARTS.**

3 (a) *REVISED REGULATIONS REQUIRED.*—

4 (1) *IN GENERAL.*—Not later than 180 days after
5 the date of the enactment of this Act, the Secretary of
6 Defense shall revise the Department of Defense Sup-
7 plement to the Federal Acquisition Regulation to ad-
8 dress the detection and avoidance of counterfeit elec-
9 tronic parts.

10 (2) *CONTRACTOR RESPONSIBILITIES.*—The re-
11 vised regulations issued pursuant to paragraph (1)
12 shall provide that—

13 (A) *contractors on Department of Defense*
14 *contracts for products that include electronic*
15 *parts are responsible for detecting and avoiding*
16 *the use or inclusion of counterfeit electronic*
17 *parts or suspect counterfeit electronic parts in*
18 *such products and for any rework or corrective*
19 *action that may be required to remedy the use or*
20 *inclusion of such parts; and*

21 (B) *the cost of counterfeit electronic parts*
22 *and suspect counterfeit electronic parts and the*
23 *cost of rework or corrective action that may be*
24 *required to remedy the use or inclusion of such*
25 *parts are not allowable costs under such con-*
26 *tracts.*

1 (3) *TRUSTED SUPPLIERS.*—*The revised regula-*
2 *tions issued pursuant to paragraph (1) shall—*

3 (A) *require that, whenever possible, the De-*
4 *partment of Defense and Department of Defense*
5 *contractors and subcontractors—*

6 (i) *obtain electronic parts that are in*
7 *production or currently available in stock*
8 *from the original manufacturers of the*
9 *parts or their authorized dealers, or from*
10 *trusted suppliers who obtain such parts ex-*
11 *clusively from the original manufacturers of*
12 *the parts or their authorized dealers; and*

13 (ii) *obtain electronic parts that are not*
14 *in production or currently available in*
15 *stock from trusted suppliers;*

16 (B) *establish requirements for notification*
17 *of the Department of Defense, inspection, test,*
18 *and authentication of electronic parts that the*
19 *Department of Defense or a Department of De-*
20 *fense contractor or subcontractor obtains from*
21 *any source other than a source described in sub-*
22 *paragraph (A);*

23 (C) *establish qualification requirements,*
24 *consistent with the requirements of section 2319*
25 *of title 10, United States Code, pursuant to*

1 *which the Department of Defense may identify*
2 *trusted suppliers that have appropriate policies*
3 *and procedures in place to detect and avoid*
4 *counterfeit electronic parts and suspect counter-*
5 *feit electronic parts; and*

6 *(D) authorize Department of Defense con-*
7 *tractors and subcontractors to identify and use*
8 *additional trusted suppliers, provided that—*

9 *(i) the standards and processes for*
10 *identifying such trusted suppliers complies*
11 *with established industry standards;*

12 *(ii) the contractor or subcontractor as-*
13 *sumes responsibility for the authenticity of*
14 *parts provided by such supplier as provided*
15 *in paragraph (2); and*

16 *(iii) the selection of such trusted sup-*
17 *pliers is subject to review and audit by ap-*
18 *propriate Department of Defense officials.*

19 *(4) REPORTING REQUIREMENT.—The revised reg-*
20 *ulations issued pursuant to paragraph (1) shall re-*
21 *quire that any Department of Defense contractor or*
22 *subcontractor who becomes aware, or has reason to*
23 *suspect, that any end item, component, part, or mate-*
24 *rial contained in supplies purchased by the Depart-*
25 *ment of Defense, or purchased by a contractor of sub-*

1 contractor for delivery to, or on behalf of, the Depart-
2 ment of Defense, contains counterfeit electronic parts
3 or suspect counterfeit electronic parts, shall provide a
4 written report on the matter within 30 calendar days
5 to the Inspector General of the Department of Defense,
6 the contracting officer for the contract pursuant to
7 which the supplies are purchased, and the Govern-
8 ment-Industry Data Exchange Program or a similar
9 program designated by the Secretary of Defense.

10 (b) *INSPECTION OF IMPORTED ELECTRONIC PARTS.*—

11 (1) *INSPECTION PROGRAM.*—The Secretary of
12 Homeland Security shall establish a risk-based meth-
13 odology for the enhanced targeting of electronic parts
14 imported from any country, after consultation with
15 the Secretary of Defense as to sources of counterfeit
16 electronic parts and suspect counterfeit electronic
17 parts in the supply chain for products purchased by
18 the Department of Defense.

19 (2) *INFORMATION SHARING.*—If United States
20 Customs and Border Protection suspects a product of
21 being imported or exported in violation of section 42
22 of the Lanham Act, and subject to any applicable
23 bonding requirements, the Secretary of Treasury is
24 authorized to share information appearing on, and
25 unredacted samples of, products and their packaging

1 *and labels, or photographs of such products, pack-*
2 *aging and labels, with the rightholders of the trade-*
3 *marks suspected of being copied or simulated, for pur-*
4 *poses of determining whether the products are prohib-*
5 *ited from importation pursuant to such section.*

6 (c) *CONTRACTOR SYSTEMS FOR DETECTION AND*
7 *AVOIDANCE OF COUNTERFEIT AND SUSPECT COUNTERFEIT*
8 *ELECTRONIC PARTS.—*

9 (1) *IN GENERAL.—Not later than 270 days after*
10 *the date of the enactment of this Act, the Secretary of*
11 *Defense shall implement a program for the improve-*
12 *ment of contractor systems for the detection and*
13 *avoidance of counterfeit electronic parts and suspect*
14 *counterfeit electronic parts.*

15 (2) *ELEMENTS.—The program developed pursu-*
16 *ant to paragraph (1) shall—*

17 (A) *require covered contractors to adopt and*
18 *implement policies and procedures, consistent*
19 *with applicable industry standards, for the detec-*
20 *tion and avoidance of counterfeit electronic parts*
21 *and suspect counterfeit electronic parts, includ-*
22 *ing policies and procedures for training per-*
23 *sonnel, designing and maintaining systems to*
24 *mitigate risks associated with parts obsolescence,*
25 *making sourcing decisions, prioritizing mission*

1 *critical and sensitive components, ensuring*
2 *traceability of parts, developing lists of trusted*
3 *and untrusted suppliers, flowing down require-*
4 *ments to subcontractors, inspecting and testing*
5 *parts, reporting and quarantining suspect coun-*
6 *terfeit electronic parts and counterfeit electronic*
7 *parts, and taking corrective action;*

8 *(B) establish processes for the review and*
9 *approval or disapproval of contractor systems for*
10 *the detection and avoidance of counterfeit elec-*
11 *tronic parts and suspect counterfeit electronic*
12 *parts, comparable to the processes established for*
13 *contractor business systems under section 893 of*
14 *the Ike Skelton National Defense Authorization*
15 *Act for Fiscal Year 2011 (Public Law 111–383;*
16 *124 Stat. 4311; 10 U.S.C. 2302 note); and*

17 *(C) effective beginning one year after the*
18 *date of the enactment of this Act, authorize the*
19 *withholding of payments as provided in sub-*
20 *section (c) of such section, in the event that a*
21 *contractor system for detection and avoidance of*
22 *counterfeit electronic parts is disapproved pursu-*
23 *ant to subparagraph (B) and has not subse-*
24 *quently received approval.*

1 (3) *COVERED CONTRACTOR AND COVERED CON-*
 2 *TRACT DEFINED.*—*In this subsection, the terms “cov-*
 3 *ered contractor” and “covered contract” have the*
 4 *meanings given such terms in section 893(f) of the Ike*
 5 *Skelton National Defense Authorization Act for Fiscal*
 6 *Year 2011 (Public Law 111–383; 124 Stat. 4312; 10*
 7 *U.S.C. 2302 note).*

8 (d) *DEPARTMENT OF DEFENSE RESPONSIBILITIES.*—
 9 *Not later than 270 days after the date of the enactment of*
 10 *this Act, the Secretary of Defense shall take steps to address*
 11 *shortcomings in Department of Defense systems for the de-*
 12 *tection and avoidance of counterfeit electronic parts and*
 13 *suspect counterfeit electronic parts. Such steps shall include,*
 14 *at a minimum, the following:*

15 (1) *Policies and procedures applicable to Depart-*
 16 *ment of Defense components engaged in the purchase*
 17 *of electronic parts, including requirements for train-*
 18 *ing personnel, making sourcing decisions, ensuring*
 19 *traceability of parts, inspecting and testing parts, re-*
 20 *porting and quarantining suspect counterfeit elec-*
 21 *tronic parts and counterfeit electronic parts, and tak-*
 22 *ing corrective action. The policies and procedures de-*
 23 *veloped by the Secretary under this paragraph shall*
 24 *prioritize mission critical and sensitive components.*

1 (2) *The establishment of a system for ensuring*
2 *that government employees who become aware of, or*
3 *have reason to suspect, that any end item, component,*
4 *part, or material contained in supplies purchased by*
5 *or for the Department of Defense contains counterfeit*
6 *electronic parts or suspect counterfeit electronic parts*
7 *are required to provide a written report on the matter*
8 *within 30 calendar days to the Inspector General of*
9 *the Department of Defense, the contracting officer for*
10 *the contract pursuant to which the supplies are pur-*
11 *chased, and the Government-Industry Data Exchange*
12 *Program or a similar program designated by the Sec-*
13 *retary of Defense.*

14 (3) *A process for analyzing, assessing, and act-*
15 *ing on reports of counterfeit electronic parts and sus-*
16 *pect counterfeit electronic parts that are submitted to*
17 *the Inspector General of the Department of Defense,*
18 *contracting officers, and the Government-Industry*
19 *Data Exchange Program or a similar program des-*
20 *ignated by the Secretary of Defense.*

21 (4) *Guidance on appropriate remedial actions in*
22 *the case of a supplier who has repeatedly failed to de-*
23 *tect and avoid counterfeit electronic parts and suspect*
24 *counterfeit electronic parts or otherwise failed to exer-*
25 *cise due diligence in the detection and avoidance of*

1 *such parts, including consideration of whether to sus-*
 2 *pend or debar a supplier until such time as the sup-*
 3 *plier has effectively addressed the issues that led to*
 4 *such failures.*

5 *(e) TRAFFICKING IN COUNTERFEIT MILITARY GOODS*
 6 *OR SERVICES.—Section 2320 of title 18, United States*
 7 *Code, is amended—*

8 *(1) in subsection (a), by adding at the end the*
 9 *following:*

10 *“(3) MILITARY GOODS OR SERVICES.—*

11 *“(A) IN GENERAL.—A person who commits*
 12 *an offense under paragraph (1) shall be punished*
 13 *in accordance with subparagraph (B) if—*

14 *“(i) the offense involved a good or serv-*
 15 *ice described in paragraph (1) that if it*
 16 *malfunctioned, failed, or was compromised,*
 17 *could reasonably be foreseen to cause—*

18 *“(I) serious bodily injury or*
 19 *death;*

20 *“(II) disclosure of classified infor-*
 21 *mation;*

22 *“(III) impairment of combat op-*
 23 *erations; or*

1 “(IV) *other significant harm to a*
2 *member of the Armed Forces or to na-*
3 *tional security; and*

4 “(ii) *the person had knowledge that the*
5 *good or service is falsely identified as meet-*
6 *ing military standards or is intended for*
7 *use in a military or national security ap-*
8 *plication.*

9 “(B) *PENALTIES.—*

10 “(i) *INDIVIDUAL.—An individual who*
11 *commits an offense described in subpara-*
12 *graph (A) shall be fined not more than*
13 *\$5,000,000, imprisoned for not more than*
14 *20 years, or both.*

15 “(ii) *PERSON OTHER THAN AN INDIVIDUAL.—A person other than an indi-*
16 *vidual that commits an offense described in*
17 *subparagraph (A) shall be fined not more*
18 *than \$15,000,000.*

19 “(C) *SUBSEQUENT OFFENSES.—*

20 “(i) *INDIVIDUAL.—An individual who*
21 *commits an offense described in subpara-*
22 *graph (A) after the individual is convicted*
23 *of an offense under subparagraph (A) shall*
24

1 *be fined not more than \$15,000,000, impris-*
 2 *oned not more than 30 years, or both.*

3 “(ii) *PERSON OTHER THAN AN INDI-*
 4 *VIDUAL.—A person other than an indi-*
 5 *vidual that commits an offense described in*
 6 *subparagraph (A) after the person is con-*
 7 *victed of an offense under subparagraph (A)*
 8 *shall be fined not more than \$30,000,000.”;*
 9 *and*

10 *(2) in subsection (e)—*

11 *(A) in paragraph (1), by striking the period*
 12 *at the end and inserting a semicolon;*

13 *(B) in paragraph (3), by striking “and” at*
 14 *the end;*

15 *(C) in paragraph (4), by striking the period*
 16 *at the end and inserting a semicolon; and*

17 *(D) by adding at the end the following:*

18 *“(5) the term ‘falsely identified as meeting mili-*
 19 *tary standards’ relating to a good or service means*
 20 *there is a material misrepresentation that the good or*
 21 *service meets a standard, requirement, or specifica-*
 22 *tion issued by the Department of Defense, an Armed*
 23 *Force, or a reserve component; and*

24 *“(6) the term ‘use in a military or national se-*
 25 *curity application’ means the use of a good or service,*

1 *independently, in conjunction with, or as a compo-*
 2 *nent of another good or service—*

3 *“(A) during the performance of the official*
 4 *duties of the Armed Forces of the United States*
 5 *or the reserve components of the Armed Forces;*
 6 *or*

7 *“(B) by the United States to perform or di-*
 8 *rectly support—*

9 *“(i) combat operations; or*

10 *“(ii) critical national defense or na-*
 11 *tional security functions.”.*

12 *(f) SENTENCING GUIDELINES.—*

13 *(1) DEFINITION.—In this subsection, the term*
 14 *“critical infrastructure” has the meaning given that*
 15 *term in application note 13(A) of section 2B1.1 of the*
 16 *Federal Sentencing Guidelines.*

17 *(2) DIRECTIVE.—The United States Sentencing*
 18 *Commission shall review and, if appropriate, amend*
 19 *the Federal Sentencing Guidelines and policy state-*
 20 *ments applicable to persons convicted of an offense*
 21 *under section 2320(a) of title 18, United States Code,*
 22 *to reflect the intent of Congress that penalties for such*
 23 *offenses be increased for defendants that sell infring-*
 24 *ing products to, or for the use by or for, the Armed*
 25 *Forces or a Federal, State, or local law enforcement*

1 *agency or for use in critical infrastructure or in na-*
2 *tional security applications.*

3 (3) *REQUIREMENTS.—In amending the Federal*
4 *Sentencing Guidelines and policy statements under*
5 *paragraph (2), the United States Sentencing Commis-*
6 *sion shall—*

7 (A) *ensure that the guidelines and policy*
8 *statements, including section 2B5.3 of the Fed-*
9 *eral Sentencing Guidelines (and any successor*
10 *thereto), reflect—*

11 (i) *the serious nature of the offenses de-*
12 *scribed in section 2320(a) of title 18,*
13 *United States Code;*

14 (ii) *the need for an effective deterrent*
15 *and appropriate punishment to prevent of-*
16 *fenses under section 2320(a) of title 18,*
17 *United States Code; and*

18 (iii) *the effectiveness of incarceration*
19 *in furthering the objectives described in*
20 *clauses (i) and (ii);*

21 (B) *consider an appropriate offense level en-*
22 *hancement and minimum offense level for of-*
23 *fenses that involve a product used to maintain or*
24 *operate critical infrastructure, or used by or for*
25 *an entity of the Federal Government or a State*

1 *or local government in furtherance of the admin-*
2 *istration of justice, national defense, or national*
3 *security;*

4 *(C) ensure reasonable consistency with other*
5 *relevant directives and guidelines and Federal*
6 *statutes;*

7 *(D) make any necessary conforming changes*
8 *to the guidelines; and*

9 *(E) ensure that the guidelines relating to of-*
10 *fenses under section 2320(a) of title 18, United*
11 *States Code, adequately meet the purposes of sen-*
12 *tencing, as described in section 3553(a)(2) of*
13 *title 18, United States Code.*

14 *(4) EMERGENCY AUTHORITY.—The United States*
15 *Sentencing Commission shall—*

16 *(A) promulgate the guidelines, policy state-*
17 *ments, or amendments provided for in this Act*
18 *as soon as practicable, and in any event not*
19 *later than 180 days after the date of the enact-*
20 *ment of this Act, in accordance with the proce-*
21 *dure set forth in section 21(a) of the Sentencing*
22 *Act of 1987 (28 U.S.C. 994 note), as though the*
23 *authority under that Act had not expired; and*

24 *(B) pursuant to the emergency authority*
25 *provided under subparagraph (A), make such*

1 *conforming amendments to the Federal Sen-*
2 *tencing Guidelines as the Commission determines*
3 *necessary to achieve consistency with other*
4 *guideline provisions and applicable law.*

5 *(g) DEFINITIONS.—*

6 *(1) COUNTERFEIT ELECTRONIC PART.—The Sec-*
7 *retary of Defense shall define the term “counterfeit*
8 *electronic part” for the purposes of this section. Such*
9 *definition shall include used electronic parts that are*
10 *represented as new.*

11 *(2) SUSPECT COUNTERFEIT ELECTRONIC PART*
12 *AND ELECTRONIC PART.—For the purposes of this sec-*
13 *tion:*

14 *(A) A part is a “suspect counterfeit elec-*
15 *tronic part” if visual inspection, testing, or other*
16 *information provide reason to believe that the*
17 *part may be a counterfeit part.*

18 *(B) An “electronic part” means an inte-*
19 *grated circuit, a discrete electronic component*
20 *(including but not limited to a transistor, capac-*
21 *itor, resistor, or diode), or a circuit assembly.*

1 **SEC. 849. REPORT ON AUTHORITIES AVAILABLE TO THE DE-**
 2 **PARTMENT OF DEFENSE FOR MULTIYEAR**
 3 **CONTRACTS FOR THE PURCHASE OF AD-**
 4 **VANCED BIOFUELS.**

5 *Not later than 120 days after the date of the enactment*
 6 *of this Act, the Secretary of Defense shall submit to the con-*
 7 *gressional defense committees a report on the authorities*
 8 *currently available to the Department of Defense for*
 9 *multiyear contracts for the purchase of advanced biofuels*
 10 *(as defined by section 211(o)(1)(B) of the Clean Air Act*
 11 *(42 U.S.C. 7545(o)(1)(B)). The report shall include a de-*
 12 *scription of such additional authorities, if any, as the Sec-*
 13 *retary considers appropriate to authorize the Department*
 14 *to enter into contracts for the purchase of advanced biofuels*
 15 *of sufficient length to reduce the impact to the Department*
 16 *of future price or supply shocks in the petroleum market,*
 17 *to benefit taxpayers, and to reduce United States depend-*
 18 *ence on foreign oil.*

19 **SEC. 850. COMPTROLLER GENERAL OF THE UNITED STATES**
 20 **REPORTS ON DEPARTMENT OF DEFENSE IM-**
 21 **PLEMENTATION OF JUSTIFICATION AND AP-**
 22 **PROVAL REQUIREMENTS FOR CERTAIN SOLE-**
 23 **SOURCE CONTRACTS.**

24 *Not later than 90 days after March 1, 2012, and March*
 25 *1, 2013, the dates on which the Department of Defense sub-*
 26 *mits to Congress a report on its implementation of section*

1 *811 of the Fiscal Year 2010 National Defense Authorization*
 2 *Act, the Comptroller General of the United States shall sub-*
 3 *mit to the congressional defense committees a report setting*
 4 *forth an assessment of the extent to which the implementa-*
 5 *tion of such section 811 by the Department ensures that*
 6 *sole-source contracts are awarded in applicable procure-*
 7 *ments only when those awards have been determined to be*
 8 *in the best interest of the Department.*

9 ***Subtitle D—Provisions Relating to***
 10 ***Wartime Contracting***

11 ***SEC. 861. PROHIBITION ON CONTRACTING WITH THE***
 12 ***ENEMY IN THE UNITED STATES CENTRAL***
 13 ***COMMAND THEATER OF OPERATIONS.***

14 *(a) PROHIBITION.—*

15 *(1) IN GENERAL.—Not later than 30 days after*
 16 *the date of the enactment of this Act, the Secretary of*
 17 *Defense shall revise the Department of Defense Sup-*
 18 *plement to the Federal Acquisition Regulation to au-*
 19 *thorize the head of a contracting activity, pursuant to*
 20 *a request from the Commander of the United States*
 21 *Central Command under subsection (c)(2)—*

22 *(A) to restrict the award of Department of*
 23 *Defense contracts, grants, or cooperative agree-*
 24 *ments that the head of the contracting activity*
 25 *determines in writing would provide funding di-*

1 *rectly or indirectly to a person or entity that has*
2 *been identified by the Commander of the United*
3 *States Central Command as actively supporting*
4 *an insurgency or otherwise actively opposing*
5 *United States or coalition forces in a contin-*
6 *gency operation in the United States Central*
7 *Command theater of operations;*

8 *(B) to terminate for default any Depart-*
9 *ment contract, grant, or cooperative agreement*
10 *upon a written determination by the head of the*
11 *contracting activity that the contractor, or the*
12 *recipient of the grant or cooperative agreement,*
13 *has failed to exercise due diligence to ensure that*
14 *none of the funds received under the contract,*
15 *grant, or cooperative agreement are provided di-*
16 *rectly or indirectly to a person or entity who is*
17 *actively supporting an insurgency or otherwise*
18 *actively opposing United States or coalition*
19 *forces in a contingency operation in the United*
20 *States Central Command theater of operations;*
21 *or*

22 *(C) to void in whole or in part any Depart-*
23 *ment contract, grant, or cooperative agreement*
24 *upon a written determination by the head of the*
25 *contracting activity that the contract, grant, or*

1 *cooperative agreement provides funding directly*
 2 *or indirectly to a person or entity that has been*
 3 *identified by the Commander of the United*
 4 *States Central Command as actively supporting*
 5 *an insurgency or otherwise actively opposing*
 6 *United States or coalition forces in a contin-*
 7 *gency operation in the United States Central*
 8 *Command theater of operations.*

9 (2) *TREATMENT AS VOID.*—*For purposes of this*
 10 *section:*

11 (A) *A contract, grant, or cooperative agree-*
 12 *ment that is void is unenforceable as contrary to*
 13 *public policy.*

14 (B) *A contract, grant, or cooperative agree-*
 15 *ment that is void in part is unenforceable as*
 16 *contrary to public policy with regard to a seg-*
 17 *regable task or effort under the contract, grant,*
 18 *or cooperative agreement.*

19 (b) *CONTRACT CLAUSE.*—

20 (1) *IN GENERAL.*—*Not later than 30 days after*
 21 *the date of the enactment of this Act, the Secretary*
 22 *shall revise the Department of Defense Supplement to*
 23 *the Federal Acquisition Regulation to require that—*

24 (A) *the clause described in paragraph (2)*
 25 *shall be included in each covered contract, grant,*

1 *and cooperative agreement of the Department*
2 *that is awarded on or after the date of the enact-*
3 *ment of this Act; and*

4 *(B) to the maximum extent practicable,*
5 *each covered contract, grant, and cooperative*
6 *agreement of the Department that is awarded be-*
7 *fore the date of the enactment of this Act shall*
8 *be modified to include the clause described in*
9 *paragraph (2).*

10 *(2) CLAUSE DESCRIBED.—The clause described*
11 *in this paragraph is a clause that—*

12 *(A) requires the contractor, or the recipient*
13 *of the grant or cooperative agreement, to exercise*
14 *due diligence to ensure that none of the funds re-*
15 *ceived under the contract, grant, or cooperative*
16 *agreement are provided directly or indirectly to*
17 *a person or entity who is actively supporting an*
18 *insurgency or otherwise actively opposing United*
19 *States or coalition forces in a contingency oper-*
20 *ation; and*

21 *(B) notifies the contractor, or the recipient*
22 *of the grant or cooperative agreement, of the au-*
23 *thority of the head of the contracting activity to*
24 *terminate or void the contract, grant, or coopera-*

1 *tive agreement, in whole or in part, as provided*
2 *in subsection (a).*

3 (3) *COVERED CONTRACT, GRANT, OR COOPERA-*
4 *TIVE AGREEMENT.—In this subsection, the term “cov-*
5 *ered contract, grant, or cooperative agreement” means*
6 *a contract, grant, or cooperative agreement with an*
7 *estimated value in excess of \$100,000 that will be per-*
8 *formed in the United States Central Command the-*
9 *ater of operations.*

10 (c) *IDENTIFICATION OF CONTRACTS WITH SUP-*
11 *PORTERS OF THE ENEMY.—*

12 (1) *IN GENERAL.—Not later than 30 days after*
13 *the date of the enactment of this Act, the Secretary,*
14 *acting through the Commander of the United States*
15 *Central Command, shall establish a program to use*
16 *available intelligence to review persons and entities*
17 *who receive United States funds through contracts,*
18 *grants, and cooperative agreements performed in the*
19 *United States Central Command theater of operations*
20 *and identify any such persons and entities who are*
21 *actively supporting an insurgency or otherwise ac-*
22 *tively opposing United States or coalition forces in a*
23 *contingency operation.*

24 (2) *NOTICE TO CONTRACTING ACTIVITIES.—If the*
25 *Commander of the United States Central Command,*

1 *acting pursuant to the program required by para-*
2 *graph (1), identifies a person or entity as actively*
3 *supporting an insurgency or otherwise actively oppos-*
4 *ing United States or coalition forces in a contingency*
5 *operation, the Commander may notify the head of a*
6 *contracting activity in writing of such identification*
7 *and request that the head of the contracting activity*
8 *exercise the authority provided in subsection (a) with*
9 *regard to any contracts, grants, or cooperative agree-*
10 *ments that provide funding directly or indirectly to*
11 *the person or entity.*

12 (3) *PROTECTION OF CLASSIFIED INFORMATION.*—

13 *Classified information relied upon by the Commander*
14 *of the United States Central Command to make an*
15 *identification in accordance with this subsection may*
16 *not be disclosed to a contractor or a recipient of a*
17 *grant or cooperative agreement with respect to which*
18 *an action is taken pursuant to the authority provided*
19 *in subsection (a), or to their representatives, in the*
20 *absence of a protective order issued by a court of com-*
21 *petent jurisdiction established under Article III of the*
22 *Constitution of the United States that specifically ad-*
23 *dresses the conditions upon which such classified in-*
24 *formation may be so disclosed.*

25 (d) *NONDELEGATION OF RESPONSIBILITIES.*—

1 (1) *CONTRACT ACTIONS.*—*The authority pro-*
 2 *vided by subsection (a) to restrict, terminate, or void*
 3 *contracts, grants, and cooperative agreements may*
 4 *not be delegated below the level of the head of a con-*
 5 *tracting activity.*

6 (2) *IDENTIFICATION OF SUPPORT OF ENEMY.*—
 7 *The authority to make an identification under sub-*
 8 *section (c)(1) may not be delegated below the level of*
 9 *the Commander of the United States Central Com-*
 10 *mand.*

11 (e) *CONTRACTS, GRANTS, AND COOPERATIVE AGREE-*
 12 *MENTS OF OTHER FEDERAL AGENCIES.*—*This section shall*
 13 *not be construed to preclude the issuance of a government-*
 14 *wide regulation—*

15 (1) *extending the authority in subsection (a) to*
 16 *the heads of contracting agencies outside the Depart-*
 17 *ment; or*

18 (2) *requiring the insertion of a contract clause*
 19 *similar to the clause described by subsection (b)(2)*
 20 *into contracts, grants, and cooperative agreements*
 21 *awarded by Federal agencies other than the Depart-*
 22 *ment.*

23 (f) *REPORTS.*—*Not later than March 1 of each of 2013,*
 24 *2014, and 2015, the Secretary shall submit to the congres-*
 25 *sional defense committees a report on the use of the author-*

1 *ity provided by this section in the preceding calendar year.*
 2 *Each report shall identify, for the calendar year covered*
 3 *by such report, each instance in which the Department of*
 4 *Defense exercised the authority to restrict, terminate, or*
 5 *void contracts, grants, and cooperative agreements pursu-*
 6 *ant to subsection (a) and explain the basis for the action*
 7 *taken. Any report under this subsection may be submitted*
 8 *in classified form.*

9 (g) *OTHER DEFINITION.—In this section, the term*
 10 *“contingency operation” has the meaning given that term*
 11 *in section 101(a)(13) of title 10, United States Code.*

12 (h) *SUNSET.—The authority to restrict, terminate, or*
 13 *void contracts, grants, and cooperative agreements pursu-*
 14 *ant to subsection (a) shall cease to be effective on the date*
 15 *that is three years after the date of the enactment of this*
 16 *Act.*

17 **SEC. 862. ADDITIONAL ACCESS TO CONTRACTOR AND SUB-**
 18 **CONTRACTOR RECORDS IN THE UNITED**
 19 **STATES CENTRAL COMMAND THEATER OF OP-**
 20 **ERATIONS.**

21 (a) *DEPARTMENT OF DEFENSE CONTRACTS, GRANTS,*
 22 *AND COOPERATIVE AGREEMENTS.—*

23 (1) *IN GENERAL.—Not later than 30 days after*
 24 *the date of the enactment of this Act, the Secretary of*
 25 *Defense shall revise the Department of Defense Sup-*

1 *plement to the Federal Acquisition Regulation to re-*
2 *quire that—*

3 *(A) the clause described in paragraph (2)*
4 *shall be included in each covered contract, grant,*
5 *and cooperative agreement of the Department of*
6 *Defense that is awarded on or after the date of*
7 *the enactment of this Act; and*

8 *(B) to the maximum extent practicable,*
9 *each covered contract, grant, and cooperative*
10 *agreement of the Department that is awarded be-*
11 *fore the date of the enactment of this Act shall*
12 *be modified to include the clause described in*
13 *paragraph (2).*

14 *(2) CLAUSE.—The clause described in this para-*
15 *graph is a clause authorizing the Secretary, upon a*
16 *written determination pursuant to paragraph (3), to*
17 *examine any records of the contractor, the recipient*
18 *of a grant or cooperative agreement, or any subcon-*
19 *tractor or subgrantee under such contract, grant, or*
20 *cooperative agreement to the extent necessary to en-*
21 *sure that funds available under the contract, grant, or*
22 *cooperative agreement—*

23 *(A) are not subject to extortion or corrup-*
24 *tion; and*

1 (B) are not provided directly or indirectly
2 to persons or entities that are actively sup-
3 porting an insurgency or otherwise actively op-
4 posing United States or coalition forces in a con-
5 tingency operation.

6 (3) WRITTEN DETERMINATION.—The authority
7 to examine records pursuant to the contract clause de-
8 scribed in paragraph (2) may be exercised only upon
9 a written determination by the contracting officer or
10 comparable official responsible for a grant or coopera-
11 tive agreement, upon a finding by the Commander of
12 the United States Central Command, that there is
13 reason to believe that funds available under the con-
14 tract, grant, or cooperative agreement concerned may
15 have been subject to extortion or corruption or may
16 have been provided directly or indirectly to persons or
17 entities that are actively supporting an insurgency or
18 otherwise actively opposing United States or coalition
19 forces in a contingency operation.

20 (4) FLOWDOWN.—A clause described in para-
21 graph (2) shall also be required in any subcontract or
22 subgrant under a covered contract, grant, or coopera-
23 tive agreement if the subcontract or subgrant has an
24 estimated value in excess of \$100,000.

1 (b) *CONTRACTS, GRANTS, AND COOPERATIVE AGREE-*
 2 *MENTS OF OTHER FEDERAL AGENCIES.*—*This section shall*
 3 *not be construed to preclude the issuance of a government-*
 4 *wide regulation requiring the insertion of a clause similar*
 5 *to the clause described by subsection (a)(2) into contracts,*
 6 *grants, and cooperative agreements awarded by Federal*
 7 *agencies other than the Department of Defense.*

8 (c) *REPORTS.*—*Not later than March 1 of each of 2013,*
 9 *2014, and 2015, the Secretary shall submit to the congres-*
 10 *sional defense committees a report on the use of the author-*
 11 *ity provided by this section in the preceding calendar year.*
 12 *Each report shall identify, for the calendar year covered*
 13 *by such report, each instance in which the Department of*
 14 *Defense exercised the authority provided under this section*
 15 *to examine records, explain the basis for the action taken,*
 16 *and summarize the results of any examination of records*
 17 *so undertaken, Any report under this subsection may be*
 18 *submitted in classified form.*

19 (d) *DEFINITIONS.*—*In this section:*

20 (1) *The term “contingency operation” has the*
 21 *meaning given that term in section 101(a)(13) of title*
 22 *10, United States Code.*

23 (2) *The term “covered contract, grant, or cooper-*
 24 *ative agreement” means a contract, grant, or coopera-*
 25 *tive agreement with an estimated value in excess of*

1 \$100,000 that will be performed in the United States
 2 Central Command theater of operations in support of
 3 a contingency operation.

4 (e) *SUNSET*.—

5 (1) *IN GENERAL*.—The clause described by sub-
 6 section (a)(2) shall not be required in any contract,
 7 grant, or cooperative agreement that is awarded after
 8 the date that is three years after the date of the enact-
 9 ment of this Act.

10 (2) *CONTINUING EFFECT OF CLAUSES INCLUDED*
 11 *BEFORE SUNSET*.—Any clause described by subsection
 12 (a)(2) that is included in a contract, grant, or cooper-
 13 ative agreement pursuant this section before the date
 14 specified in paragraph (1) shall remain in effect in
 15 accordance with its terms.

16 **SEC. 863. JOINT URGENT OPERATIONAL NEEDS FUND TO**
 17 **RAPIDLY MEET URGENT OPERATIONAL**
 18 **NEEDS.**

19 (a) *ESTABLISHMENT OF FUND*.—

20 (1) *IN GENERAL*.—Chapter 131 of title 10,
 21 United States Code, is amended by inserting after sec-
 22 tion 2216 the following new section:

1 **“§2216a. Rapidly meeting urgent needs: Joint Urgent**
 2 **Operational Needs Fund**

3 “(a) *ESTABLISHMENT.*—*There is established in the*
 4 *Treasury an account to be known as the ‘Joint Urgent*
 5 *Operational Needs Fund’ (in this section referred to as the*
 6 *‘Fund’).*

7 “(b) *ELEMENTS.*—*The Fund shall consist of the fol-*
 8 *lowing:*

9 “(1) *Amounts appropriated to the Fund.*

10 “(2) *Amounts transferred to the Fund.*

11 “(3) *Any other amounts made available to the*
 12 *Fund by law.*

13 “(c) *USE OF FUNDS.*—(1) *Amounts in the Fund shall*
 14 *be available to the Secretary of Defense for capabilities that*
 15 *are determined by the Secretary, pursuant to the review*
 16 *process required by section 804(b) of the Ike Skelton Na-*
 17 *tional Defense Authorization Act for Fiscal Year 2011 (10*
 18 *U.S.C. 2302 note), to be suitable for rapid fielding in re-*
 19 *sponse to urgent operational needs.*

20 “(2) *The Secretary shall establish a merit-based proc-*
 21 *ess for identifying equipment, supplies, services, training,*
 22 *and facilities suitable for funding through the Fund.*

23 “(3) *Nothing in this section shall be interpreted to re-*
 24 *quire or enable any official of the Department of Defense*
 25 *to provide funding under this section pursuant to a congres-*
 26 *sional earmark, as defined in clause 9 of Rule XXI of the*

1 *Rules of the House of Representatives, or a congressionally*
 2 *directed spending item, as defined in paragraph 5 of Rule*
 3 *XLIV of the Standing Rules of the Senate.*

4 “(d) *TRANSFER AUTHORITY.—(1) Amounts in the*
 5 *Fund may be transferred by the Secretary of Defense from*
 6 *the Fund to any of the following accounts of the Department*
 7 *of Defense to accomplish the purpose stated in subsection*
 8 *(c):*

9 “(A) *Operation and maintenance accounts.*

10 “(B) *Procurement accounts.*

11 “(C) *Research, development, test, and evaluation*
 12 *accounts.*

13 “(2) *Upon determination by the Secretary that all or*
 14 *part of the amounts transferred from the Fund under para-*
 15 *graph (1) are not necessary for the purpose for which trans-*
 16 *ferred, such amounts may be transferred back to the Fund.*

17 “(3) *The transfer of an amount to an account under*
 18 *the authority in paragraph (1) shall be deemed to increase*
 19 *the amount authorized for such account by an amount equal*
 20 *to the amount so transferred.*

21 “(4) *The transfer authority provided by paragraphs*
 22 *(1) and (2) is in addition to any other transfer authority*
 23 *available to the Department of Defense by law.*

24 “(e) *SUNSET.—The authority to make expenditures or*
 25 *transfers from the Fund shall expire on the last day of the*

1 *third fiscal year that begins after the date of the enactment*
 2 *of the National Defense Authorization Act for Fiscal Year*
 3 *2012.”.*

4 (2) *CLERICAL AMENDMENT.—The table of sec-*
 5 *tions at the beginning of chapter 131 of such title is*
 6 *amended by inserting after the item relating to sec-*
 7 *tion 2216 the following new item:*

“2216a. Rapidly meeting urgent needs: Joint Urgent Operational Needs Fund.”.

8 (b) *LIMITATION ON COMMENCEMENT OF EXPENDI-*
 9 *TURES FROM FUND.—No expenditure may be made from*
 10 *the Joint Urgent Operational Needs Fund established by*
 11 *section 2216a of title 10, United States Code (as added by*
 12 *subsection (a)), until the Secretary of Defense certifies to*
 13 *the congressional defense committees that the Secretary has*
 14 *developed and implemented an expedited review process in*
 15 *compliance with the requirements of section 804 of the Ike*
 16 *Skelton National Defense Authorization Act for Fiscal Year*
 17 *2011 (Public Law 111–383; 124 Stat. 4256; 10 U.S.C. 2302*
 18 *note).*

19 **SEC. 864. INCLUSION OF ASSOCIATED SUPPORT SERVICES**
 20 **IN RAPID ACQUISITION AND DEPLOYMENT**
 21 **PROCEDURES FOR SUPPLIES.**

22 (a) *INCLUSION.—Section 806 of the Bob Stump Na-*
 23 *tional Defense Authorization Act for Fiscal Year 2003 (10*
 24 *U.S.C. 2302 note) is amended by striking “supplies” each*

1 place it appears (other than subsections (a)(1)(B) and (f))
 2 and inserting “supplies and associated support services”.

3 (b) *DEFINITION.*—Such section is further amended by
 4 adding at the end the following new subsection:

5 “(g) *ASSOCIATED SUPPORT SERVICES DEFINED.*—In
 6 this section, the term ‘associated support services’ means
 7 training, operation, maintenance, and support services
 8 needed in connection with the deployment of supplies to be
 9 acquired pursuant to the authority of this section. The term
 10 does not include functions that are inherently governmental
 11 or otherwise exempted from private sector performance.”.

12 (c) *LIMITATION ON AVAILABILITY OF AUTHORITY.*—
 13 The authority to acquire associated support services pursu-
 14 ant to section 806 of the Bob Stump National Defense Au-
 15 thorization Act for Fiscal Year 2003, as amended by this
 16 section, shall not take effect until the Secretary of Defense
 17 certifies to the congressional defense committees that the
 18 Secretary has developed and implemented an expedited re-
 19 view process in compliance with the requirements of section
 20 804 of the Ike Skelton National Defense Authorization Act
 21 for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4256;
 22 10 U.S.C. 2302 note).

1 **SEC. 865. REACH-BACK CONTRACTING AUTHORITY FOR OP-**
 2 **ERATION ENDURING FREEDOM AND OPER-**
 3 **ATION NEW DAWN.**

4 (a) *AUTHORITY TO DESIGNATE LEAD CONTRACTING*
 5 *ACTIVITY.*—*The Under Secretary of Defense for Acquisition,*
 6 *Technology, and Logistics may designate a single con-*
 7 *tracting activity inside the United States to act as the lead*
 8 *contracting activity with authority for use of domestic ca-*
 9 *pabilities in support of overseas contracting for Operation*
 10 *Enduring Freedom and Operation New Dawn. The con-*
 11 *tracting activity so designated shall be known as the “lead*
 12 *reach-back contracting authority” for such operations.*

13 (b) *LIMITED AUTHORITY FOR USE OF OUTSIDE-THE-*
 14 *UNITED-STATES-THRESHOLDS.*—*The head of the con-*
 15 *tracting authority designated pursuant to subsection (a)*
 16 *may, when awarding a contract inside the United States*
 17 *for performance in the theater of operations for Operation*
 18 *Enduring Freedom or Operation New Dawn, use the over-*
 19 *seas increased micro-purchase threshold and the overseas in-*
 20 *creased simplified acquisition threshold in the same manner*
 21 *and to the same extent as if the contract were to be awarded*
 22 *and performed outside the United States.*

23 (c) *DEFINITIONS.*—*In this section:*

24 (1) *The term “overseas increased micro-purchase*
 25 *threshold” means the amount specified in paragraph*

1 (1)(B) of section 1903(b) of title 41, United States
2 Code.

3 (2) The term “overseas increased simplified ac-
4 quisition threshold” means the amount specified in
5 paragraph (2)(B) of section 1903(b) of title 41,
6 United States Code.

7 **SEC. 866. INCLUSION OF CONTRACTOR SUPPORT REQUIRE-**
8 **MENTS IN DEPARTMENT OF DEFENSE PLAN-**
9 **NING DOCUMENTS.**

10 (a) *ELEMENTS IN QDR REPORTS TO CONGRESS.*—
11 Section 118(d) of title 10, United States Code, is amend-
12 ed—

13 (1) in paragraph (4)—

14 (A) in subparagraph (D), by striking “and”
15 at the end;

16 (B) in subparagraph (E), by striking the
17 period at the end and inserting “; and”; and

18 (C) by adding at the end the following new
19 subparagraph:

20 “(F) the roles and responsibilities that
21 would be discharged by contractors.”;

22 (2) in paragraph (6), by striking “manpower
23 and sustainment” and inserting “manpower,
24 sustainment, and contractor support”; and

(3) in paragraph (8), by inserting “, and the scope of contractor support,” after “Defense Agencies”.

(b) *CHAIRMAN OF JOINT CHIEFS OF STAFF ASSESSMENTS OF CONTRACTOR SUPPORT OF ARMED FORCES.*—

(1) *ASSESSMENTS UNDER CONTINGENCY PLANNING.*—Paragraph (3) of subsection (a) of section 153 of such title is amended—

(A) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and

(B) by inserting after subparagraph (B) the following new subparagraph (C):

“(C) Identifying the support functions that are likely to require contractor performance under those contingency plans, and the risks associated with the assignment of such functions to contractors.”.

(2) *ASSESSMENTS UNDER ADVICE ON REQUIREMENTS, PROGRAMS, AND BUDGET.*—Paragraph (4)(E) of such subsection is amended by inserting “and contractor support” after “area of manpower”.

(3) *ASSESSMENTS FOR BIENNIAL REVIEW OF NATIONAL MILITARY STRATEGY.*—Subsection (d) of such section is amended—

1 (A) in paragraph (2), by adding at the end
2 the following new subparagraph:

3 “(I) Assessment of the requirements for con-
4 tractor support of the armed forces in conducting
5 peacetime training, peacekeeping, overseas contin-
6 gency operations, and major combat operations, and
7 the risks associated with such support.”; and

8 (B) in paragraph (3)(B), by striking “and
9 the levels of support from allies and other friend-
10 ly nations” and inserting “the levels of support
11 from allies and other friendly nations, and the
12 levels of contractor support”.

13 ***Subtitle E—Other Matters***

14 **SEC. 881. EXTENSION OF AVAILABILITY OF FUNDS IN THE** 15 **DEFENSE ACQUISITION WORKFORCE DEVEL-** 16 **OPMENT FUND.**

17 (a) *EXTENSION OF AVAILABILITY.*—Section 1705(e)(6)
18 of title 10, United States Code, is amended by striking
19 “under subsection (d)(2)” and inserting “(whether by credit
20 in accordance with subsection (d)(2), by transfer pursuant
21 to subsection (d)(3), by direct appropriation, or by de-
22 posit)”.

23 (b) *PROSPECTIVE APPLICABILITY.*—The amendment
24 made by subsection (a) shall not apply to funds appro-
25 priated before the date of the enactment of this Act.

1 (c) *NATURE OF AVAILABILITY*.—Such section is further
 2 amended by striking “expenditure” and inserting “obliga-
 3 tion”.

4 **SEC. 882. MODIFICATION OF DELEGATION OF AUTHORITY**
 5 **TO MAKE DETERMINATIONS ON ENTRY INTO**
 6 **COOPERATIVE RESEARCH AND DEVELOP-**
 7 **MENT AGREEMENTS WITH NATO AND OTHER**
 8 **FRIENDLY ORGANIZATIONS AND COUNTRIES.**

9 Section 2350a(b)(2) of title 10, United States Code, is
 10 amended by striking “and to one other official of the De-
 11 partment of Defense” and inserting “, the Under Secretary
 12 of Defense for Acquisition, Technology, and Logistics, and
 13 the Principal Deputy Under Secretary of Defense for Acqui-
 14 sition, Technology, and Logistics”.

15 **SEC. 883. RATE OF PAYMENT FOR AIRLIFT SERVICES**
 16 **UNDER THE CIVIL RESERVE AIR FLEET PRO-**
 17 **GRAM.**

18 (a) *RATE OF PAYMENT*.—

19 (1) *IN GENERAL*.—Chapter 931 of title 10,
 20 United States Code, is amended by inserting after sec-
 21 tion 9511 the following new section:

22 **“§9511a. Civil Reserve Air Fleet contracts: payment**
 23 **rate**

24 “(a) *AUTHORITY*.—The Secretary of Defense shall de-
 25 termine a fair and reasonable rate of payment for airlift

1 *services provided to the Department of Defense by air car-*
 2 *riers who are participants in the Civil Reserve Air Fleet*
 3 *program. Such rate of payment shall be determined in ac-*
 4 *cordance with—*

5 “(1) *the methodology and ratemaking procedures*
 6 *in effect on the date of the enactment of the National*
 7 *Defense Authorization Act for Fiscal Year 2012; and*
 8 “(2) *such other procedures as the Secretary may*
 9 *prescribe by regulation.*

10 “(b) *REGULATIONS.—The Secretary shall prescribe*
 11 *regulations for purposes of subsection (a). Such regulations*
 12 *shall include a process for modifying the ratemaking meth-*
 13 *odology referred to in paragraph (1) of that subsection. The*
 14 *Secretary may exclude from the applicability of such regu-*
 15 *lations any airlift services contract made through the use*
 16 *of competitive procedures.*

17 “(c) *COMMITMENT OF AIRCRAFT AS BUSINESS FAC-*
 18 *TOR.—The Secretary may, in determining the quantity of*
 19 *business to be received under an airlift services contract for*
 20 *which the rate of payment is determined in accordance with*
 21 *subsection (a), use as a factor the relative amount of airlift*
 22 *capability committed by each air carrier to the Civil Re-*
 23 *serve Air Fleet.*

24 “(d) *INAPPLICABLE PROVISIONS OF LAW.—An airlift*
 25 *services contract for which the rate of payment is deter-*

1 *mined in accordance with subsection (a) shall not be subject*
 2 *to the provisions of section 2306a of this title or to the pro-*
 3 *visions of subsections (a) and (b) of section 1502 of title*
 4 *41.”.*

5 (2) *CLERICAL AMENDMENT.—The table of sec-*
 6 *tions at the beginning of chapter 931 of such title is*
 7 *amended by inserting after the item relating to sec-*
 8 *tion 9511 the following new item:*

“9511a. Civil Reserve Air Fleet contracts: payment rate.”.

9 (b) *INITIAL REGULATIONS.—Regulations shall be pre-*
 10 *scribed under section 9511a(b) of title 10, United States*
 11 *Code (as added by subsection (a)), not later than 180 days*
 12 *after the date of the enactment of this Act.*

13 **SEC. 884. CLARIFICATION OF DEPARTMENT OF DEFENSE**
 14 **AUTHORITY TO PURCHASE RIGHT-HAND**
 15 **DRIVE PASSENGER SEDAN VEHICLES AND AD-**
 16 **JUSTMENT OF THRESHOLD FOR INFLATION.**

17 (a) *CLARIFICATION OF AUTHORITY.—Section*
 18 *2253(a)(2) of title 10, United States Code, is amended by*
 19 *striking “at a cost of not more than \$30,000 each” and in-*
 20 *serting “, but at a cost of not more than \$40,000 each for*
 21 *passenger sedans”.*

22 (b) *ADJUSTMENT FOR INFLATION.—The Department of*
 23 *Defense representative to the Federal Acquisition Regu-*
 24 *latory Council established under section 1302 of title 41,*
 25 *United States Code, shall ensure that the threshold estab-*

1 *lished in section 2253 of title 10, United States Code, for*
 2 *the acquisition of right-hand drive passenger sedans is in-*
 3 *cluded on the list of dollar thresholds that are subject to*
 4 *adjustment for inflation in accordance with the require-*
 5 *ments of section 1908 of title 41, United States Code, and*
 6 *is adjusted pursuant to such provision, as appropriate.*

7 **SEC. 885. EXTENSION AND EXPANSION OF SMALL BUSINESS**
 8 **PROGRAMS OF THE DEPARTMENT OF DE-**
 9 **FENSE.**

10 (a) *EXTENSION OF SBIR PROGRAM.*—Section 9(m)(2)
 11 *of the Small Business Act (15 U.S.C. 638(m)(2)) is amend-*
 12 *ed by striking “September 30, 2010” and inserting “Sep-*
 13 *tember 30, 2018”.*

14 (b) *EXTENSION OF STTR PROGRAM.*—Section
 15 *9(n)(1)(A)(ii) of the Small Business Act (15 U.S.C.*
 16 *638(n)(1)(A)(ii)) is amended by striking “2010” and in-*
 17 *serting “2018”.*

18 (c) *EXTENSION AND EXPANSION OF COMMERCIALIZA-*
 19 *TION PILOT PROGRAM.*—Section 9(y) of the *Small Business*
 20 *Act (15 U.S.C. 638(y)) is amended—*

21 (1) *in paragraphs (1), (2), and (4), by inserting*
 22 *“and the Small Business Technology Transfer Pro-*
 23 *gram” after “Small Business Innovation Research*
 24 *Program”;* and

1 (2) in paragraph (6), by striking “2010” and in-
2 serting “2018”.

3 **SEC. 886. THREE-YEAR EXTENSION OF TEST PROGRAM FOR**
4 **NEGOTIATION OF COMPREHENSIVE SMALL**
5 **BUSINESS SUBCONTRACTING PLANS.**

6 (a) *THREE-YEAR EXTENSION*.—Subsection (e) of sec-
7 tion 834 of the National Defense Authorization Act for Fis-
8 cal Years 1990 and 1991 (15 U.S.C. 637 note) is amended
9 by striking “September 30, 2011” and inserting “September
10 30, 2014”.

11 (b) *ADDITIONAL REPORT*.—Subsection (f) of such sec-
12 tion is amended by inserting “and March 1, 2012,” after
13 “March 1, 1994,”.

14 **SEC. 887. FIVE-YEAR EXTENSION OF DEPARTMENT OF DE-**
15 **FENSE MENTOR-PROTEGE PROGRAM.**

16 Section 831(j) of the National Defense Authorization
17 Act for Fiscal Year 1991 (10 U.S.C. 2302 note) is amend-
18 ed—

19 (1) in paragraph (1), by striking “September 30,
20 2010” and inserting “September 30, 2015”; and

21 (2) in paragraph (2), by striking “September 30,
22 2013” and inserting “September 30, 2018”.

1 **SEC. 888. REPORT ON ALTERNATIVES FOR THE PROCURE-**
2 **MENT OF FIRE-RESISTANT AND FIRE-RETARD-**
3 **ANT FIBER AND MATERIALS FOR THE PRO-**
4 **DUCTION OF MILITARY PRODUCTS.**

5 (a) *FINDINGS.*—Congress makes the following findings:

6 (1) *Vehicle and aircraft fires remain a signifi-*
7 *cant force protection and safety threat for the mem-*
8 *bers of the Armed Forces, whether deployed in support*
9 *of ongoing military operations or while training for*
10 *future deployment.*

11 (2) *Since 2003, the United States Army Institute*
12 *of Surgical Research, the sole burn center within the*
13 *Department of Defense, has admitted and treated*
14 *more than 800 combat casualties with burn injuries.*
15 *The probability of this type of injury remains ex-*
16 *tremely high with continued operations in Iraq and*
17 *the surge of forces into Afghanistan and the associated*
18 *increase in combat operations.*

19 (3) *Advanced fiber products currently in use to*
20 *protect first responders such as fire fighters and fac-*
21 *tory and refinery personnel in the United States steel*
22 *and fuel refinery industries may provide greater pro-*
23 *tection against burn injuries to members of the Armed*
24 *Forces.*

25 (b) *REPORT.*—Not later than February 28, 2012, the
26 *Secretary of Defense shall submit to the Committee on*

1 *Armed Services of the Senate and the Committee on Armed*
2 *Services of the House of Representatives a report on fire-*
3 *resistant and fire-retardant fibers and materials for the*
4 *production of military products. The report shall include*
5 *the following:*

6 (1) *An identification of the fire-resistance or*
7 *fire-retardant properties or capabilities of fibers and*
8 *materials (whether domestic or foreign) currently used*
9 *for the production of military products that require*
10 *such properties or capabilities (including include uni-*
11 *forms, protective equipment, firefighting equipment,*
12 *lifesaving equipment, and life support equipment),*
13 *and an assessment of the sufficiency, adequacy, avail-*
14 *ability, and cost of such fibers and materials for that*
15 *purpose.*

16 (2) *An identification of the fire-resistance or*
17 *fire-retardant properties or capabilities of fibers and*
18 *materials (whether domestic or foreign) otherwise*
19 *available in the United States that are suitable for*
20 *use in the production of military products that re-*
21 *quire such properties or capabilities, and an assess-*
22 *ment of the sufficiency, adequacy, availability, and*
23 *cost of such fibers and materials for that purpose.*

1 **SEC. 889. OVERSIGHT OF AND REPORTING REQUIREMENTS**
2 **WITH RESPECT TO EVOLVED EXPENDABLE**
3 **LAUNCH VEHICLE PROGRAM.**

4 *The Secretary of Defense shall—*

5 *(1) redesignate the Evolved Expendable Launch*
6 *Vehicle program as a major defense acquisition pro-*
7 *gram not in the sustainment phase under section*
8 *2430 of title 10, United States Code; or*

9 *(2) require the Evolved Expendable Launch Ve-*
10 *hicle program—*

11 *(A) to provide to the congressional defense*
12 *committees all information with respect to the*
13 *cost, schedule, and performance of the program*
14 *that would be required to be provided under sec-*
15 *tions 2431 (relating to weapons development and*
16 *procurement schedules), 2432 (relating to Select*
17 *Acquisition Reports, including updated program*
18 *life-cycle cost estimates), and 2433 (relating to*
19 *unit cost reports) of title 10, United States Code,*
20 *with respect to the program if the program were*
21 *designated as a major defense acquisition pro-*
22 *gram not in the sustainment phase; and*

23 *(B) to provide to the Under Secretary of*
24 *Defense for Acquisition, Technology, and Logis-*
25 *tics—*

(i) a quarterly cost and status report, commonly known as a Defense Acquisition Executive Summary, which serves as an early-warning of actual and potential problems with a program and provides for possible mitigation plans; and

(ii) earned value management data that contains measurements of contractor technical, schedule, and cost performance.

SEC. 890. DEPARTMENT OF DEFENSE ASSESSMENT OF INDUSTRIAL BASE FOR NIGHT VISION IMAGE INTENSIFICATION SENSORS.

(a) *ASSESSMENT REQUIRED.*—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall undertake an assessment of the current and long-term availability within the United States and international industrial base of critical equipment, components, subcomponents, and materials (including, but not limited to, lenses, tubes, and electronics) needed to support current and future United States military requirements for night vision image intensification sensors. In carrying out the assessment, the Secretary shall—

(1) identify items in connection with night vision image intensification sensors that the Secretary

1 *determines are critical to military readiness, includ-*
2 *ing key components, subcomponents, and materials;*

3 *(2) describe and perform a risk assessment of the*
4 *supply chain for items identified under paragraph*
5 *(1) and evaluate the extent to which—*

6 *(A) the supply chain for such items could be*
7 *disrupted by a loss of industrial capability in*
8 *the United States; and*

9 *(B) the industrial base obtains such items*
10 *from foreign sources; and*

11 *(3) describe and assess current and future invest-*
12 *ment, gaps, and vulnerabilities in the ability of the*
13 *Department to respond to the potential loss of domes-*
14 *tic or international sources that provide items identi-*
15 *fied under paragraph (1); and*

16 *(4) identify and assess current strategies to lever-*
17 *age innovative night vision image intensification*
18 *technologies being pursued in both Department of De-*
19 *fense laboratories and the private sector for the next*
20 *generation of night vision capabilities, including an*
21 *assessment of the competitiveness and technological*
22 *advantages of the United States night vision image*
23 *intensification industrial base.*

24 *(b) REPORT.—Not later than 180 days after the date*
25 *of the enactment of this Act, the Secretary of Defense shall*

1 *submit to Congress a report containing the results of the*
 2 *assessment required under subsection (a).*

3 **SEC. 891. IMPLEMENTATION OF ACQUISITION STRATEGY**
 4 **FOR EVOLVED EXPENDABLE LAUNCH VEHI-**
 5 **CLE.**

6 *(a) IN GENERAL.—The Secretary of Defense shall sub-*
 7 *mit, with the budget justification materials submitted to*
 8 *Congress in support of the budget of the Department of De-*
 9 *fense for fiscal year 2013 (as submitted with the budget of*
 10 *the President under section 1105(a) of title 31, United*
 11 *States Code), the following information:*

12 *(1) A description of how the strategy of the De-*
 13 *partment to acquire space launch capability under*
 14 *the Evolved Expendable Launch Vehicle program im-*
 15 *plements each of the recommendations included in the*
 16 *Report of the Government Accountability Office on*
 17 *the Evolved Expendable Launch Vehicle, dated Sep-*
 18 *tember 15, 2011 (GAO–11–641).*

19 *(2) With respect to any such recommendation*
 20 *that the Department does not implement, an expla-*
 21 *nation of how the Department is otherwise addressing*
 22 *the deficiencies identified in that report.*

23 *(b) ASSESSMENT BY COMPTROLLER GENERAL OF THE*
 24 *UNITED STATES.—Not later than 60 days after the submis-*
 25 *sion of the information required by subsection (a), the*

1 *Comptroller General of the United States shall submit to*
 2 *the congressional defense committees an assessment of that*
 3 *information and any additional findings or recommenda-*
 4 *tions the Comptroller General considers appropriate.*

5 **SEC. 892. REPORT ON IMPACT OF FOREIGN BOYCOTTS ON**
 6 **THE DEFENSE INDUSTRIAL BASE.**

7 (a) *IN GENERAL.*—Not later than October 1, 2012, the
 8 Department of Defense shall submit to the appropriate con-
 9 gressional committees a report setting forth an assessment
 10 of the impact of foreign boycotts on the defense industrial
 11 base.

12 (b) *ELEMENT.*—The report required by subsection (a)
 13 shall include a summary of foreign boycotts that posed a
 14 material risk to the defense industrial base from January
 15 2008 to the date of the enactment of this Act.

16 (c) *DEFINITIONS.*—In this section:

17 (1) *FOREIGN BOYCOTT.*—The term “foreign boy-
 18 cott” means any policy or practice adopted by a for-
 19 eign government or foreign business enterprise in-
 20 tended to penalize, disadvantage, or harm any con-
 21 tractor or subcontractor of the Department of Defense
 22 on account of the provision by that contractor or sub-
 23 contractor of any product or service to the Depart-
 24 ment.

(2) *APPROPRIATE CONGRESSIONAL COMMITTEES.*—*The term “appropriate congressional committees” means—*

(A) the congressional defense committees;
and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Department of Defense Management

SEC. 901. QUALIFICATIONS FOR APPOINTMENTS TO THE POSITION OF DEPUTY SECRETARY OF DEFENSE.

Section 132(a) of title 10, United States Code, is amended by inserting after the first sentence the following new sentence: “The Deputy Secretary shall be appointed from among persons most highly qualified for the position by reason of background and experience, including persons with appropriate management experience.”.

1 **SEC. 902. DESIGNATION OF DEPARTMENT OF DEFENSE SEN-**
2 **IOR OFFICIAL WITH PRINCIPAL RESPONS-**
3 **BILITY FOR AIRSHIP PROGRAMS.**

4 *Not later than 180 days after the date of the enactment*
5 *of this Act, the Secretary of Defense shall—*

6 *(1) designate a senior official of the Department*
7 *of Defense as the official with principal responsibility*
8 *for the airship programs of the Department; and*

9 *(2) set forth the responsibilities of that senior of-*
10 *ficial with respect to such programs.*

11 **SEC. 903. MEMORANDA OF AGREEMENT ON SYNCHRONI-**
12 **ZATION OF ENABLING CAPABILITIES OF GEN-**
13 **ERAL PURPOSE FORCES WITH THE REQUIRE-**
14 **MENTS OF SPECIAL OPERATIONS FORCES.**

15 *By not later than 180 days after the date of the enact-*
16 *ment of this Act, each Secretary of a military department*
17 *shall enter into a memorandum of agreement with the Com-*
18 *mander of the United States Special Operations Command*
19 *establishing procedures by which the availability of the ena-*
20 *bling capabilities of the general purpose forces of the Armed*
21 *Forces under the jurisdiction of such Secretary will be syn-*
22 *chronized with the training and deployment cycle of special*
23 *operations forces under the United States Special Oper-*
24 *ations Command.*

1 **SEC. 904. ENHANCEMENT OF ADMINISTRATION OF THE**
 2 **UNITED STATES AIR FORCE INSTITUTE OF**
 3 **TECHNOLOGY.**

4 (a) *IN GENERAL.*—Chapter 901 of title 10, United
 5 States Code, is amended by inserting after section 9314a
 6 the following new section:

7 **“§9314b. United States Air Force Institute of Tech-**
 8 **nology: administration**

9 “(a) *COMMANDANT.*—

10 “(1) *SELECTION.*—The Commandant of the
 11 United States Air Force Institute of Technology shall
 12 be selected by the Secretary of the Air Force.

13 “(2) *ELIGIBILITY.*—The Commandant shall be
 14 one of the following:

15 “(A) An officer of the Air Force on active
 16 duty in a grade not below the grade of colonel
 17 who possesses such qualifications as the Sec-
 18 retary considers appropriate and is assigned or
 19 detailed to such position.

20 “(B) A member of the Senior Executive
 21 Service or a civilian individual, including an
 22 individual who was retired from the Air Force
 23 in a grade not below brigadier general, who has
 24 the qualifications appropriate for the position of
 25 Commandant and is selected by the Secretary as
 26 the best qualified from among candidates for the

1 *position in accordance with a process and cri-*
2 *teria determined by the Secretary.*

3 “(3) *TERM FOR CIVILIAN COMMANDANT.*—*An in-*
4 *dividual selected for the position of Commandant*
5 *under paragraph (2)(B) shall serve in that position*
6 *for a term of not more than five years and may be*
7 *continued in that position for an additional term of*
8 *up to five years.*

9 “(b) *PROVOST AND ACADEMIC DEAN.*—

10 “(1) *IN GENERAL.*—*There is established at the*
11 *United States Air Force Institute of Technology the*
12 *civilian position of Provost and Academic Dean who*
13 *shall be appointed by the Secretary.*

14 “(2) *TERM.*—*An individual appointed to the po-*
15 *sition of Provost and Academic Dean shall serve in*
16 *that position for a term of five years.*

17 “(3) *COMPENSATION.*—*The individual serving as*
18 *Provost and Academic Dean is entitled to such com-*
19 *penensation for such service as the Secretary shall pre-*
20 *scribe for purposes of this section, but not more than*
21 *the rate of compensation authorized for level IV of the*
22 *Executive Schedule.”.*

23 “(b) *CLERICAL AMENDMENT.*—*The table of sections at*
24 *the beginning of chapter 901 of such title is amended by*

1 *inserting after the item relating to section 9314a the fol-*
 2 *lowing new item:*

“9314b. United States Air Force Institute of Technology: administration.”.

3 **SEC. 905. DEFENSE LABORATORY MATTERS.**

4 (a) *REPEAL OF SUNSET ON DIRECT HIRE AUTHORITY*
 5 *AT PERSONNEL DEMONSTRATION LABORATORIES.*—Section
 6 *1108 of the Duncan Hunter National Defense Authorization*
 7 *Act for Fiscal Year 2009 (10 U.S.C. 1580 prec. note) is*
 8 *amended by striking subsection (e).*

9 (b) *REPEAL OF SUNSET ON MECHANISMS TO PROVIDE*
 10 *FUNDS FOR LABORATORIES FOR RESEARCH AND DEVELOP-*
 11 *MENT OF TECHNOLOGIES FOR MILITARY MISSIONS.*—Sec-
 12 *tion 219 of the Duncan Hunter National Defense Author-*
 13 *ization Act for Fiscal Year 2009 (10 U.S.C. 2358 note) is*
 14 *amended by striking subsection (c).*

15 (c) *REPEAL OF SUNSET ON AUTHORITY FOR UNSPEC-*
 16 *IFIED MINOR MILITARY CONSTRUCTION FOR LABORATORY*
 17 *REVITALIZATION.*—Section 2805(d) of title 10, *United*
 18 *States Code, is amended by striking paragraph (5).*

19 (d) *ASSESSMENT OF MILITARY CONSTRUCTION RE-*
 20 *QUIRED FOR LABORATORY REVITALIZATION AND RECAPI-*
 21 *TALIZATION.*—

22 (1) *ASSESSMENT REQUIRED.*—*The Secretary of*
 23 *Defense shall conduct an assessment of the current re-*
 24 *quirements of the defense laboratories for the revital-*

1 *ization and recapitalization of their infrastructure in*
2 *order to identify required military construction.*

3 (2) *ELEMENTS.*—*The assessment required by*
4 *paragraph (1) shall—*

5 (A) *identify the military construction re-*
6 *quirements of the defense laboratories described*
7 *in paragraph (1) that cannot be met by current*
8 *authorities for unspecified minor military con-*
9 *struction; and*

10 (B) *establish for each Armed Force a*
11 *prioritized list of military construction projects*
12 *to meet the requirements described in subpara-*
13 *graph (A), and identify among the projects so*
14 *listed each project previously submitted to a*
15 *military construction review panel and the*
16 *length of time such project has remained*
17 *unaddressed.*

18 (3) *REPORTS.*—

19 (A) *STATUS REPORT.*—*Not later than 180*
20 *days after the date of the enactment of this Act,*
21 *the Secretary shall submit to the congressional*
22 *defense committees a report describing the cur-*
23 *rent status of the assessment required by para-*
24 *graph (1).*

(B) *FINAL REPORT*.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the assessment. The report shall set forth the following:

(i) *The results of the assessment.*

(ii) *Such recommendations for legislative or administrative action as the Secretary considers appropriate in light of the results of the assessment.*

(4) *DEFENSE LABORATORY DEFINED*.—In this subsection, the term “defense laboratory” means a laboratory (as that term is defined in section 2805(d)(4) of title 10, United States Code) that is owned by the United States and under the jurisdiction of the Secretary of a military department.

SEC. 906. ASSESSMENT OF DEPARTMENT OF DEFENSE ACCESS TO NON-UNITED STATES CITIZENS WITH SCIENTIFIC AND TECHNICAL EXPERTISE VITAL TO THE NATIONAL SECURITY INTERESTS.

(a) *ASSESSMENT REQUIRED*.—The Secretary of Defense shall conduct an assessment of current and potential mechanisms to permit the Department of Defense to employ non-United States citizens with critical scientific and tech-

1 *nical skills that are vital to the national security interests*
2 *of the United States.*

3 (b) *ELEMENTS.*—*The assessment required by sub-*
4 *section (a) shall include the following:*

5 (1) *An identification of the critical scientific and*
6 *technical skills that are vital to the national security*
7 *interests of the United States and are anticipated to*
8 *be in short supply over the next 10 years, and an*
9 *identification of the military positions and civilian*
10 *positions of the Department of Defense that require*
11 *such skills.*

12 (2) *An identification of mechanisms and incen-*
13 *tives for attracting persons who are non-United*
14 *States citizens with such skills to such positions, in-*
15 *cluding the expedited extension of United States citi-*
16 *zenship.*

17 (3) *An identification and assessment of any con-*
18 *cerns associated with the provision of security clear-*
19 *ances to such persons.*

20 (4) *An identification and assessment of any con-*
21 *cerns associated with the employment of such persons*
22 *in civilian positions in the United States defense in-*
23 *dustrial base, including in positions in which United*
24 *States citizenship, a security clearance, or both are a*
25 *condition of employment.*

1 (c) *REPORTS.*—

2 (1) *STATUS REPORT.*—Not later than 180 days
3 after the date of the enactment of this Act, the Sec-
4 retary shall submit to the congressional defense com-
5 mittees a report describing the current status of the
6 assessment required by subsection (a).

7 (2) *FINAL REPORT.*—Not later than one year
8 after the date of the enactment of this Act, the Sec-
9 retary shall submit to the congressional defense com-
10 mittees a report on the assessment. The report shall
11 set forth the following:

12 (A) *The results of the assessment.*

13 (B) *Such recommendations for legislative or*
14 *administrative action as the Secretary considers*
15 *appropriate in light of the results of the assess-*
16 *ment.*

17 **SEC. 907. SENSE OF CONGRESS ON USE OF MODELING AND**
18 **SIMULATION IN DEPARTMENT OF DEFENSE**
19 **ACTIVITIES.**

20 *It is the sense of Congress to encourage the Department*
21 *of Defense to continue the use and enhancement of modeling*
22 *and simulation (M&S) across the spectrum of defense ac-*
23 *tivities, including acquisition, analysis, experimentation,*
24 *intelligence, planning, medical, test and evaluation, and*
25 *training.*

1 **SEC. 908. SENSE OF CONGRESS ON TIES BETWEEN JOINT**
 2 **WARFIGHTING AND COALITION CENTER AND**
 3 **ALLIED COMMAND TRANSFORMATION OF**
 4 **NATO.**

5 *It is the sense of Congress that the successor organiza-*
 6 *tion to the United States Joint Forces Command*
 7 *(USJFCOM), the Joint Warfighting and Coalition Center,*
 8 *should establish close ties with the Allied Command Trans-*
 9 *formation (ACT) command of the North Atlantic Treaty*
 10 *Organization (NATO).*

11 **SEC. 909. REPORT ON EFFECTS OF PLANNED REDUCTIONS**
 12 **OF PERSONNEL AT THE JOINT WARFARE**
 13 **ANALYSIS CENTER ON PERSONNEL SKILLS.**

14 *Not later than 120 days after the date of the enactment*
 15 *of this Act, the Secretary of Defense shall submit to the con-*
 16 *gressional defense committees a report setting forth a de-*
 17 *scription and assessment of the effects of planned reductions*
 18 *of personnel at the Joint Warfare Analysis Center (JWAC)*
 19 *on the personnel skills to be available at the Center after*
 20 *the reductions. The report shall be in unclassified form, but*
 21 *may contain a classified annex.*

22 ***Subtitle B—Space Activities***

23 **SEC. 911. COMMERCIAL SPACE LAUNCH COOPERATION.**

24 *(a) IN GENERAL.—Chapter 135 of title 10, United*
 25 *States Code, is amended by adding at the end the following*
 26 *new section:*

1 **“§ 2275. Commercial space launch cooperation**

2 “(a) *AUTHORITY.—The Secretary of Defense may, to*
3 *assist the Secretary of Transportation in carrying out re-*
4 *sponsibilities set forth in titles 49 and 51 with respect to*
5 *private sector involvement in commercial space activities*
6 *and public-private partnerships pertaining to space trans-*
7 *portation infrastructure, take such actions as the Secretary*
8 *considers to be in the best interests of the Federal Govern-*
9 *ment to do the following:*

10 “(1) *Maximize the use of the capacity of the*
11 *space transportation infrastructure of the Department*
12 *of Defense by the private sector in the United States.*

13 “(2) *Maximize the effectiveness and efficiency of*
14 *the space transportation infrastructure of the Depart-*
15 *ment of Defense.*

16 “(3) *Reduce the cost of services provided by the*
17 *Department of Defense related to space transportation*
18 *infrastructure at launch support facilities and space*
19 *recovery support facilities.*

20 “(4) *Encourage commercial space activities by*
21 *enabling investment in the space transportation in-*
22 *frastructure of the Department of Defense by covered*
23 *entities.*

24 “(5) *Foster cooperation between the Department*
25 *of Defense and covered entities.*

1 “(b) *AUTHORITY FOR CONTRACTS AND OTHER AGREE-*
2 *MENTS RELATING TO SPACE TRANSPORTATION INFRA-*
3 *STRUCTURE.—The Secretary of Defense—*

4 “(1) *may enter into a contract or other agree-*
5 *ment with a covered entity to provide to the covered*
6 *entity support and services related to the space trans-*
7 *portation infrastructure of the Department of Defense;*
8 *and*

9 “(2) *upon the request of that covered entity, may*
10 *include such support and services in the space launch*
11 *and reentry range support requirements of the De-*
12 *partment of Defense if—*

13 “(A) *the Secretary determines that the in-*
14 *clusion of such support and services in such re-*
15 *quirements—*

16 “(i) *is in the best interests of the Fed-*
17 *eral Government;*

18 “(ii) *does not interfere with the re-*
19 *quirements of the Department of Defense;*
20 *and*

21 “(iii) *does not compete with the com-*
22 *mercial space activities of other covered en-*
23 *tities, unless that competition is in the na-*
24 *tional security interests of the United*
25 *States; and*

1 “(B) any commercial requirement included
 2 in a contract or other agreement entered into
 3 under this subsection has full non-Federal fund-
 4 ing before the execution of the contract or other
 5 agreement.

6 “(c) CONTRIBUTIONS.—

7 “(1) IN GENERAL.—The Secretary of Defense
 8 may enter into contracts or other agreements with
 9 covered entities on a cooperative and voluntary basis
 10 to accept contributions of funds, services, and equip-
 11 ment to carry out this section.

12 “(2) USE OF CONTRIBUTIONS.—Any funds, serv-
 13 ices, or equipment accepted by the Secretary under
 14 this subsection—

15 “(A) may be used only for the objectives
 16 specified in this section in accordance with terms
 17 of use set forth in the contract or other agreement
 18 entered into under this subsection; and

19 “(B) shall be managed by the Secretary in
 20 accordance with regulations of the Department of
 21 Defense.

22 “(3) REQUIREMENTS WITH RESPECT TO AGREE-
 23 MENTS.—A contract or other agreement entered into
 24 under this subsection shall address terms of use, own-
 25 ership, and disposition of the funds, services, or

1 *equipment contributed pursuant to the contract or*
 2 *other agreement.*

3 “(d) *DEFENSE COOPERATION SPACE LAUNCH AC-*
 4 *COUNT.—*

5 “(1) *ESTABLISHMENT.—There is established in*
 6 *the Treasury of the United States a special account*
 7 *to be known as the ‘Defense Cooperation Space*
 8 *Launch Account’.*

9 “(2) *CREDITING OF FUNDS.—Funds received by*
 10 *the Secretary of Defense under subsection (c) shall be*
 11 *credited to the Defense Cooperation Space Launch Ac-*
 12 *count and shall be available until expended without*
 13 *further authorization or appropriation only for the*
 14 *objectives specified in this section.*

15 “(e) *ANNUAL REPORT.—Not later than January 31 of*
 16 *each year, the Secretary of Defense shall submit to the con-*
 17 *gressional defense committees a report on the funds, services,*
 18 *and equipment accepted and used by the Secretary under*
 19 *this section during the previous fiscal year.*

20 “(f) *DEFINITIONS.—In this section:*

21 “(1) *COVERED ENTITY.—The term ‘covered enti-*
 22 *ty’ means a non-Federal entity that—*

23 “(A) *is organized under the laws of the*
 24 *United States or of any jurisdiction within the*
 25 *United States; and*

1 “(B) is engaged in commercial space activi-
2 ties.

3 “(2) *LAUNCH SUPPORT FACILITIES*.—The term
4 ‘launch support facilities’ has the meaning given that
5 term in section 50501(7) of title 51.

6 “(3) *SPACE RECOVERY SUPPORT FACILITIES*.—
7 The term ‘space recovery support facilities’ has the
8 meaning given that term in section 50501(11) of title
9 51.

10 “(4) *SPACE TRANSPORTATION INFRASTRUC-*
11 *TURE*.—The term ‘space transportation infrastruc-

12 ture’ has the meaning given that term in section

13 50501(12) of title 51.”.

14 (b) *CLERICAL AMENDMENT*.—The table of sections at
15 the beginning of such chapter is amended by adding at the
16 end the following new item:

 “2275. Commercial space launch cooperation.”.

17 (c) *REGULATIONS*.—The Secretary of Defense shall
18 prescribe regulations relating to the activities of the Depart-
19 ment of Defense under section 2275 of title 10, United
20 States Code, as added by subsection (a).

1 **SEC. 912. AUTHORITY TO DESIGNATE INCREMENTS OR**
 2 **BLOCKS OF SPACE VEHICLES AS MAJOR SUB-**
 3 **PROGRAMS SUBJECT TO ACQUISITION RE-**
 4 **PORTING REQUIREMENTS.**

5 *Section 2430a(a)(1) of title 10, United States Code,*
 6 *is amended—*

7 *(1) by inserting “(A)” before “If the Secretary of*
 8 *Defense determines”; and*

9 *(2) by adding at the end the following new sub-*
 10 *paragraph:*

11 *“(B) If the Secretary of Defense determines that a*
 12 *major defense acquisition program to purchase space vehi-*
 13 *cles requires the delivery of space vehicles in two or more*
 14 *increments or blocks, the Secretary may designate each such*
 15 *increment or block as a major subprogram for the purposes*
 16 *of acquisition reporting under this chapter.”.*

17 **SEC. 913. REVIEW TO IDENTIFY INTERFERENCE WITH NA-**
 18 **TIONAL SECURITY GLOBAL POSITIONING SYS-**
 19 **TEM RECEIVERS BY COMMERCIAL COMMU-**
 20 **NICATIONS SERVICES.**

21 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
 22 *that—*

23 *(1) the reliable provision of precision navigation*
 24 *and timing signals by Global Positioning System sat-*
 25 *ellites owned and operated by the Department of De-*

1 *fense is critical to the economy, public health and*
2 *safety, and the national security of the United States;*

3 *(2) any interference with the signals of the Glob-*
4 *al Positioning System satellites or the various receiv-*
5 *ers that use those signals would be extraordinarily*
6 *disruptive; and*

7 *(3) the Federal Communications Commission*
8 *should ensure that the signals of Global Positioning*
9 *System satellites can be received without interruption*
10 *or interference.*

11 *(b) REVIEW.—Not later than 90 days after the date*
12 *of the enactment of this Act, and every 90 days thereafter*
13 *until the termination date described in subsection (d), the*
14 *Secretary of Defense shall conduct a review—*

15 *(1) to assess the ability of national security*
16 *Global Positioning System receivers to receive the sig-*
17 *nals of Global Positioning System satellites without*
18 *interruption or interference; and*

19 *(2) to determine if commercial communications*
20 *services are causing or will cause widespread or*
21 *harmful interference with national security Global*
22 *Positioning System receivers.*

23 *(c) NOTIFICATION TO CONGRESS.—*

24 *(1) IN GENERAL.—If the Secretary determines*
25 *under subsection (b)(2) that commercial communica-*

1 *tions services are causing or will cause widespread or*
2 *harmful interference with national security Global*
3 *Positioning System receivers, the Secretary shall*
4 *promptly submit to the congressional defense commit-*
5 *tees a report notifying those committees of the inter-*
6 *ference.*

7 (2) *ELEMENTS.—The report required by para-*
8 *graph (1) shall include the following:*

9 (A) *A list and description of the national*
10 *security Global Positioning System receivers that*
11 *are being or are expected to be interfered with by*
12 *commercial communications services.*

13 (B) *A description of the source of, and the*
14 *entity causing or expected to cause, the inter-*
15 *ference with those receivers.*

16 (C) *A description of the manner in which*
17 *that source or entity is causing or is expected to*
18 *cause the interference.*

19 (D) *A description of the magnitude of harm*
20 *caused or expected to be caused by the inter-*
21 *ference.*

22 (E) *A description of the duration of and the*
23 *conditions and circumstances under which the*
24 *interference is occurring or is expected to occur.*

1 (F) *A description of the impact of the inter-*
2 *ference on the national security interests of the*
3 *United States.*

4 (G) *A description of the plans of the Sec-*
5 *retary to address, alleviate, or mitigate the inter-*
6 *ference or the harm caused or expected to be*
7 *caused by the interference.*

8 (d) *TERMINATION DATE DESCRIBED.—The require-*
9 *ment that the Secretary conduct the review under subsection*
10 *(b) and submit the report under subsection (c) shall termi-*
11 *nate on the earlier of—*

12 (1) *the date that is 2 years after the date of the*
13 *enactment of this Act; or*

14 (2) *the date on which the Secretary—*

15 (A) *determines that there is no widespread*
16 *or harmful interference with national security*
17 *Global Positioning System receivers by commer-*
18 *cial communication services; and*

19 (B) *notifies the congressional defense com-*
20 *mittees of that determination.*

1 ***Subtitle C—Intelligence Matters***

2 ***SEC. 921. EXPANSION OF AUTHORITY FOR EXCHANGES OF***
 3 ***MAPPING, CHARTING, AND GEODETIC DATA***
 4 ***TO INCLUDE NONGOVERNMENTAL ORGANIZA-***
 5 ***TIONS AND ACADEMIC INSTITUTIONS.***

6 *(a) BROADENING OF AUTHORITY.—Section 454 of title*
 7 *10, United States Code, is amended—*

8 *(1) by inserting “(a) FOREIGN COUNTRIES AND*
 9 *INTERNATIONAL ORGANIZATIONS.—” before “The Sec-*
 10 *retary of Defense”; and*

11 *(2) by adding at the end the following new sub-*
 12 *section:*

13 *“(b) NONGOVERNMENTAL ORGANIZATIONS AND ACA-*
 14 *DEMIC INSTITUTIONS.—The Secretary may authorize the*
 15 *National Geospatial-Intelligence Agency to exchange or fur-*
 16 *nish mapping, charting, and geodetic data, supplies, and*
 17 *services relating to areas outside of the United States to*
 18 *a nongovernmental organization or an academic institution*
 19 *engaged in geospatial information research or production*
 20 *of such areas pursuant to an agreement for the production*
 21 *or exchange of such data.”.*

22 *(b) CONFORMING AMENDMENTS.—*

23 *(1) SECTION HEADING.—The heading of such sec-*
 24 *tion is amended to read as follows:*

1 **“§454. Exchange of mapping, charting, and geodetic**
 2 **data with foreign countries, international**
 3 **organizations, nongovernmental organi-**
 4 **zations, and academic institutions”.**

5 (2) *TABLE OF SECTIONS.*—*The table of sections*
 6 *at the beginning of subchapter II of chapter 22 of*
 7 *such title is amended by striking the item relating to*
 8 *section 454 and inserting the following new item:*

“454. Exchange of mapping, charting, and geodetic data with foreign countries,
international organizations, nongovernmental organizations,
and academic institutions.”.

9 **SEC. 922. FACILITIES FOR INTELLIGENCE COLLECTION OR**
 10 **SPECIAL OPERATIONS ACTIVITIES ABROAD.**

11 *Section 2682 of title 10, United States Code, is amend-*
 12 *ed—*

13 (1) *by inserting “(a) MAINTENANCE AND RE-*
 14 *PAIR.—” before “The maintenance and repair”;*

15 (2) *by designating the second sentence as sub-*
 16 *section (b), realigning such subsection so as to be in-*
 17 *dented two ems from the left margin, and inserting*
 18 *“JURISDICTION.—” before “A real property facility”;*
 19 *and*

20 (3) *by adding at the end the following new sub-*
 21 *section:*

22 *“(c) FACILITIES FOR INTELLIGENCE COLLECTION OR*
 23 *FOR SPECIAL OPERATIONS ABROAD.—The Secretary of De-*
 24 *fense may maintain and repair, and may exercise jurisdic-*

1 tion over, a real property facility if necessary to provide
 2 security for authorized intelligence collection or special op-
 3 erations activities abroad undertaken by the Department of
 4 Defense.”.

5 **SEC. 923. OZONE WIDGET FRAMEWORK.**

6 (a) *MECHANISM FOR INTERNET PUBLICATION OF IN-*
 7 *FORMATION FOR DEVELOPMENT OF ANALYSIS TOOLS AND*
 8 *APPLICATIONS.*—*The Director of the Defense Information*
 9 *Systems Agency shall implement a mechanism to publish*
 10 *and maintain on the public Internet the Application Pro-*
 11 *gramming Interface specifications, a developer’s toolkit,*
 12 *source code, and such other information on, and resources*
 13 *for, the Ozone Widget Framework (OWF) as the Director*
 14 *considers necessary to permit individuals and companies*
 15 *to develop, integrate, and test analysis tools and applica-*
 16 *tions for use by the Department of Defense and the elements*
 17 *of the intelligence community.*

18 (b) *PROCESS FOR VOLUNTARY CONTRIBUTION OF IM-*
 19 *PROVEMENTS BY PRIVATE SECTOR.*—*In addition to the re-*
 20 *quirement under subsection (a), the Director shall also es-*
 21 *tablish a process by which private individuals and compa-*
 22 *nies may voluntarily contribute the following:*

23 (1) *Improvements to the source code and docu-*
 24 *mentation for the Ozone Widget Framework.*

1 (2) *Alternative or compatible implementations of*
 2 *the published Application Programming Interface*
 3 *specifications for the Framework.*

4 (c) *ENCOURAGEMENT OF USE AND DEVELOPMENT.*—
 5 *The Director shall, whenever practicable, encourage and fos-*
 6 *ter the use, support, development, and enhancement of the*
 7 *Ozone Widget Framework by the computer industry and*
 8 *commercial information technology vendors, including the*
 9 *development of tools that are compatible with the Frame-*
 10 *work.*

11 **SEC. 924. PLAN FOR INCORPORATION OF ENTERPRISE**
 12 **QUERY AND CORRELATION CAPABILITY INTO**
 13 **THE DEFENSE INTELLIGENCE INFORMATION**
 14 **ENTERPRISE.**

15 (a) *PLAN REQUIRED.*—

16 (1) *IN GENERAL.*—*The Under Secretary of De-*
 17 *fense for Intelligence shall develop a plan for the in-*
 18 *corporation of an enterprise query and correlation ca-*
 19 *pability into the Defense Intelligence Information En-*
 20 *terprise (D2IE).*

21 (2) *ELEMENTS.*—*The plan required by para-*
 22 *graph (1) shall—*

23 (A) *include an assessment of all the current*
 24 *and planned advanced query and correlation*
 25 *systems which operate on large centralized data-*

1 *bases that are deployed or to be deployed in ele-*
2 *ments of the Defense Intelligence Information*
3 *Enterprise; and*

4 *(B) determine where duplication can be*
5 *eliminated, how use of these systems can be ex-*
6 *panded, whether these systems can be operated*
7 *collaboratively, and whether they can and should*
8 *be integrated with the enterprisewide query and*
9 *correlation capability required pursuant to*
10 *paragraph (1).*

11 *(b) PILOT PROGRAM.—*

12 *(1) IN GENERAL.—The Under Secretary shall*
13 *conduct a pilot program to demonstrate an*
14 *enterprisewide query and correlation capability*
15 *through the Defense Intelligence Information Enter-*
16 *prise program.*

17 *(2) PURPOSE.—The purpose of the pilot program*
18 *shall be to demonstrate the capability of an*
19 *enterprisewide query and correlation system to*
20 *achieve the following:*

21 *(A) To conduct complex, simultaneous que-*
22 *ries by a large number of users and analysts*
23 *across numerous, large distributed data stores*
24 *with response times measured in seconds.*

1 (B) *To be scaled up to operate effectively on*
2 *all the data holdings of the Defense Intelligence*
3 *Information Enterprise.*

4 (C) *To operate across multiple levels of se-*
5 *curity with data guards.*

6 (D) *To operate effectively on both*
7 *unstructured data and structured data.*

8 (E) *To extract entities, resolve them, and*
9 *(as appropriate) mask them to protect sources*
10 *and methods, privacy, or both.*

11 (F) *To control access to data by means of*
12 *on-line electronic user credentials, profiles, and*
13 *authentication.*

14 (c) *REPORT.—Not later than November 1, 2012, the*
15 *Under Secretary shall submit to the appropriate committees*
16 *of Congress a report on the actions undertaken by the Under*
17 *Secretary to carry out this section. The report shall set forth*
18 *the plan developed under subsection (a) and a description*
19 *and assessment of the pilot program conducted under sub-*
20 *section (b).*

21 (d) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
22 *FINED.—In this section, the term “appropriate committees*
23 *of Congress” means—*

(1) *the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and*

(2) *the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.*

Subtitle D—Cybersecurity Matters

SEC. 931. STRATEGY TO ACQUIRE CAPABILITIES TO DETECT

PREVIOUSLY UNKNOWN CYBER ATTACKS.

(a) *IN GENERAL.*—*The Secretary of Defense shall develop and implement a plan to augment the cybersecurity strategy of the Department of Defense through the acquisition of advanced capabilities to discover and isolate penetrations and attacks that were previously unknown and for which signatures have not been developed for incorporation into computer intrusion detection and prevention systems and anti-virus software systems.*

(b) *CAPABILITIES.*—

(1) *NATURE OF CAPABILITIES.*—*The capabilities to be acquired under the plan required by subsection*

(a) shall—

(A) be adequate to enable well-trained analysts to discover the sophisticated attacks con-

1 *ducted by nation-state adversaries that are cat-*
2 *egorized as “advanced persistent threats”;*

3 *(B) be appropriate for—*

4 *(i) endpoints or hosts;*

5 *(ii) network-level gateways operated by*
6 *the Defense Information Systems Agency*
7 *where the Department of Defense network*
8 *connects to the public Internet; and*

9 *(iii) global networks owned and oper-*
10 *ated by private sector Tier 1 Internet Serv-*
11 *ice Providers;*

12 *(C) at the endpoints or hosts, add new dis-*
13 *covery capabilities to the Host-Based Security*
14 *System of the Department, including capabilities*
15 *such as—*

16 *(i) automatic blocking of unauthorized*
17 *software programs and accepting approved*
18 *and vetted programs;*

19 *(ii) constant monitoring of all key*
20 *computer attributes, settings, and oper-*
21 *ations (such as registry keys, operations*
22 *running in memory, security settings, mem-*
23 *ory tables, event logs, and files); and*

24 *(iii) automatic baselining and remedi-*
25 *ation of altered computer settings and files;*

1 (D) at the network-level gateways and inter-
2 nal network peering points, include the
3 sustainment and enhancement of a system that
4 is based on full-packet capture, session recon-
5 struction, extended storage, and advanced ana-
6 lytic tools, by—

7 (i) increasing the number and skill
8 level of the analysts assigned to query stored
9 data, whether by contracting for security
10 services, hiring and training Government
11 personnel, or both; and

12 (ii) increasing the capacity of the sys-
13 tem to handle the rates for data flow
14 through the gateways and the storage re-
15 quirements specified by the United States
16 Cyber Command; and

17 (E) include the behavior-based threat detec-
18 tion capabilities of Tier 1 Internet Service Pro-
19 viders and other companies that operate on the
20 global Internet.

21 (2) *SOURCE OF CAPABILITIES.*—The capabilities
22 to be acquired shall, to the maximum extent prac-
23 ticable, be acquired from commercial sources. In mak-
24 ing decisions on the procurement of such capabilities
25 from among competing commercial and Government

1 *providers, the Secretary shall take into consideration*
2 *the needs of other departments and agencies of the*
3 *Federal Government, State and local governments,*
4 *and critical infrastructure owned and operated by the*
5 *private sector for unclassified, affordable, and sus-*
6 *tainable commercial solutions.*

7 *(c) INTEGRATION AND MANAGEMENT OF DISCOVERY*
8 *CAPABILITIES.—The plan required by subsection (a) shall*
9 *include mechanisms for improving the standardization, or-*
10 *ganization, and management of the security information*
11 *and event management systems that are widely deployed*
12 *across the Department of Defense to improve the ability of*
13 *United States Cyber Command to understand and control*
14 *the status and condition of Department networks, including*
15 *mechanisms to ensure that the security information and*
16 *event management systems of the Department receive and*
17 *correlate data collected and analyses conducted at the host*
18 *or endpoint, at the network gateways, and by Internet Serv-*
19 *ice Providers in order to discover new attacks reliably and*
20 *rapidly.*

21 *(d) PROVISION FOR CAPABILITY DEMONSTRATIONS.—*
22 *The plan required by subsection (a) shall provide for the*
23 *conduct of demonstrations, pilot projects, and other tests on*
24 *cyber test ranges and operational networks in order to de-*

1 *termine and verify that the capabilities to be acquired pur-*
 2 *suant to the plan are effective, practical, and affordable.*

3 *(e) REPORT.—Not later than April 1, 2012, the Sec-*
 4 *retary shall submit to the congressional defense committees*
 5 *a report on the plan required by subsection (a). The report*
 6 *shall set forth the plan and include a comprehensive de-*
 7 *scription of the actions being undertaken by the Department*
 8 *to implement the plan.*

9 **SEC. 932. PROGRAM IN SUPPORT OF DEPARTMENT OF DE-**
 10 **FENSE POLICY ON SUSTAINING AND EXPAND-**
 11 **ING INFORMATION SHARING.**

12 *(a) PROGRAM REQUIRED.—The Secretary of Defense*
 13 *shall carry out a program to support the policy of the De-*
 14 *partment of Defense on sustaining and expanding informa-*
 15 *tion sharing which program shall provide for the adoption*
 16 *and improvement of technical and procedural capabilities*
 17 *to detect and prevent personnel without authorization from*
 18 *acquiring and exporting information from classified net-*
 19 *works.*

20 *(b) CAPABILITIES.—Options for the technical and pro-*
 21 *cedural capabilities to be adopted and improved under the*
 22 *program required by subsection (a) shall include, but not*
 23 *be limited to, capabilities for the following:*

24 *(1) Disabling the removable media ports of com-*
 25 *puters, whether physically or electronically.*

1 (2) *In the case of computers authorized to write*
2 *to removable media, requiring systems administrator*
3 *approval for transfers of data.*

4 (3) *Electronic monitoring and reporting of com-*
5 *pliance with policies on downloading of information*
6 *to removable media, and of attempts to circumvent*
7 *such policies.*

8 (4) *Using public-key infrastructure-based iden-*
9 *tity authentication and user profiles to control infor-*
10 *mation access and use.*

11 (5) *Electronic auditing and reporting of user ac-*
12 *tivities to deter and detect unauthorized activities.*

13 (6) *Using data-loss-prevention and data-rights*
14 *management technology to prevent the unauthorized*
15 *export of information from a network or to render the*
16 *information unusable in the event of unauthorized ex-*
17 *port.*

18 (7) *Appropriately implementing and integrating*
19 *such capabilities to enable efficient management and*
20 *operations, and effective protection of information,*
21 *without impairing the work of analysts and users of*
22 *networks.*

23 (c) *PROGRAM WITHIN BROADER APPROACH TO CY-*
24 *BERSECURITY CHALLENGES.—In developing the program*
25 *required by subsection (a), the Secretary—*

1 (1) *shall take into account that the prevention of*
2 *security breaches from personnel operating from in-*
3 *side Department networks substantially overlaps with*
4 *the prevention of cyber attacks (including prevention*
5 *of theft of information and intellectual property and*
6 *the destruction of information and network*
7 *functionality); and*

8 (2) *should make decisions about the utility and*
9 *affordability of capabilities under subsection (b) for*
10 *purposes of the program in full contemplation of the*
11 *broad range of cybersecurity challenges facing the De-*
12 *partment.*

13 (d) *BUDGET MATTERS.—The budget justification doc-*
14 *uments for the budget of the President for each fiscal year*
15 *after fiscal year 2012, as submitted to Congress pursuant*
16 *to section 1105 of title 31, United States Code, shall set*
17 *forth information on the program required by subsection*
18 *(a), including the following:*

19 (1) *The amount requested for such fiscal year for*
20 *the program.*

21 (2) *A description of the objectives and scope of*
22 *the program for such fiscal year, including manage-*
23 *ment objectives and program milestones and perform-*
24 *ance metrics for such fiscal year.*

1 ***TITLE X—GENERAL PROVISIONS***

2 ***Subtitle A—Financial Matters***

3 ***SEC. 1001. GENERAL TRANSFER AUTHORITY.***

4 *(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—*

5 *(1) AUTHORITY.—Upon determination by the*
 6 *Secretary of Defense that such action is necessary in*
 7 *the national interest, the Secretary may transfer*
 8 *amounts of authorizations made available to the De-*
 9 *partment of Defense in this division for fiscal year*
 10 *2012 between any such authorizations for that fiscal*
 11 *year (or any subdivisions thereof). Amounts of au-*
 12 *thorizations so transferred shall be merged with and*
 13 *be available for the same purposes as the authoriza-*
 14 *tion to which transferred.*

15 *(2) LIMITATION.—Except as provided in para-*
 16 *graph (3), the total amount of authorizations that the*
 17 *Secretary may transfer under the authority of this*
 18 *section may not exceed \$5,000,000,000.*

19 *(3) EXCEPTION FOR TRANSFERS BETWEEN MILI-*
 20 *TARY PERSONNEL AUTHORIZATIONS.—A transfer of*
 21 *funds between military personnel authorizations*
 22 *under title IV shall not be counted toward the dollar*
 23 *limitation in paragraph (2).*

24 *(b) LIMITATIONS.—The authority provided by this sec-*
 25 *tion to transfer authorizations—*

1 (1) *may only be used to provide authority for*
 2 *items that have a higher priority than the items from*
 3 *which authority is transferred; and*

4 (2) *may not be used to provide authority for an*
 5 *item that has been denied authorization by Congress.*

6 (c) *EFFECT ON AUTHORIZATION AMOUNTS.—A trans-*
 7 *fer made from one account to another under the authority*
 8 *of this section shall be deemed to increase the amount au-*
 9 *thorized for the account to which the amount is transferred*
 10 *by an amount equal to the amount transferred.*

11 (d) *NOTICE TO CONGRESS.—The Secretary shall*
 12 *promptly notify Congress of each transfer made under sub-*
 13 *section (a).*

14 **SEC. 1002. DEFENSE BUSINESS SYSTEMS.**

15 (a) *AVAILABILITY OF FUNDS FOR DEFENSE BUSINESS*
 16 *SYSTEM PROGRAMS.—*

17 (1) *CONDITIONS FOR OBLIGATION.—Subsection*
 18 (a) *of section 2222 of title 10, United States Code, is*
 19 *amended to read as follows:*

20 “(a) *CONDITIONS FOR OBLIGATION OF FUNDS FOR*
 21 *COVERED DEFENSE BUSINESS SYSTEM PROGRAMS.—Ap-*
 22 *propriated and nonappropriated funds available to the De-*
 23 *partment of Defense may not be obligated for a covered de-*
 24 *fense business system program unless—*

1 “(1) the appropriate chief management officer
2 for the defense business system program has—

3 “(A) determined that—

4 “(i) the defense business system pro-
5 gram is in compliance with the enterprise
6 architecture developed under subsection (c);
7 and

8 “(ii) appropriate business process re-
9 engineering efforts have been undertaken to
10 ensure that—

11 “(I) the business process to be
12 supported by the defense business sys-
13 tem program will be as streamlined
14 and efficient as practicable; and

15 “(II) the need to tailor commer-
16 cial-off-the-shelf systems to meet unique
17 requirements or incorporate unique
18 interfaces has been eliminated or re-
19 duced to the maximum extent prac-
20 ticable; or

21 “(B) waived the requirement in subpara-
22 graph (A) on the basis of a determination by the
23 chief management officer that—

24 “(i) the defense business system pro-
25 gram is necessary to achieve a critical na-

1 *tional security capability or address a crit-*
 2 *ical requirement in an area such as safety*
 3 *or security; or*

4 *“(ii) the defense business system pro-*
 5 *gram is necessary to prevent a significant*
 6 *adverse effect on a project that is needed to*
 7 *achieve an essential capability, taking into*
 8 *consideration the alternative solutions for*
 9 *preventing such adverse effect;*

10 *“(2) the determination or waiver of the chief*
 11 *management officer under paragraph (1) has been re-*
 12 *viewed, approved, and certified by an appropriate in-*
 13 *vestment review board established under subsection*
 14 *(g); and*

15 *“(3) the certification by the investment review*
 16 *board under paragraph (2) has been approved by the*
 17 *Defense Business Systems Management Committee.”.*

18 *(2) TREATMENT OF CERTAIN OBLIGATIONS OF*
 19 *FUNDS.—Subsection (b) of such section is amended by*
 20 *striking “business system” and all that follows*
 21 *through “such subsection” and inserting “covered de-*
 22 *fense business system program that has not been cer-*
 23 *tified or approved in accordance with subsection (a)”.*

24 *(b) ENTERPRISE ARCHITECTURE.—*

1 (1) *IN GENERAL*.—Subsection (c) of such section
2 is amended—

3 (A) in paragraph (1), by inserting “,
4 known as the defense business enterprise archi-
5 tecture,” after “an enterprise architecture”; and

6 (B) in paragraph (2), by striking “the en-
7 terprise architecture for defense business sys-
8 tems” and inserting “the defense business enter-
9 prise architecture”.

10 (2) *COMPOSITION*.—Subsection (d) of such sec-
11 tion is amended—

12 (A) in paragraph (1)—

13 (i) in subparagraph (A), by striking
14 “all” and inserting “applicable law, includ-
15 ing”; and

16 (ii) in subparagraph (B), by inserting
17 “business and” before “financial informa-
18 tion”;

19 (B) in paragraph (2), by inserting “per-
20 formance measures,” after “data standards,”;
21 and

22 (C) by adding at the end the following new
23 paragraph:

24 “(3) A target systems environment, aligned to
25 the business enterprise architecture, for each of the

1 *major business processes conducted by the Department*
 2 *of Defense, as determined by the Chief Management*
 3 *Officer of the Department of Defense.”.*

4 (3) *TRANSITION PLAN.*—Subsection (e) of such
 5 *section is amended—*

6 (A) *in paragraph (1)—*

7 (i) *in subparagraph (A), by striking*
 8 *“The acquisition strategy for” and inserting*
 9 *“A listing of the”; and*

10 (ii) *in subparagraph (B)—*

11 (I) *by striking “defense business*
 12 *systems as of December 2, 2002” and*
 13 *inserting “existing defense business*
 14 *systems”; and*

15 (II) *by striking the comma before*
 16 *“that will”; and*

17 (B) *in paragraph (2), by striking “Each of*
 18 *the strategies under paragraph (1)” and insert-*
 19 *ing “For each system listed under paragraph*
 20 *(1), the transition plan”.*

21 (c) *RESPONSIBLE SENIOR OFFICIALS AND CHIEF*
 22 *MANAGEMENT OFFICERS.*—Subsection (f) of such section is
 23 *amended—*

1 (1) *by striking all the matter preceding subpara-*
 2 *graph (A) of paragraph (1) and inserting the fol-*
 3 *lowing:*

4 “(f) *DESIGNATION OF SENIOR OFFICIALS AND CHIEF*
 5 *MANAGEMENT OFFICERS.*—(1) *For purposes of subsection*
 6 *(g), the appropriate senior Department of Defense official*
 7 *for the functions and activities supported by a covered de-*
 8 *fense business system is as follows:”;*

9 (2) *in such paragraph (1), as so amended—*

10 (A) *by striking “shall be responsible and ac-*
 11 *countable for” each place it appears and insert-*
 12 *ing “, in the case of”;*

13 (B) *in subparagraph (D), by striking “As-*
 14 *stant Secretary of Defense for Networks and In-*
 15 *formation Integration and the”;* and

16 (C) *in subparagraph (E), by striking “Dep-*
 17 *uty Secretary of Defense” and all that follows*
 18 *through “responsible for” and inserting “Deputy*
 19 *Chief Management Officer of the Department of*
 20 *Defense, in the case of”;* and

21 (3) *in paragraph (2)—*

22 (A) *in the matter preceding subparagraph*
 23 (A)—

24 (i) *by striking “subsection (a)” and in-*
 25 *serting “subsections (a) and (g)”;* and

1 (ii) by striking “modernization” and
2 inserting “program”;

3 (B) in subparagraph (D), by inserting “the
4 Director of such Defense Agency, unless otherwise
5 approved by” before “the Deputy Chief Manage-
6 ment Officer”; and

7 (C) in subparagraph (E), by inserting “the
8 designee of” before “the Deputy Chief Manage-
9 ment Officer”.

10 (d) *INVESTMENT REVIEW*.—Subsection (g) of such sec-
11 tion is amended—

12 (1) by striking paragraph (1) and inserting the
13 following new paragraph (1):

14 “(1) *The Secretary of Defense, acting through the Chief*
15 *Management Officer of the Department of Defense, shall es-*
16 *tablish, by not later than March 15, 2012, an investment*
17 *review board and investment management process, con-*
18 *sistent with section 11312 of title 40, to review the plan-*
19 *ning, design, acquisition, development, deployment, oper-*
20 *ation, maintenance, modernization, and project cost bene-*
21 *fits and risks of covered defense business system programs.*
22 *The investment review process so established shall specifi-*
23 *cally address the requirements of subsection (a).”; and*

24 (2) in paragraph (2)—

1 (A) in the matter preceding subparagraph
2 (A), by striking “systems” and inserting “system
3 programs”;

4 (B) in subparagraph (A), by striking “de-
5 fense business system” and all that follows
6 through “as an investment” and inserting “cov-
7 ered defense business system program, in accord-
8 ance with the requirements of subsection (a),”;

9 (C) in subparagraph (B), by striking “every
10 defense business system” and all that follows and
11 inserting “covered defense business system pro-
12 grams, grouped in portfolios of defense business
13 systems;”;

14 (D) by striking subparagraph (C) and in-
15 serting the following new subparagraph (C):

16 “(C) Representation on each investment review
17 board by appropriate officials from among the Office
18 of the Secretary of Defense, the armed forces, the com-
19 batant commands, the Joint Chiefs of Staff, and the
20 Defense Agencies, including representatives of each of
21 the following:

22 “(i) The appropriate chief management offi-
23 cer for the defense business system under review.

24 “(ii) The appropriate senior Department of
25 Defense official for the functions and activities

1 supported by the defense business system under
2 review.

3 “(iii) The Chief Information Officer of the
4 Department of Defense.”; and

5 (E) in subparagraph (D), by striking “in-
6 vestments” and inserting “programs”.

7 (e) BUDGET INFORMATION.—Subsection (h) of such
8 section is amended—

9 (1) in paragraph (1), by inserting “program”
10 after “defense business system”;

11 (2) in paragraph (2)—

12 (A) in the matter preceding subparagraph
13 (A), by striking “such system” and inserting
14 “such program”; and

15 (B) in subparagraph (A), by striking “the
16 system” and inserting “the system covered by
17 such program”;

18 (3) by striking paragraph (3) and inserting the
19 following new paragraph (3):

20 “(3) For each such program, an identification of
21 the appropriate chief management officer and senior
22 Department of Defense official designated under sub-
23 section (f).”; and

24 (4) in paragraph (4), by striking “such system”
25 both places it appears and inserting “such program”.

1 (f) *REPORTS TO CONGRESS*.—Subsection (i) of such
2 section is amended—

3 (1) in the matter preceding paragraph (1)—

4 (A) by striking “2005 through 2013” and
5 inserting “2012 through 2016”;

6 (B) by striking the second sentence; and

7 (C) by striking “Subsequent reports” and
8 inserting “Each report”;

9 (2) by striking “modernizations” each place it
10 appears in paragraphs (1) and (2) and inserting
11 “programs”;

12 (3) by striking paragraph (3) and inserting the
13 following new paragraph (3):

14 “(3) identify any covered defense business system
15 program for which a waiver was granted under sub-
16 section (a)(1)(B) during the preceding fiscal year,
17 and set forth the reasons for each such waiver; and”;
18 and

19 (4) in paragraph (4), by striking “moderniza-
20 tion efforts” and inserting “programs”.

21 (g) *DEFINITIONS*.—Subsection (j) of such section is
22 amended—

23 (1) by striking paragraphs (1) and (3);

1 (2) by redesignating paragraphs (2), (4), (5),
2 and (6) as paragraphs (1), (3), (4), and (5), respec-
3 tively; and

4 (3) by inserting after paragraph (1), as redesign-
5 ated by paragraph (2) of this subsection, the fol-
6 lowing new paragraph (2):

7 “(2) The term ‘covered defense business system
8 program’ means any program as follows:

9 “(A) A program for the acquisition or devel-
10 opment of a new defense business system with a
11 total cost in excess of \$1,000,000.

12 “(B) A program for any significant modi-
13 fication or enhancement of an existing defense
14 business system with a total cost in excess of
15 \$1,000,000.

16 “(C) A program for the operation and
17 maintenance of an existing defense business sys-
18 tem, if the estimated cost of operation and main-
19 tenance of such system exceeds \$1,000,000 over
20 the period of the current future-years defense
21 program submitted to Congress under section
22 221 of this title.”.

1 **SEC. 1003. MODIFICATION OF AUTHORITIES ON CERTIFI-**
 2 **CATION AND CREDENTIAL STANDARDS FOR**
 3 **FINANCIAL MANAGEMENT POSITIONS IN THE**
 4 **DEPARTMENT OF DEFENSE.**

5 (a) *IN GENERAL.*—Section 1599d of title 10, United
 6 States Code, is amended to read as follows:

7 **“§ 1599d. Financial management positions: authority**
 8 **to prescribe professional certification and**
 9 **credential standards**

10 “(a) *AUTHORITY TO PRESCRIBE PROFESSIONAL CER-*
 11 *TIFICATION AND CREDENTIAL STANDARDS.*—The Secretary
 12 of Defense may prescribe professional certification and cre-
 13 dential standards for financial management positions with-
 14 in the Department of Defense, including requirements for
 15 formal education and requirements for certifications that
 16 individuals have met predetermined qualifications set by an
 17 agency of Government or by an industry or professional
 18 group. Any such professional certification or credential
 19 standard shall be prescribed as a Department regulation.

20 “(b) *WAIVER.*—The Secretary may waive any stand-
 21 ard prescribed under subsection (a) whenever the Secretary
 22 determines such a waiver to be appropriate.

23 “(c) *APPLICABILITY.*—(1) Except as provided in para-
 24 graph (2), the Secretary may, in the Secretary’s discre-
 25 tion—

1 “(A) *require that a standard prescribed under*
 2 *subsection (a) apply immediately to all personnel*
 3 *holding financial management positions designated*
 4 *by the Secretary; or*

5 “(B) *delay the imposition of such a standard for*
 6 *a reasonable period to permit persons holding finan-*
 7 *cial management positions so designated time to com-*
 8 *ply.*

9 “(2) *A formal education requirement prescribed under*
 10 *subsection (a) shall not apply to any person employed by*
 11 *the Department in a financial management position before*
 12 *the standard is prescribed.*

13 “(d) *DISCHARGE OF AUTHORITY.—The Secretary shall*
 14 *prescribe any professional certification or credential stand-*
 15 *ards under subsection (a) through the Under Secretary of*
 16 *Defense (Comptroller), in consultation with the Under Sec-*
 17 *retary of Defense for Personnel and Readiness.*

18 “(e) *REPORTS.—Not later than one year after the effec-*
 19 *tive date of any regulations prescribed under subsection (a),*
 20 *or any significant modification of such regulations, the Sec-*
 21 *retary shall, in conjunction with the Director of the Office*
 22 *of Personnel Management, submit to Congress a report set-*
 23 *ting forth the plans of the Secretary to provide training*
 24 *to appropriate Department personnel to meet any new pro-*

1 *fessional certification or credential standard under such*
 2 *regulations or modification.*

3 “(f) *FINANCIAL MANAGEMENT POSITION DEFINED.*—
 4 *In this section, the term ‘financial management position’*
 5 *means a position or group of positions (including civilian*
 6 *and military positions), as designated by the Secretary for*
 7 *purposes of this section, that perform, supervise, or manage*
 8 *work of a fiscal, financial management, accounting, audit-*
 9 *ing, cost or budgetary nature, or that require the perform-*
 10 *ance of financial management related work.”.*

11 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 12 *the beginning of chapter 81 of such title is amended by*
 13 *striking the item relating to section 1599d and inserting*
 14 *the following new item:*

“1599d. Financial management positions: authority to prescribe professional cer-
tification and credential standards.”.

15 **SEC. 1004. DEPOSIT OF REIMBURSED FUNDS UNDER RECIP-**
 16 **ROCAL FIRE PROTECTION AGREEMENTS.**

17 (a) *IN GENERAL.*—*Section 5(b) of the Act of May 27,*
 18 *1955 (chapter 105; 69 Stat. 67; 42 U.S.C. 1856d(b)), is*
 19 *amended to read as follows:*

20 “(b) *Notwithstanding subsection (a), all sums received*
 21 *as reimbursements for costs incurred by any Department*
 22 *of Defense activity for fire protection rendered pursuant to*
 23 *this Act shall be credited to the same appropriation or fund*
 24 *from which the expenses were paid or, if the period of avail-*

1 ability for obligation for that appropriation has expired,
 2 to the appropriation or fund that is currently available to
 3 the activity for the same purpose. Amounts so credited shall
 4 be subject to the same provisions and restrictions as the ap-
 5 propriation or account to which credited.”.

6 (b) *APPLICABILITY.*—The amendment made by sub-
 7 section (a) shall apply with respect to reimbursements for
 8 expenditures of funds appropriated after the date of the en-
 9 actment of this Act.

10 **SEC. 1005. AUDIT READINESS OF FINANCIAL STATEMENTS**
 11 **OF DEPARTMENT OF DEFENSE.**

12 Section 1003(a)(2)(A)(ii) of the National Defense Au-
 13 thorization Act for Fiscal Year 2010 (Public Law 111–84;
 14 123 Stat. 2440; 10 U.S.C. 2222 note) is amended by insert-
 15 ing “, and that a complete and validated full statement of
 16 budget resources is ready by not later than September 30,
 17 2014” after “validated as ready for audit by not later than
 18 September 30, 2017”.

19 **SEC. 1006. PLAN TO ENSURE AUDIT READINESS OF STATE-**
 20 **MENTS OF BUDGETARY RESOURCES.**

21 (a) *PLANNING REQUIREMENT.*—The report to be issued
 22 pursuant to section 1003(b) of the National Defense Author-
 23 ization Act for 2010 (Public Law 111–84; 123 Stat. 2440;
 24 10 U.S.C. 2222 note) and provided by not later than May
 25 15, 2012, shall include a plan, including interim objectives

1 *and a schedule of milestones for each military department*
 2 *and for the defense agencies, to ensure that the statement*
 3 *of budgetary resources of the Department of Defense meets*
 4 *the goal established by the Secretary of Defense of being*
 5 *validated for audit by not later than September 30, 2014.*
 6 *Consistent with the requirements of such section, the plan*
 7 *shall ensure that the actions to be taken are systemically*
 8 *tied to process and control improvements and business sys-*
 9 *tems modernization efforts necessary for the Department to*
 10 *prepare timely, reliable, and complete financial manage-*
 11 *ment information on a repeatable basis.*

12 *(b) SEMIANNUAL UPDATES.—The reports to be issued*
 13 *pursuant to such section after the report described in sub-*
 14 *section (a) shall update the plan required by such subsection*
 15 *and explain how the Department has progressed toward*
 16 *meeting the milestones established in the plan.*

17 ***Subtitle B—Counter-Drug Activities***

18 ***SEC. 1011. FIVE-YEAR EXTENSION AND MODIFICATION OF*** 19 ***AUTHORITY OF DEPARTMENT OF DEFENSE*** 20 ***TO PROVIDE ADDITIONAL SUPPORT FOR*** 21 ***COUNTERDRUG ACTIVITIES OF OTHER GOV-*** 22 ***ERNMENTAL AGENCIES.***

23 *(a) FIVE-YEAR EXTENSION.—Subsection (a) of section*
 24 *1004 of the National Defense Authorization Act for Fiscal*
 25 *Year 1991 (10 U.S.C. 374 note) is amended by striking*

1 *“During fiscal years 2002 through 2011” and inserting*
 2 *“Until September 30, 2016”.*

3 *(b) COVERAGE OF TRIBAL LAW ENFORCEMENT AGEN-*
 4 *CIES.—*

5 *(1) IN GENERAL.—Such section is further*
 6 *amended—*

7 *(A) in subsection (a)—*

8 *(i) in the matter preceding paragraph*
 9 *(1), by inserting “tribal,” after “local,”;*
 10 *and*

11 *(ii) in paragraph (2), by striking*
 12 *“State or local” both places it appears and*
 13 *insert “State, local, or tribal”; and*

14 *(B) in subsection (b)—*

15 *(i) in paragraph (1), by striking*
 16 *“State or local” and inserting “State, local,*
 17 *or tribal”;*

18 *(ii) in paragraph (4), by striking*
 19 *“State, or local” and inserting “State, local,*
 20 *or tribal”; and*

21 *(iii) in paragraph (5), by striking*
 22 *“State and local” and inserting “State,*
 23 *local, and tribal”.*

1 (2) *TRIBAL GOVERNMENT DEFINED.*—*Such sec-*
 2 *tion is further amended by adding at the end the fol-*
 3 *lowing new subsection:*

4 “(i) *DEFINITIONS RELATING TO TRIBAL GOVERN-*
 5 *MENTS.*—*In this section:*

6 “(1) *The term ‘Indian tribe’ has the meaning*
 7 *given the term in section 4 of the Indian Self-Deter-*
 8 *mination and Education Assistance Act (25 U.S.C.*
 9 *450b).*

10 “(2) *The term ‘tribal government’ means the gov-*
 11 *erning body of an Indian tribe.’.*

12 **SEC. 1012. FIVE-YEAR EXTENSION AND EXPANSION OF AU-**
 13 **THORITY TO PROVIDE ADDITIONAL SUPPORT**
 14 **FOR COUNTER-DRUG ACTIVITIES OF CERTAIN**
 15 **FOREIGN GOVERNMENTS.**

16 (a) *IN GENERAL.*—*Subsection (a)(2) of section 1033*
 17 *of the National Defense Authorization Act for Fiscal Year*
 18 *1998 (Public Law 105–85; 111 Stat. 1881), as most recently*
 19 *amended by section 1014(a) of the Ike Skelton National De-*
 20 *fense Authorization Act for Fiscal Year 2011 (Public Law*
 21 *111–383; 124 Stat. 4337), is further amended by striking*
 22 *“2012” and inserting “2017”.*

23 (b) *MAXIMUM AMOUNT OF SUPPORT.*—*Section (e)(2)*
 24 *of such section, as so amended, is further amended—*

1 (1) *by striking “\$75,000,000” and inserting*
 2 *“\$100,000,000”; and*

3 (2) *by striking “2012” and inserting “2017”.*

4 (c) *ADDITIONAL GOVERNMENTS ELIGIBLE TO RE-*
 5 *CEIVE SUPPORT.—Subsection (b) of such section, as most*
 6 *recently amended by section 1024(b) of the Duncan Hunter*
 7 *National Defense Authorization Act for Fiscal Year 2009*
 8 *(Public Law 110–417; 122 Stat. 4587), is further amended*
 9 *by adding at the end the following new paragraphs:*

10 “(23) *Government of Benin.*

11 “(24) *Government of Cape Verde.*

12 “(25) *Government of The Gambia.*

13 “(26) *Government of Ghana.*

14 “(27) *Government of Guinea.*

15 “(28) *Government of Ivory Coast.*

16 “(29) *Government of Jamaica.*

17 “(30) *Government of Liberia.*

18 “(31) *Government of Mauritania.*

19 “(32) *Government of Nicaragua.*

20 “(33) *Government of Nigeria.*

21 “(34) *Government of Sierra Leone.*

22 “(35) *Government of Togo.”.*

1 **SEC. 1013. REPORTING REQUIREMENT ON EXPENDITURES**
 2 **TO SUPPORT FOREIGN COUNTER-DRUG AC-**
 3 **TIVITIES.**

4 *Section 1022(a) of the Floyd D. Spence National De-*
 5 *fense Authorization Act for Fiscal Year 2001 (as enacted*
 6 *into law by Public Law 106–398; 114 Stat. 1654A–255),*
 7 *as most recently amended by the section 1013 of the Ike*
 8 *Skelton National Defense Authorization Act for Fiscal Year*
 9 *2011 (Public Law 111–383; 124 Stat. 4347), is further*
 10 *amended by striking “February 15, 2011” and inserting*
 11 *“February 15, 2012”.*

12 **SEC. 1014. EXTENSION OF AUTHORITY FOR JOINT TASK**
 13 **FORCES TO PROVIDE SUPPORT TO LAW EN-**
 14 **FORCEMENT AGENCIES CONDUCTING**
 15 **COUNTER-TERRORISM ACTIVITIES.**

16 *(a) EXTENSION.—Section 1022(b) of the National De-*
 17 *fense Authorization Act for Fiscal Year 2004 (10 U.S.C.*
 18 *371 note) is amended by striking “2011” and inserting*
 19 *“2012”.*

20 *(b) LIMITATION ON EXERCISE OF AUTHORITY.—The*
 21 *authority in section 1022 of the National Defense Author-*
 22 *ization Act for Fiscal Year 2004, as amended by subsection*
 23 *(a), may not be exercised after September 30, 2011, unless*
 24 *the Secretary of Defense certifies to Congress, in writing,*
 25 *that the Department of Defense is in compliance with the*
 26 *provisions of paragraph (2) of subsection (d) of such section,*

1 *as added by section 1012(b) of the Ike Skelton National De-*
 2 *fense Authorization Act for Fiscal Year 2011 (Public Law*
 3 *111–383; 124 Stat. 4346).*

4 **SEC. 1015. EXTENSION OF AUTHORITY TO SUPPORT UNI-**
 5 **FIED COUNTERDRUG AND COUNTERTER-**
 6 **RORISM CAMPAIGN IN COLOMBIA.**

7 *Section 1021(a)(1) of the Ronald W. Reagan National*
 8 *Defense Authorization Act for Fiscal Year 2005 (Public*
 9 *Law 108–375; 118 Stat. 2042), as most recently amended*
 10 *by section 1011 of the Ike Skelton National Defense Author-*
 11 *ization Act for Fiscal Year 2011 (Public Law 111–383; 124*
 12 *Stat. 4346), is further amended by striking “2011” and in-*
 13 *serting “2012”.*

14 ***Subtitle C—Naval Vessels and***
 15 ***Shipyards***

16 **SEC. 1021. LIMITATION ON AVAILABILITY OF FUNDS FOR**
 17 **PLACING MARITIME PREPOSITIONING SHIP**
 18 **SQUADRONS ON REDUCED OPERATING STA-**
 19 **TUS.**

20 *No amounts authorized to be appropriated by this Act*
 21 *may be obligated or expended to place a Maritime*
 22 *Prepositioning Ship squadron, or any component thereof,*
 23 *on reduced operating status until the later of the following:*

24 *(1) The date on which the Commandant of the*
 25 *Marine Corps submits to the congressional defense*

1 committees a report setting forth an assessment of the
 2 impact on military readiness of the plans of the Navy
 3 for placing such Maritime Prepositioning Ship
 4 squadron, or component thereof, on reduced operating
 5 status.

6 (2) The date on which the Chief of Naval Oper-
 7 ations submits to the congressional defense committees
 8 a report that—

9 (A) describes the plans of the Navy for plac-
 10 ing such Maritime Prepositioning Ship squad-
 11 ron, or component thereof, on reduced operating
 12 status; and

13 (B) sets forth comments of the Chief of
 14 Naval Operations on the assessment described in
 15 paragraph (1).

16 (3) The date on which the Secretary of Defense
 17 certifies to the congressional defense committees that
 18 the risks to readiness of placing such Maritime
 19 Prepositioning squadron, or component thereof, on re-
 20 duced operating status are acceptable.

21 **SEC. 1022. MODIFICATION OF CONDITIONS ON STATUS OF**
 22 **RETIRED AIRCRAFT CARRIER EX-JOHN F.**
 23 **KENNEDY.**

24 Section 1011(c)(2) of the John Warner National De-
 25 fense Authorization Act for Fiscal Year 2007 (Public Law

1 109–364; 120 Stat. 2374) is amended by striking “shall re-
 2 quire” and all that follows and inserting “may, notwith-
 3 standing paragraph (1), demilitarize the vessel in prepara-
 4 tion for the transfer.”.

5 **SEC. 1023. AUTHORITY TO PROVIDE INFORMATION FOR**
 6 **MARITIME SAFETY OF FORCES AND HYDRO-**
 7 **GRAPHIC SUPPORT.**

8 (a) *AUTHORITY.*—Part IV of subtitle C of title 10,
 9 United States Code, is amended by adding at the end the
 10 following new chapter:

11 **“CHAPTER 669—MARITIME SAFETY OF**
 12 **FORCES**

“Sec.

“7921. Safety and effectiveness information; hydrographic information.

13 **“§ 7921. Safety and effectiveness information; hydro-**
 14 **graphic information**

15 “(a) *SAFETY AND EFFECTIVENESS INFORMATION.*—(1)
 16 The Secretary of the Navy shall maximize the safety and
 17 effectiveness of all maritime vessels, aircraft, and forces of
 18 the armed forces by means of—

19 “(A) marine data collection;

20 “(B) numerical weather and ocean prediction;

21 and

22 “(C) forecasting of hazardous weather and ocean
 23 conditions.

1 “(2) *The Secretary may extend similar support to*
 2 *forces of the North Atlantic Treaty Organization, and to*
 3 *coalition forces, that are operating with the armed forces.*

4 “(b) *HYDROGRAPHIC INFORMATION.—The Secretary of*
 5 *the Navy shall collect, process, and provide to the Director*
 6 *of the National Geospatial-Intelligence Agency hydro-*
 7 *graphic information to support preparation of maps,*
 8 *charts, books, and geodetic products by that Agency.”.*

9 (b) *CLERICAL AMENDMENT.—The table of chapters at*
 10 *the beginning of subtitle C of such title, and the table of*
 11 *chapters at the beginning of part IV of such subtitle, are*
 12 *each amended by inserting after the item relating to chapter*
 13 *667 the following new item:*

“669. Maritime Safety of Forces 7921”.

14 **SEC. 1024. REPORT ON POLICIES AND PRACTICES OF THE**
 15 **NAVY FOR NAMING THE VESSELS OF THE**
 16 **NAVY.**

17 (a) *REPORT REQUIRED.—Not later than 180 days*
 18 *after the date of the enactment of this Act, the Secretary*
 19 *of Defense shall submit to Congress a report on the policies*
 20 *and practices of the Navy for naming vessels of the Navy.*

21 (b) *ELEMENTS.—The report required by subsection (a)*
 22 *shall set forth the following:*

23 (1) *A description of the current policies and*
 24 *practices of the Navy for naming vessels of the Navy.*

(2) *A description of the extent to which the policies and practices described under paragraph (1) vary from historical policies and practices of the Navy for naming vessels of the Navy, and an explanation for such variances (if any).*

(3) *An assessment of the feasibility and advisability of establishing fixed policies for the naming of one or more classes of vessels of the Navy, and a statement of the policies recommended to apply to each class of vessels recommended to be covered by such fixed policies if the establishment of such fixed policies is considered feasible and advisable.*

(4) *Any other matters relating to the policies and practices of the Navy for naming vessels of the Navy that the Secretary of Defense considers appropriate.*

SEC. 1025. ASSESSMENT OF STATIONING OF ADDITIONAL

DDG-51 CLASS DESTROYERS AT NAVAL STA-

TION MAYPORT, FLORIDA.

(a) *NAVY ASSESSMENT REQUIRED.*—

(1) *IN GENERAL.*—*Not later than one year after the date of the enactment of this Act, the Secretary of the Navy shall conduct an analysis of the costs and benefits of stationing additional DDG-51 class destroyers at Naval Station Mayport, Florida.*

1 (2) *ELEMENTS.*—*The analysis required by para-*
2 *graph (1) shall include, at a minimum, the following:*

3 (A) *Consideration of the negative effects on*
4 *the ship repair industrial base at Naval Station*
5 *Mayport caused by the retirement of FFG–7*
6 *class frigates and the procurement delays of the*
7 *Littoral Combat Ship, including, in particular,*
8 *the increase in costs (which would be passed on*
9 *to the taxpayer) of reconstituting the ship repair*
10 *industrial base at Naval Station Mayport fol-*
11 *lowing the projected drastic decrease in work-*
12 *load.*

13 (B) *Updated consideration of life extensions*
14 *of FFG–7 class frigates in light of continued*
15 *delays in deliveries of the Littoral Combat Ship*
16 *deliveries.*

17 (C) *Consideration of the possibility of*
18 *bringing additional surface warships to Naval*
19 *Station Mayport for maintenance with the con-*
20 *sequence of spreading the ship repair workload*
21 *appropriately amongst the various public and*
22 *private shipyards and ensuring the long-term*
23 *health of the shipyard in Mayport.*

24 (b) *COMPTROLLER GENERAL OF THE UNITED STATES*
25 *ASSESSMENT.*—*Not later than 120 days after the submittal*

1 of the report required by subsection (a), the Comptroller
 2 General of the United States shall submit to Congress an
 3 assessment by the Comptroller General of the report, includ-
 4 ing a determination whether or not the report complies with
 5 applicable best practices.

6 **SEC. 1026. TRANSFER OF CERTAIN HIGH-SPEED FERRIES TO**
 7 **THE NAVY.**

8 (a) *TRANSFER FROM MARAD AUTHORIZED.*—The
 9 Secretary of the Navy may, subject to appropriations, from
 10 funds available for the Department of Defense for fiscal year
 11 2012, provide to the Maritime Administration of the De-
 12 partment of Transportation an amount not to exceed
 13 \$35,000,000 for the transfer by the Maritime Administra-
 14 tion to the Department of the Navy of jurisdiction and con-
 15 trol over the vessels as follows:

16 (1) *M/V HUAKAI.*

17 (2) *M/V ALAKAI.*

18 (b) *USE AS DEPARTMENT OF DEFENSE SEALIFT VES-*
 19 *SELS.*—Each vessel transferred to the Department of the
 20 Navy under subsection (a) shall be administered as a De-
 21 partment of Defense sealift vessel (as such term is defined
 22 in section 2218(k)(2) of title 10, United States Code).

1 ***Subtitle D—Detainee Matters***

2 ***SEC. 1031. AFFIRMATION OF AUTHORITY OF THE ARMED***
 3 ***FORCES OF THE UNITED STATES TO DETAIN***
 4 ***COVERED PERSONS PURSUANT TO THE AU-***
 5 ***THORIZATION FOR USE OF MILITARY FORCE.***

6 (a) *IN GENERAL.*—Congress affirms that the authority
 7 of the President to use all necessary and appropriate force
 8 pursuant to the Authorization for Use of Military Force
 9 (Public Law 107–40) includes the authority for the Armed
 10 Forces of the United States to detain covered persons (as
 11 defined in subsection (b)) pending disposition under the law
 12 of war.

13 (b) *COVERED PERSONS.*—A covered person under this
 14 section is any person as follows:

15 (1) *A person who planned, authorized, com-*
 16 *mitted, or aided the terrorist attacks that occurred on*
 17 *September 11, 2001, or harbored those responsible for*
 18 *those attacks.*

19 (2) *A person who was a part of or substantially*
 20 *supported al-Qaeda, the Taliban, or associated forces*
 21 *that are engaged in hostilities against the United*
 22 *States or its coalition partners, including any person*
 23 *who has committed a belligerent act or has directly*
 24 *supported such hostilities in aid of such enemy forces.*

1 (c) *DISPOSITION UNDER LAW OF WAR.*—*The disposi-*
 2 *tion of a person under the law of war as described in sub-*
 3 *section (a) may include the following:*

4 (1) *Detention under the law of war without trial*
 5 *until the end of the hostilities authorized by the Au-*
 6 *thorization for Use of Military Force.*

7 (2) *Trial under chapter 47A of title 10, United*
 8 *States Code (as amended by the Military Commis-*
 9 *sions Act of 2009 (title XVIII of Public Law 111–*
 10 *84)).*

11 (3) *Transfer for trial by an alternative court or*
 12 *competent tribunal having lawful jurisdiction.*

13 (4) *Transfer to the custody or control of the per-*
 14 *son’s country of origin, any other foreign country, or*
 15 *any other foreign entity.*

16 (d) *CONSTRUCTION.*—*Nothing in this section is in-*
 17 *tended to limit or expand the authority of the President*
 18 *or the scope of the Authorization for Use of Military Force.*

19 (e) *AUTHORITIES.*—*Nothing in this section shall be*
 20 *construed to affect existing law or authorities, relating to*
 21 *the detention of United States citizens, lawful resident*
 22 *aliens of the United States or any other persons who are*
 23 *captured or arrested in the United States.*

24 (f) *REQUIREMENT FOR BRIEFINGS OF CONGRESS.*—
 25 *The Secretary of Defense shall regularly brief Congress re-*

1 *garding the application of the authority described in this*
 2 *section, including the organizations, entities, and individ-*
 3 *uals considered to be “covered persons” for purposes of sub-*
 4 *section (b)(2).*

5 **SEC. 1032. REQUIREMENT FOR MILITARY CUSTODY.**

6 *(a) CUSTODY PENDING DISPOSITION UNDER LAW OF*
 7 *WAR.—*

8 *(1) IN GENERAL.—Except as provided in para-*
 9 *graph (4), the Armed Forces of the United States*
 10 *shall hold a person described in paragraph (2) who*
 11 *is captured in the course of hostilities authorized by*
 12 *the Authorization for Use of Military Force (Public*
 13 *Law 107–40) in military custody pending disposition*
 14 *under the law of war.*

15 *(2) COVERED PERSONS.—The requirement in*
 16 *paragraph (1) shall apply to any person whose deten-*
 17 *tion is authorized under section 1031 who is deter-*
 18 *mined—*

19 *(A) to be a member of, or part of, al-Qaeda*
 20 *or an associated force that acts in coordination*
 21 *with or pursuant to the direction of al-Qaeda;*
 22 *and*

23 *(B) to have participated in the course of*
 24 *planning or carrying out an attack or attempted*

1 *attack against the United States or its coalition*
 2 *partners.*

3 (3) *DISPOSITION UNDER LAW OF WAR.*—*For pur-*
 4 *poses of this subsection, the disposition of a person*
 5 *under the law of war has the meaning given in sec-*
 6 *tion 1031(c), except that no transfer otherwise de-*
 7 *scribed in paragraph (4) of that section shall be made*
 8 *unless consistent with the requirements of section*
 9 *1033.*

10 (4) *WAIVER FOR NATIONAL SECURITY.*—*The Sec-*
 11 *retary of Defense may, in consultation with the Sec-*
 12 *retary of State and the Director of National Intel-*
 13 *ligence, waive the requirement of paragraph (1) if the*
 14 *Secretary submits to Congress a certification in writ-*
 15 *ing that such a waiver is in the national security in-*
 16 *terests of the United States.*

17 (b) *APPLICABILITY TO UNITED STATES CITIZENS AND*
 18 *LAWFUL RESIDENT ALIENS.*—

19 (1) *UNITED STATES CITIZENS.*—*The requirement*
 20 *to detain a person in military custody under this sec-*
 21 *tion does not extend to citizens of the United States.*

22 (2) *LAWFUL RESIDENT ALIENS.*—*The require-*
 23 *ment to detain a person in military custody under*
 24 *this section does not extend to a lawful resident alien*
 25 *of the United States on the basis of conduct taking*

1 *place within the United States, except to the extent*
2 *permitted by the Constitution of the United States.*

3 *(c) IMPLEMENTATION PROCEDURES.—*

4 *(1) IN GENERAL.—Not later than 60 days after*
5 *the date of the enactment of this Act, the President*
6 *shall issue, and submit to Congress, procedures for*
7 *implementing this section.*

8 *(2) ELEMENTS.—The procedures for imple-*
9 *menting this section shall include, but not be limited*
10 *to, procedures as follows:*

11 *(A) Procedures designating the persons au-*
12 *thorized to make determinations under sub-*
13 *section (a)(2) and the process by which such de-*
14 *terminations are to be made.*

15 *(B) Procedures providing that the require-*
16 *ment for military custody under subsection*
17 *(a)(1) does not require the interruption of ongo-*
18 *ing surveillance or intelligence gathering with*
19 *regard to persons not already in the custody or*
20 *control of the United States.*

21 *(C) Procedures providing that a determina-*
22 *tion under subsection (a)(2) is not required to be*
23 *implemented until after the conclusion of an in-*
24 *terrogation session which is ongoing at the time*

1 *the determination is made and does not require*
2 *the interruption of any such ongoing session.*

3 *(D) Procedures providing that the require-*
4 *ment for military custody under subsection*
5 *(a)(1) does not apply when intelligence, law en-*
6 *forcement, or other government officials of the*
7 *United States are granted access to an indi-*
8 *vidual who remains in the custody of a third*
9 *country.*

10 *(E) Procedures providing that a certifi-*
11 *cation of national security interests under sub-*
12 *section (a)(4) may be granted for the purpose of*
13 *transferring a covered person from a third coun-*
14 *try if such a transfer is in the interest of the*
15 *United States and could not otherwise be accom-*
16 *plished.*

17 *(d) EFFECTIVE DATE.—This section shall take effect*
18 *on the date that is 60 days after the date of the enactment*
19 *of this Act, and shall apply with respect to persons de-*
20 *scribed in subsection (a)(2) who are taken into the custody*
21 *or brought under the control of the United States on or after*
22 *that effective date.*

1 **SEC. 1033. REQUIREMENTS FOR CERTIFICATIONS RELAT-**
 2 **ING TO THE TRANSFER OF DETAINEES AT**
 3 **UNITED STATES NAVAL STATION, GUANTA-**
 4 **NAMO BAY, CUBA, TO FOREIGN COUNTRIES**
 5 **AND OTHER FOREIGN ENTITIES.**

6 (a) *CERTIFICATION REQUIRED PRIOR TO TRANS-*
 7 *FER.—*

8 (1) *IN GENERAL.—Except as provided in para-*
 9 *graph (2) and subsection (d), the Secretary of Defense*
 10 *may not use any amounts authorized to be appro-*
 11 *priated or otherwise available to the Department of*
 12 *Defense for fiscal year 2012 to transfer any indi-*
 13 *vidual detained at Guantanamo to the custody or*
 14 *control of the individual's country of origin, any*
 15 *other foreign country, or any other foreign entity un-*
 16 *less the Secretary submits to Congress the certification*
 17 *described in subsection (b) not later than 30 days be-*
 18 *fore the transfer of the individual.*

19 (2) *EXCEPTION.—Paragraph (1) shall not apply*
 20 *to any action taken by the Secretary to transfer any*
 21 *individual detained at Guantanamo to effectuate—*

22 (A) *an order affecting the disposition of the*
 23 *individual that is issued by a court or competent*
 24 *tribunal of the United States having lawful ju-*
 25 *risdiction (which the Secretary shall notify Con-*
 26 *gress of promptly after issuance); or*

1 (B) a pre-trial agreement entered in a mili-
2 tary commission case prior to the date of the en-
3 actment of this Act.

4 (b) CERTIFICATION.—A certification described in this
5 subsection is a written certification made by the Secretary
6 of Defense, with the concurrence of the Secretary of State
7 and in consultation with the Director of National Intel-
8 ligence, that the government of the foreign country or the
9 recognized leadership of the foreign entity to which the indi-
10 vidual detained at Guantanamo is to be transferred—

11 (1) is not a designated state sponsor of terrorism
12 or a designated foreign terrorist organization;

13 (2) maintains control over each detention facility
14 in which the individual is to be detained if the indi-
15 vidual is to be housed in a detention facility;

16 (3) is not, as of the date of the certification, fac-
17 ing a threat that is likely to substantially affect its
18 ability to exercise control over the individual;

19 (4) has taken or agreed to take effective actions
20 to ensure that the individual cannot take action to
21 threaten the United States, its citizens, or its allies in
22 the future;

23 (5) has taken or agreed to take such actions as
24 the Secretary of Defense determines are necessary to

1 *ensure that the individual cannot engage or reengage*
2 *in any terrorist activity; and*

3 *(6) has agreed to share with the United States*
4 *any information that—*

5 *(A) is related to the individual or any asso-*
6 *ciates of the individual; and*

7 *(B) could affect the security of the United*
8 *States, its citizens, or its allies.*

9 *(c) PROHIBITION IN CASES OF PRIOR CONFIRMED RE-*
10 *CIDIVISM.—*

11 *(1) PROHIBITION.—Except as provided in para-*
12 *graph (2) and subsection (d), the Secretary of Defense*
13 *may not use any amounts authorized to be appro-*
14 *priated or otherwise made available to the Depart-*
15 *ment of Defense to transfer any individual detained*
16 *at Guantanamo to the custody or control of the indi-*
17 *vidual's country of origin, any other foreign country,*
18 *or any other foreign entity if there is a confirmed*
19 *case of any individual who was detained at United*
20 *States Naval Station, Guantanamo Bay, Cuba, at*
21 *any time after September 11, 2001, who was trans-*
22 *ferred to such foreign country or entity and subse-*
23 *quently engaged in any terrorist activity.*

1 (2) *EXCEPTION.*—Paragraph (1) shall not apply
2 to any action taken by the Secretary to transfer any
3 individual detained at Guantanamo to effectuate—

4 (A) an order affecting the disposition of the
5 individual that is issued by a court or competent
6 tribunal of the United States having lawful ju-
7 risdiction (which the Secretary shall notify Con-
8 gress of promptly after issuance); or

9 (B) a pre-trial agreement entered in a mili-
10 itary commission case prior to the date of the en-
11 actment of this Act.

12 (d) *NATIONAL SECURITY WAIVER.*—

13 (1) *IN GENERAL.*—The Secretary of Defense may
14 waive the applicability to a detainee transfer of a cer-
15 tification requirement specified in paragraph (4) or
16 (5) of subsection (b) or the prohibition in subsection
17 (c) if the Secretary, with the concurrence of the Sec-
18 retary of State and in consultation with the Director
19 of National Intelligence, determines that—

20 (A) alternative actions will be taken to ad-
21 dress the underlying purpose of the requirement
22 or requirements to be waived;

23 (B) in the case of a waiver of paragraph (4)
24 or (5) of subsection (b), it is not possible to cer-
25 tify that the risks addressed in the paragraph to

1 *be waived have been completely eliminated, but*
2 *the actions to be taken under subparagraph (A)*
3 *will substantially mitigate such risks with re-*
4 *gard to the individual to be transferred;*

5 *(C) in the case of a waiver of subsection (c),*
6 *the Secretary has considered any confirmed case*
7 *in which an individual who was transferred to*
8 *the country subsequently engaged in terrorist ac-*
9 *tivity, and the actions to be taken under sub-*
10 *paragraph (A) will substantially mitigate the*
11 *risk of recidivism with regard to the individual*
12 *to be transferred; and*

13 *(D) the transfer is in the national security*
14 *interests of the United States.*

15 *(2) REPORTS.—Whenever the Secretary makes a*
16 *determination under paragraph (1), the Secretary*
17 *shall submit to the appropriate committees of Con-*
18 *gress, not later than 30 days before the transfer of the*
19 *individual concerned, the following:*

20 *(A) A copy of the determination and the*
21 *waiver concerned.*

22 *(B) A statement of the basis for the deter-*
23 *mination, including—*

1 (i) *an explanation why the transfer is*
 2 *in the national security interests of the*
 3 *United States; and*

4 (ii) *in the case of a waiver of para-*
 5 *graph (4) or (5) of subsection (b), an expla-*
 6 *nation why it is not possible to certify that*
 7 *the risks addressed in the paragraph to be*
 8 *waived have been completely eliminated.*

9 (C) *A summary of the alternative actions to*
 10 *be taken to address the underlying purpose of,*
 11 *and to mitigate the risks addressed in, the para-*
 12 *graph or subsection to be waived.*

13 (e) *DEFINITIONS.—In this section:*

14 (1) *The term “appropriate committees of Con-*
 15 *gress” means—*

16 (A) *the Committee on Armed Services, the*
 17 *Committee on Appropriations, and the Select*
 18 *Committee on Intelligence of the Senate; and*

19 (B) *the Committee on Armed Services, the*
 20 *Committee on Appropriations, and the Perma-*
 21 *nent Select Committee on Intelligence of the*
 22 *House of Representatives.*

23 (2) *The term “individual detained at Guanta-*
 24 *namo” means any individual located at United*

1 *States Naval Station, Guantanamo Bay, Cuba, as of*
2 *October 1, 2009, who—*

3 *(A) is not a citizen of the United States or*
4 *a member of the Armed Forces of the United*
5 *States; and*

6 *(B) is—*

7 *(i) in the custody or under the control*
8 *of the Department of Defense; or*

9 *(ii) otherwise under detention at*
10 *United States Naval Station, Guantanamo*
11 *Bay, Cuba.*

12 *(3) The term “foreign terrorist organization”*
13 *means any organization so designated by the Sec-*
14 *retary of State under section 219 of the Immigration*
15 *and Nationality Act (8 U.S.C. 1189).*

16 *(f) REPEAL OF SUPERSEDED AUTHORITY.—Section*
17 *1033 of the Ike Skelton National Defense Authorization Act*
18 *for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4351)*
19 *is repealed.*

1 **SEC. 1034. PROHIBITION ON USE OF FUNDS TO CONSTRUCT**
 2 **OR MODIFY FACILITIES IN THE UNITED**
 3 **STATES TO HOUSE DETAINEES TRANS-**
 4 **FERRED FROM UNITED STATES NAVAL STA-**
 5 **TION, GUANTANAMO BAY, CUBA.**

6 (a) *IN GENERAL.*—No amounts authorized to be ap-
 7 propriated or otherwise made available to the Department
 8 of Defense for fiscal year 2012 may be used to construct
 9 or modify any facility in the United States, its territories,
 10 or possessions to house any individual detained at Guanta-
 11 namo for the purposes of detention or imprisonment in the
 12 custody or under the control of the Department of Defense
 13 unless authorized by Congress.

14 (b) *EXCEPTION.*—The prohibition in subsection (a)
 15 shall not apply to any modification of facilities at United
 16 States Naval Station, Guantanamo Bay, Cuba.

17 (c) *INDIVIDUAL DETAINED AT GUANTANAMO DE-*
 18 *FINED.*—In this section, the term “individual detained at
 19 Guantanamo” has the meaning given that term in section
 20 1033(e)(2).

21 (d) *REPEAL OF SUPERSEDED AUTHORITY.*—Section
 22 1034 of the Ike Skelton National Defense Authorization Act
 23 for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4353)
 24 is amended by striking subsections (a), (b), and (c).

1 **SEC. 1035. PROCEDURES FOR PERIODIC DETENTION RE-**
2 **VIEW OF INDIVIDUALS DETAINED AT UNITED**
3 **STATES NAVAL STATION, GUANTANAMO BAY,**
4 **CUBA.**

5 (a) *PROCEDURES REQUIRED.*—Not later than 180
6 days after the date of the enactment of this Act, the Sec-
7 retary of Defense shall submit to the appropriate commit-
8 tees of Congress a report setting forth procedures for imple-
9 menting the periodic review process required by Executive
10 Order No. 13567 for individuals detained at United States
11 Naval Station, Guantanamo Bay, Cuba, pursuant to the
12 Authorization for Use of Military Force (Public Law 107–
13 40).

14 (b) *COVERED MATTERS.*—The procedures submitted
15 under subsection (a) shall, at a minimum—

16 (1) *clarify that the purpose of the periodic re-*
17 *view process is not to determine the legality of any*
18 *detainee’s law of war detention, but to make discre-*
19 *tionary determinations whether or not a detainee rep-*
20 *resents a continuing threat to the security of the*
21 *United States;*

22 (2) *clarify that the Secretary of Defense is re-*
23 *sponsible for any final decision to release or transfer*
24 *an individual detained in military custody at United*
25 *States Naval Station, Guantanamo Bay, Cuba, pur-*
26 *suant to the Executive Order referred to in subsection*

1 (a), and that in making such a final decision, the
 2 Secretary shall consider the recommendation of a
 3 periodic review board or review committee established
 4 pursuant to such Executive Order, but shall not be
 5 bound by any such recommendation; and

6 (3) ensure that appropriate consideration is
 7 given to factors addressing the need for continued de-
 8 tention of the detainee, including—

9 (A) the likelihood the detainee will resume
 10 terrorist activity if transferred or released;

11 (B) the likelihood the detainee will reestab-
 12 lish ties with al-Qaeda, the Taliban, or associ-
 13 ated forces that are engaged in hostilities against
 14 the United States or its coalition partners if
 15 transferred or released;

16 (C) the likelihood of family, tribal, or gov-
 17 ernment rehabilitation or support for the de-
 18 tainee if transferred or released;

19 (D) the likelihood the detainee may be sub-
 20 ject to trial by military commission; and

21 (E) any law enforcement interest in the de-
 22 tainee.

23 (c) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
 24 *FINED.*—In this section, the term “appropriate committees
 25 of Congress” means—

1 (1) *the Committee on Armed Services and the*
 2 *Select Committee on Intelligence of the Senate; and*

3 (2) *the Committee on Armed Services and the*
 4 *Permanent Select Committee on Intelligence of the*
 5 *House of Representatives.*

6 **SEC. 1036. PROCEDURES FOR STATUS DETERMINATIONS.**

7 (a) *IN GENERAL.*—Not later than 90 days after the
 8 date of the enactment of this Act, the Secretary of Defense
 9 shall submit to the appropriate committees of Congress a
 10 report setting forth the procedures for determining the sta-
 11 tus of persons detained pursuant to the Authorization for
 12 Use of Military Force (Public Law 107–40) for purposes
 13 of section 1031.

14 (b) *ELEMENTS OF PROCEDURES.*—The procedures re-
 15 quired by this section shall provide for the following in the
 16 case of any unprivileged enemy belligerent who will be held
 17 in long-term detention under the law of war pursuant to
 18 the Authorization for Use of Military Force:

19 (1) *A military judge shall preside at proceedings*
 20 *for the determination of status of an unprivileged*
 21 *enemy belligerent.*

22 (2) *An unprivileged enemy belligerent may, at*
 23 *the election of the belligerent, be represented by mili-*
 24 *tary counsel at proceedings for the determination of*
 25 *status of the belligerent.*

1 (c) *REPORT ON MODIFICATION OF PROCEDURES.*—The
 2 *Secretary of Defense shall submit to the appropriate com-*
 3 *mittees of Congress a report on any modification of the pro-*
 4 *cedures submitted under this section. The report on any*
 5 *such modification shall be so submitted not later than 60*
 6 *days before the date on which such modification goes into*
 7 *effect.*

8 (d) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
 9 *FINED.*—*In this section, the term “appropriate committees*
 10 *of Congress” means—*

11 (1) *the Committee on Armed Services and the*
 12 *Select Committee on Intelligence of the Senate; and*

13 (2) *the Committee on Armed Services and the*
 14 *Permanent Select Committee on Intelligence of the*
 15 *House of Representatives.*

16 **SEC. 1037. CLARIFICATION OF RIGHT TO PLEAD GUILTY IN**
 17 **TRIAL OF CAPITAL OFFENSE BY MILITARY**
 18 **COMMISSION.**

19 (a) *CLARIFICATION OF RIGHT.*—*Section 949m(b)(2) of*
 20 *title 10, United States Code, is amended—*

21 (1) *in subparagraph (C), by inserting before the*
 22 *semicolon the following: “, or a guilty plea was ac-*
 23 *cepted and not withdrawn prior to announcement of*
 24 *the sentence in accordance with section 949i(b) of this*
 25 *title”; and*

1 (2) in subparagraph (D), by inserting “on the
2 sentence” after “vote was taken”.

3 (b) *PRE-TRIAL AGREEMENTS*.—Section 949i of such
4 title is amended by adding at the end the following new
5 subsection:

6 “(c) *PRE-TRIAL AGREEMENTS*.—(1) A plea of guilty
7 made by the accused that is accepted by a military judge
8 under subsection (b) and not withdrawn prior to announce-
9 ment of the sentence may form the basis for an agreement
10 reducing the maximum sentence approved by the convening
11 authority, including the reduction of a sentence of death
12 to a lesser punishment, or that the case will be referred to
13 a military commission under this chapter without seeking
14 the penalty of death. Such an agreement may provide for
15 terms and conditions in addition to a guilty plea by the
16 accused in order to be effective.

17 “(2) A plea agreement under this subsection may not
18 provide for a sentence of death imposed by a military judge
19 alone. A sentence of death may only be imposed by the
20 unanimous vote of all members of a military commission
21 concurring in the sentence of death as provided in section
22 949m(b)(2)(D) of this title.”.

***Subtitle E—Miscellaneous
Authorities and Limitations***

***SEC. 1041. MANAGEMENT OF DEPARTMENT OF DEFENSE IN-
STALLATIONS.***

(a) SECRETARY OF DEFENSE AUTHORITY.—Chapter 159 of title 10, United States Code, is amended by inserting after section 2671 the following new section:

“§ 2672. Protection of property

“(a) IN GENERAL.—The Secretary of Defense shall protect the buildings, grounds, and property that are under the jurisdiction, custody, or control of the Department of Defense and the persons on that property.

“(b) OFFICERS AND AGENTS.—

“(1) DESIGNATION.—(A) The Secretary may designate military or civilian personnel of the Department of Defense as officers and agents to perform the functions of the Secretary under subsection (a), including, with regard to civilian officers and agents, duty in areas outside the property specified in that subsection to the extent necessary to protect that property and persons on that property.

“(B) A designation under subparagraph (A) may be made by individual, by position, by installation, or by such other category of personnel as the Secretary determines appropriate.

1 “(C) *In making a designation under subpara-*
2 *graph (A) with respect to any category of personnel,*
3 *the Secretary shall specify each of the following:*

4 “(i) *The personnel or positions to be in-*
5 *cluded in the category.*

6 “(ii) *Which authorities provided for in*
7 *paragraph (2) may be exercised by personnel in*
8 *that category.*

9 “(iii) *In the case of civilian personnel in*
10 *that category—*

11 “(I) *which authorities provided for in*
12 *paragraph (2), if any, are authorized to be*
13 *exercised outside the property specified in*
14 *subsection (a); and*

15 “(II) *with respect to the exercise of any*
16 *such authorities outside the property speci-*
17 *fied in subsection (a), the circumstances*
18 *under which coordination with law enforce-*
19 *ment officials outside of the Department of*
20 *Defense should be sought in advance.*

21 “(D) *The Secretary may make a designation*
22 *under subparagraph (A) only if the Secretary deter-*
23 *mines, with respect to the category of personnel to be*
24 *covered by that designation, that—*

1 “(i) the exercise of each specific authority
2 provided for in paragraph (2) to be delegated to
3 that category of personnel is necessary for the
4 performance of the duties of the personnel in that
5 category and such duties cannot be performed as
6 effectively without such authorities; and

7 “(ii) the necessary and proper training for
8 the authorities to be exercised is available to the
9 personnel in that category.

10 “(2) *POWERS*.—Subject to subsection (h) and to
11 the extent specifically authorized by the Secretary,
12 while engaged in the performance of official duties
13 pursuant to this section, an officer or agent des-
14 ignated under this subsection may—

15 “(A) enforce Federal laws and regulations
16 for the protection of persons and property;

17 “(B) carry firearms;

18 “(C) make arrests—

19 “(i) without a warrant for any offense
20 against the United States committed in the
21 presence of the officer or agent; or

22 “(ii) for any felony cognizable under
23 the laws of the United States if the officer
24 or agent has reasonable grounds to believe

1 *that the person to be arrested has committed*
2 *or is committing a felony;*

3 “(D) *serve warrants and subpoenas issued*
4 *under the authority of the United States; and*

5 “(E) *conduct investigations, on and off the*
6 *property in question, of offenses that may have*
7 *been committed against property under the juris-*
8 *diction, custody, or control of the Department of*
9 *Defense or persons on such property.*

10 “(c) *REGULATIONS.—*

11 “(1) *IN GENERAL.—The Secretary may prescribe*
12 *regulations, including traffic regulations, necessary*
13 *for the protection and administration of property*
14 *under the jurisdiction, custody, or control of the De-*
15 *partment of Defense and persons on that property.*
16 *The regulations may include reasonable penalties,*
17 *within the limits prescribed in paragraph (2), for vio-*
18 *lations of the regulations. The regulations shall be*
19 *posted and remain posted in a conspicuous place on*
20 *the property to which they apply.*

21 “(2) *PENALTIES.—A person violating a regula-*
22 *tion prescribed under this subsection shall be fined*
23 *under title 18, imprisoned for not more than 30 days,*
24 *or both.*

1 “(d) *LIMITATION ON DELEGATION OF AUTHORITY.*—
 2 *The authority of the Secretary of Defense under subsections*
 3 *(b) and (c) may be exercised only by the Secretary or Dep-*
 4 *uty Secretary of Defense.*

5 “(e) *DISPOSITION OF PERSONS ARRESTED.*—*A person*
 6 *who is arrested pursuant to authority exercised under sub-*
 7 *section (b) may not be held in a military confinement facil-*
 8 *ity, other than in the case of a person who is subject to*
 9 *chapter 47 of this title (the Uniform Code of Military Jus-*
 10 *tice).*

11 “(f) *FACILITIES AND SERVICES OF OTHER AGEN-*
 12 *CIES.*—*In implementing this section, when the Secretary*
 13 *determines it to be economical and in the public interest,*
 14 *the Secretary may utilize the facilities and services of Fed-*
 15 *eral, State, tribal, and local law enforcement agencies, with*
 16 *the consent of those agencies, and may reimburse those*
 17 *agencies for the use of their facilities and services.*

18 “(g) *AUTHORITY OUTSIDE FEDERAL PROPERTY.*—*For*
 19 *the protection of property under the jurisdiction, custody,*
 20 *or control of the Department of Defense and persons on that*
 21 *property, the Secretary may enter into agreements with*
 22 *Federal agencies and with State, tribal, and local govern-*
 23 *ments to obtain authority for civilian officers and agents*
 24 *designated under this section to enforce Federal laws and*
 25 *State, tribal, and local laws concurrently with other Federal*

1 *law enforcement officers and with State, tribal, and local*
 2 *law enforcement officers.*

3 “(h) *ATTORNEY GENERAL APPROVAL.*—*The powers*
 4 *granted pursuant to subsection (b)(2) to officers and agents*
 5 *designated under subsection (b)(1) shall be exercised in ac-*
 6 *cordance with guidelines approved by the Attorney General.*

7 “(i) *LIMITATION ON STATUTORY CONSTRUCTION.*—
 8 *Nothing in this section shall be construed—*

9 “(1) *to preclude or limit the authority of any*
 10 *Federal law enforcement agency;*

11 “(2) *to restrict the authority of the Secretary of*
 12 *Homeland Security or of the Administrator of Gen-*
 13 *eral Services to promulgate regulations affecting*
 14 *property under the custody and control of that Sec-*
 15 *retary or the Administrator, respectively;*

16 “(3) *to expand or limit section 21 of the Internal*
 17 *Security Act of 1950 (50 U.S.C. 797);*

18 “(4) *to affect chapter 47 of this title; or*

19 “(5) *to restrict any other authority of the Sec-*
 20 *retary of Defense or the Secretary of a military de-*
 21 *partment.”.*

22 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 23 *the beginning of such chapter is amended by inserting after*
 24 *the item relating to section 2671 the following new item:*

“2672. Protection of property.”.

1 **SEC. 1042. AMENDMENTS RELATING TO THE MILITARY COM-**
 2 **MISSIONS ACT OF 2009.**

3 (a) *REFERENCE TO HOW CHARGES ARE MADE.*—Sec-
 4 tion 949a(b)(2)(C) of title 10, United States Code, is
 5 amended by striking “preferred” in clauses (i) and (ii) and
 6 inserting “sworn”.

7 (b) *JUDGES OF UNITED STATES COURT OF MILITARY*
 8 *COMMISSION REVIEW.*—Section 949b(b) of such title is
 9 amended—

10 (1) in paragraph (1)(A), by striking “a military
 11 appellate judge or other duly appointed judge under
 12 this chapter on” and inserting “a judge on”;

13 (2) in paragraph (2), by striking “a military
 14 appellate judge on” and inserting “a judge on”; and

15 (3) in paragraph (3)(B), by striking “an appel-
 16 late military judge or a duly appointed appellate
 17 judge on” and inserting “a judge on”.

18 (c) *PANELS OF UNITED STATES COURT OF MILITARY*
 19 *COMMISSION REVIEW.*—Section 950f(a) of such title is
 20 amended by striking “appellate military judges” in the sec-
 21 ond sentence and inserting “judges on the Court”.

22 (d) *REVIEW OF FINAL JUDGMENTS BY UNITED STATES*
 23 *COURT OF APPEALS FOR THE D.C. CIRCUIT.*—

24 (1) *CLARIFICATION OF MATTER SUBJECT TO RE-*
 25 *VIEW.*—Subsection (a) of section 950g of such title is

1 amended by inserting “as affirmed or set aside as in-
2 correct in law by” after “where applicable,”.

3 (2) *CLARIFICATION ON TIME FOR SEEKING RE-*
4 VIEW.—Subsection (c) of such section is amended—

5 (A) in the matter preceding paragraph (1),
6 by striking “by the accused” and all that follows
7 through “which—” and inserting “in the Court
8 of Appeals—”;

9 (B) in paragraph (1)—

10 (i) by inserting “not later than 20
11 days after the date on which” after “(1)”;
12 and

13 (ii) by striking “on the accused or on
14 defense counsel” and inserting “on the par-
15 ties”; and

16 (C) in paragraph (2)—

17 (i) by inserting “if” after “(2)”; and

18 (ii) by inserting before the period the
19 following: “, not later than 20 days after
20 the date on which such notice is submitted”.

1 **SEC. 1043. DEPARTMENT OF DEFENSE AUTHORITY TO**
 2 **CARRY OUT PERSONNEL RECOVERY RE-**
 3 **INTEGRATION AND POST-ISOLATION SUP-**
 4 **PORT ACTIVITIES.**

5 (a) *IN GENERAL.*—Chapter 53 of title 10, United
 6 States Code, is amended by inserting after section 1056 the
 7 following new section:

8 **“§ 1056a. Reintegration of recovered Department of**
 9 **Defense personnel; post-isolation support**
 10 **activities for other recovered personnel**

11 “(a) *REINTEGRATION AND SUPPORT AUTHORIZED.*—
 12 *The Secretary of Defense may carry out the following:*

13 “(1) *Reintegration activities for recovered per-*
 14 *sons who are Department of Defense personnel.*

15 “(2) *Post-isolation support activities for or on*
 16 *behalf of other recovered persons who are officers or*
 17 *employees of the United States Government, military*
 18 *or civilian officers or employees of an allied or coal-*
 19 *ition partner of the United States, or other United*
 20 *States or foreign nationals.*

21 “(b) *ACTIVITIES AUTHORIZED.*—(1) *The activities au-*
 22 *thorized by subsection (a) for or on behalf of a recovered*
 23 *person may include the following:*

24 “(A) *The provision of food, clothing, necessary*
 25 *medical support, and essential sundry items for the*
 26 *recovered person.*

1 “(B) *In accordance with regulations prescribed*
2 *by the Secretary of Defense, travel and transportation*
3 *allowances for not more than three family members,*
4 *or other designated individuals, determined by the*
5 *commander or head of a military medical treatment*
6 *facility to be beneficial for the reintegration of the re-*
7 *covered person and whose presence may contribute to*
8 *improving the physical and mental health of the re-*
9 *covered person.*

10 “(C) *Transportation or reimbursement for trans-*
11 *portation in connection with the attendance of the re-*
12 *covered person at events or functions determined by*
13 *the commander or head of a military medical treat-*
14 *ment facility to contribute to the physical and mental*
15 *health of the recovered person.*

16 “(2) *Medical support may be provided under para-*
17 *graph (1)(A) to a recovered person who is not a member*
18 *of the armed forces for not more than 20 days.*

19 “(c) *DEFINITIONS.—In this section:*

20 “(1) *The term ‘post-isolation support’, in the*
21 *case of a recovered person, means—*

22 “(A) *the debriefing of the recovered person*
23 *following a separation as described in paragraph*
24 *(2);*

1 “(B) activities to promote or support the
2 physical and mental health of the recovered per-
3 son following such a separation; and

4 “(C) other activities to facilitate return of
5 the recovered person to military or civilian life
6 as expeditiously as possible following such a sep-
7 aration.

8 “(2) The term ‘recovered person’ means an indi-
9 vidual who is returned alive from separation (whether
10 as an individual or a group) while participating in
11 or in association with a United States-sponsored
12 military activity or mission in which the individual
13 was detained in isolation or held in captivity by a
14 hostile entity.

15 “(3) The term ‘reintegration’, in the case of a re-
16 covered person, means—

17 “(A) the debriefing of the recovered person
18 following a separation as described in paragraph
19 (2);

20 “(B) activities to promote or support for the
21 physical and mental health of the recovered per-
22 son following such a separation; and

23 “(C) other activities to facilitate return of
24 the recovered person to military duty or employ-

1 *ment with the Department of Defense as expedi-*
 2 *tiously as possible following such a separation.”.*

3 **(b) CLERICAL AMENDMENT.**—*The table of sections at*
 4 *the beginning of chapter 53 of such title is amended by in-*
 5 *serting after the item relating to section 1056 the following*
 6 *new item:*

“1056a. Reintegration of recovered Department of Defense personnel; post-isolation support activities for other recovered personnel.”.

7 **SEC. 1044. TREATMENT UNDER FREEDOM OF INFORMATION**
 8 **ACT OF CERTAIN SENSITIVE NATIONAL SECU-**
 9 **RITY INFORMATION.**

10 **(a) CRITICAL INFRASTRUCTURE SECURITY INFORMA-**
 11 **TION.**—

12 **(1) IN GENERAL.**—*The Secretary of Defense may*
 13 *exempt certain Department of Defense information*
 14 *from disclosure under section 552 of title 5, United*
 15 *States Code, upon a written determination that—*

16 **(A)** *the information is Department of De-*
 17 *fense critical infrastructure security information;*
 18 *and*

19 **(B)** *the public interest in the disclosure of*
 20 *such information does not outweigh the Govern-*
 21 *ment’s interest in withholding such information*
 22 *from the public.*

23 **(2) INFORMATION PROVIDED TO STATE OR LOCAL**
 24 **FIRST RESPONDERS.**—*Critical infrastructure security*

1 *information covered by a written determination*
2 *under this subsection that is provided to a State or*
3 *local government to assist first responders in the event*
4 *that emergency assistance should be required shall be*
5 *deemed to remain under the control of the Depart-*
6 *ment of Defense.*

7 (b) *MILITARY FLIGHT OPERATIONS QUALITY ASSUR-*
8 *ANCE SYSTEM.—The Secretary of Defense may exempt in-*
9 *formation contained in any data file of the Military Flight*
10 *Operations Quality Assurance system of a military depart-*
11 *ment from disclosure under section 552 of title 5, United*
12 *States Code, upon a written determination that the disclo-*
13 *sure of such information in the aggregate (and when com-*
14 *bined with other information already in the public domain)*
15 *would reveal sensitive information regarding the tactics,*
16 *techniques, procedures, processes, or operational and main-*
17 *tenance capabilities of military combat aircraft, units, or*
18 *aircrews. Information covered by a written determination*
19 *under this subsection shall be exempt from disclosure under*
20 *such section 552 even when such information is contained*
21 *in a data file that is not exempt in its entirety from such*
22 *disclosure.*

23 (c) *DELEGATION.—The Secretary of Defense may dele-*
24 *gate the authority to make a determination under sub-*
25 *section (a) or (b) to any civilian official in the Department*

1 of Defense or a military department who is appointed by
2 the President, by and with the advice and consent of the
3 Senate.

4 (d) *TRANSPARENCY.*—Each determination of the Sec-
5 retary, or the Secretary’s designee, under subsection (a) or
6 (b) shall be made in writing and accompanied by a state-
7 ment of the basis for the determination. All such determina-
8 tions and statements of basis shall be available to the public,
9 upon request, through the office of the Assistant Secretary
10 of Defense for Public Affairs.

11 (e) *DEFINITIONS.*—In this section:

12 (1) The term “Department of Defense critical in-
13 frastructure security information” means sensitive
14 but unclassified information that, if disclosed, would
15 reveal vulnerabilities in Department of Defense crit-
16 ical infrastructure that, if exploited, would likely re-
17 sult in the significant disruption, destruction, or
18 damage of or to Department of Defense operations,
19 property, or facilities, including information regard-
20 ing the securing and safeguarding of explosives, haz-
21 ardous chemicals, or pipelines, related to critical in-
22 frastructure or protected systems owned or operated
23 by or on behalf of the Department of Defense, includ-
24 ing vulnerability assessments prepared by or on be-
25 half of the Department, explosives safety information

(including storage and handling), and other site-specific information on or relating to installation security.

(2) The term “data file” means a file of the Military Flight Operations Quality Assurance system that contains information acquired or generated by the Military Flight Operations Quality Assurance system, including the following:

(A) Any data base containing raw Military Flight Operations Quality Assurance data.

(B) Any analysis or report generated by the Military Flight Operations Quality Assurance system or which is derived from Military Flight Operations Quality Assurance data.

SEC. 1045. CLARIFICATION OF AIRLIFT SERVICE DEFINITIONS RELATING TO THE CIVIL RESERVE AIR FLEET.

(a) CLARIFICATION.—Section 41106 of title 49, United States Code, is amended—

(1) by striking “transport category aircraft” in subsections (a)(1), (b), and (c) and inserting “CRAF-eligible aircraft”; and

(2) in subsection (c), by striking “that has aircraft in the civil reserve air fleet” and inserting “referred to in subsection (a)”.

1 **(b) CRAF-ELIGIBLE AIRCRAFT DEFINED.**—*Such sec-*
 2 *tion is further amended by adding at the end the following*
 3 *new subsection:*

4 **“(e) CRAF-ELIGIBLE AIRCRAFT DEFINED.**—*In this*
 5 *section, the term ‘CRAF-eligible aircraft’ means aircraft of*
 6 *a type the Secretary of Defense has determined to be eligible*
 7 *to participate in the Civil Reserve Air Fleet.”.*

8 **SEC. 1046. AUTHORITY FOR ASSIGNMENT OF CIVILIAN EM-**
 9 **PLOYEES OF THE DEPARTMENT OF DEFENSE**
 10 **AS ADVISORS TO FOREIGN MINISTRIES OF**
 11 **DEFENSE AND INTERNATIONAL PEACE AND**
 12 **SECURITY ORGANIZATIONS.**

13 **(a) AUTHORITY.**—*The Secretary of Defense may, with*
 14 *the concurrence of the Secretary of State, carry out a pro-*
 15 *gram to assign civilian employees of the Department of De-*
 16 *fense as advisors to the ministries of defense (or security*
 17 *agencies serving a similar defense function) of foreign coun-*
 18 *tries and international peace and security organizations in*
 19 *order to—*

20 (1) *provide institutional, ministerial-level ad-*
 21 *vice, and other training to personnel of the ministry*
 22 *or organization to which assigned in support of sta-*
 23 *bilization or post-conflict activities; or*

1 (2) *assist such ministry or organization in*
 2 *building core institutional capacity, competencies,*
 3 *and capabilities to manage defense-related processes.*

4 ***(b) TERMINATION OF AUTHORITY.—***

5 ***(1) IN GENERAL.—****The authority of the Secretary*
 6 *of Defense to assign civilian employees under the pro-*
 7 *gram under subsection (a) terminates at the close of*
 8 *September 30, 2014.*

9 ***(2) CONTINUATION OF ASSIGNMENTS.—****Any as-*
 10 *signment of a civilian employee under subsection (a)*
 11 *before the date specified in paragraph (1) may con-*
 12 *tinue after that date, but only using funds available*
 13 *for fiscal year 2012, 2013, or 2014.*

14 ***(c) ANNUAL REPORT.—****Not later than December 30*
 15 *each year through 2014, the Secretary of Defense shall sub-*
 16 *mit to the Committee on Armed Services of the Senate and*
 17 *the Committee on Armed Services of the House of Represent-*
 18 *atives a report on activities under the program under sub-*
 19 *section (a) during the preceding fiscal year. Each report*
 20 *shall include, for the fiscal year covered by such report, the*
 21 *following:*

22 ***(1)*** *A list of the defense ministries and inter-*
 23 *national peace and security organizations to which*
 24 *civilian employees were assigned under the program.*

1 (2) *A statement of the number of such employees*
 2 *so assigned.*

3 (3) *A statement of the duration of the various as-*
 4 *signments of such employees.*

5 (4) *A brief description of the activities carried*
 6 *out such by such employees pursuant to such assign-*
 7 *ments.*

8 (5) *A statement of the cost of each such assign-*
 9 *ment.*

10 (d) *COMPTROLLER GENERAL REPORT.*—Not later than
 11 *December 30, 2013, the Comptroller General of the United*
 12 *States shall submit to the committees of Congress specified*
 13 *in subsection (c) a report setting forth an assessment of the*
 14 *effectiveness of the advisory services provided by civilian*
 15 *employees assigned under the program under subsection (a)*
 16 *as of the date of the report in meeting the purposes of the*
 17 *program.*

18 **SEC. 1047. NET ASSESSMENT OF NUCLEAR FORCE LEVELS**
 19 **REQUIRED WITH RESPECT TO CERTAIN PRO-**
 20 **POSALS TO REDUCE THE NUCLEAR WEAPONS**
 21 **STOCKPILE OF THE UNITED STATES.**

22 (a) *IN GENERAL.*—If, on or after the date of the enact-
 23 *ment of this Act, the President makes a proposal described*
 24 *in subsection (b), the President shall—*

1 (1) *conduct a net assessment of the current and*
2 *proposed nuclear forces of the United States and of*
3 *other countries that possess nuclear weapons to deter-*
4 *mine whether the nuclear forces of the United States*
5 *are anticipated to be capable of meeting the objectives*
6 *of the United States with respect to nuclear deter-*
7 *rence, extended deterrence, assurance of allies, and de-*
8 *fense; and*

9 (2) *as soon as practicable after the date on which*
10 *the President makes such a proposal, submit that as-*
11 *essment to the congressional defense committees.*

12 ***(b) PROPOSAL DESCRIBED.—***

13 (1) ***IN GENERAL.***—*A proposal described in this*
14 *subsection is a proposal—*

15 (A) *to reduce the number of deployed nu-*
16 *clear weapons of the United States to a level that*
17 *is lower than the level described in the Treaty be-*
18 *tween the United States of America and the Rus-*
19 *sian Federation on Measures for the Further Re-*
20 *duction and Limitation of Strategic Offensive*
21 *Arms, signed at Prague April 8, 2010; or*

22 (B) *except as provided in paragraph (2), to*
23 *reduce, in a calendar year before 2022, the num-*
24 *ber of non-deployed nuclear weapons held by the*
25 *United States as a hedge.*

(2) *EXCEPTION FOR ROUTINE STOCKPILE STEWARDSHIP ACTIVITIES.*—*The requirement to conduct the net assessment under subsection (a) does not apply with respect to a proposal described in paragraph (1)(B) to reduce the number of non-deployed nuclear weapons held by the United States if that reduction is associated with routine stockpile stewardship activities.*

(3) *HEDGE DEFINED.*—*For purposes of paragraph (1)(B), the term “hedge” means the retention of non-deployed nuclear weapons in both the active and inactive nuclear weapons stockpiles to respond to a technical failure in the stockpile or a change in the geopolitical environment.*

SEC. 1048. FISCAL YEAR 2012 ADMINISTRATION AND REPORT ON THE TROOPS-TO-TEACHERS PROGRAM.

(a) *FISCAL YEAR 2012 ADMINISTRATION.*—*Notwithstanding section 2302(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6672(c)), the Secretary of Defense may administer the Troops-to-Teachers Program during fiscal year 2012. Amounts authorized to be appropriated for the Department of Defense by this Act shall be available to the Secretary of Defense for that purpose.*

1 (b) *REPORT.*—Not later than April 1, 2012, the Sec-
2 retary of Defense and the Secretary of Education shall
3 jointly submit to the appropriate committees of Congress
4 a report on the Troops-to-Teachers Program. The report
5 shall include the following:

6 (1) *A summary of the funding of the Troops-to-*
7 *Teachers Program since its inception and projected*
8 *funding of the program during the period covered by*
9 *the future-years defense program submitted to Con-*
10 *gress during 2011.*

11 (2) *The number of past participants in the*
12 *Troops-to-Teachers Program by year, the number of*
13 *past participants who have fulfilled, and have not ful-*
14 *filled, their service obligation under the program, and*
15 *the number of waivers of such obligations (and the*
16 *reasons for such waivers).*

17 (3) *A discussion and assessment of the current*
18 *and anticipated effects of recent economic cir-*
19 *cumstances in the United States, and cuts nationwide*
20 *in State and local budgets, on the ability of partici-*
21 *pants in the Troops-to-Teachers Program to obtain*
22 *teaching positions.*

23 (4) *A discussion of the youth education goals in*
24 *the Troops-to-Teachers Program and the record of the*

1 *program to date in producing teachers in high-need*
2 *and other eligible schools.*

3 *(5) An assessment of the extent to which the*
4 *Troops-to-Teachers Program achieves its purpose as a*
5 *military transition assistance program and, in par-*
6 *ticular, as transition assistance program for members*
7 *of the Armed Forces who are nearing retirement or*
8 *who are voluntarily or involuntarily separating from*
9 *military service.*

10 *(6) An assessment of the performance of the*
11 *Troops-to-Teachers Program in providing qualified*
12 *teachers to high-need public schools, and reasons for*
13 *expanding the program to additional school districts.*

14 *(7) A discussion and assessment of the advis-*
15 *ability of the administration of the Troops-to-Teach-*
16 *ers Program by the Department of Education in con-*
17 *sultation with the Department of Defense.*

18 *(c) DEFINITIONS.—In this section:*

19 *(1) APPROPRIATE COMMITTEES OF CONGRESS.—*
20 *The term “appropriate committees of Congress”*
21 *means—*

22 *(A) the Committees on Armed Services and*
23 *Health, Education, Labor, and Pensions of the*
24 *Senate; and*

1 (B) *the Committees on Armed Services and*
 2 *Education and Labor of the House of Represent-*
 3 *atives.*

4 (2) *TROOPS-TO-TEACHERS PROGRAM.—The term*
 5 *“Troops-to-Teachers Program” means the Troops-to-*
 6 *Teachers Program authorized by chapter A of subpart*
 7 *1 of part C of title II of the Elementary and Sec-*
 8 *ondary Education Act of 1965 (20 U.S.C. 6671 et*
 9 *seq.).*

10 **SEC. 1049. EXPANSION OF OPERATION HERO MILES.**

11 (a) *EXPANDED DEFINITION OF TRAVEL BENEFIT.—*
 12 *Subsection (b) of section 2613 of title 10, United States*
 13 *Code, is amended to read as follows:*

14 “(b) *TRAVEL BENEFIT DEFINED.—In this section, the*
 15 *term ‘travel benefit’ means—*

16 *“(1) frequent traveler miles, credits for tickets, or*
 17 *tickets for air or surface transportation issued by an*
 18 *air carrier or a surface carrier, respectively, that*
 19 *serves the public; and*

20 *“(2) points or awards for free or reduced-cost ac-*
 21 *commodations issued by an inn, hotel, or other com-*
 22 *mercial establishment that provides lodging to tran-*
 23 *sient guests.”.*

24 (b) *CONDITION ON AUTHORITY TO ACCEPT DONA-*
 25 *TION.—Subsection (c) of such section is amended—*

1 (1) *by striking “the air or surface carrier” and*
 2 *inserting “the business entity referred to in subsection*
 3 *(b)”;*

4 (2) *by striking “the surface carrier” and insert-*
 5 *ing “the business entity”; and*

6 (3) *by striking “the carrier” and inserting “the*
 7 *business entity”.*

8 (c) *ADMINISTRATION.—Subsection (e)(3) of such sec-*
 9 *tion is amended by striking “the air carrier or surface car-*
 10 *rier” and inserting “the business entity referred to in sub-*
 11 *section (b)”.*

12 (d) *STYLISTIC AMENDMENTS.—*

13 (1) *SECTION HEADING.—The heading of such sec-*
 14 *tion is amended to read as follows:*

15 **“§ 2613. Acceptance of frequent traveler miles, credits,**
 16 **points, and tickets: use to facilitate rest**
 17 **and recuperation travel of deployed mem-**
 18 **bers and their families”.**

19 (2) *TABLE OF SECTIONS.—The table of sections*
 20 *at the beginning of chapter 155 of such title is*
 21 *amended by striking the item relating to section 2613*
 22 *and inserting the following new item:*

 “2613. *Acceptance of frequent traveler miles, credits, points, and tickets: use to*
 facilitate rest and recuperation travel of deployed members and
 their families.”.

1 ***Subtitle F—Repeal and Modifica-***
 2 ***tion of Reporting Requirements***

3 ***PART I—REPEAL OF REPORTING REQUIREMENTS***

4 ***SEC. 1061. REPEAL OF REPORTING REQUIREMENTS UNDER***
 5 ***TITLE 10, UNITED STATES CODE.***

6 *Title 10, United States Code, is amended as follows:*

7 *(1) Section 127a(a) is amended—*

8 *(A) by striking paragraph (3); and*

9 *(B) by redesignating paragraph (4) as*
 10 *paragraph (3).*

11 *(2) Section 184 is amended by striking sub-*
 12 *section (h).*

13 *(3)(A) Section 427 is repealed.*

14 *(B) The table of sections at the beginning of sub-*
 15 *chapter I of chapter 21 is amended by striking the*
 16 *item relating to section 427.*

17 *(4) Section 437 is amended by striking sub-*
 18 *section (c).*

19 *(5)(A) Section 483 is repealed.*

20 *(B) The table of sections at the beginning of*
 21 *chapter 23 is amended by striking the item relating*
 22 *to section 483.*

23 *(6)(A) Section 484 is repealed.*

1 (B) *The table of sections at the beginning of*
2 *chapter 23 is amended by striking the item relating*
3 *to section 484.*

4 (7)(A) *Section 485 is repealed.*

5 (B) *The table of sections at the beginning of*
6 *chapter 23 is amended by striking the item relating*
7 *to section 485.*

8 (8)(A) *Section 486 is repealed.*

9 (B) *The table of sections at the beginning of*
10 *chapter 23 is amended by striking the item relating*
11 *to section 486.*

12 (9)(A) *Section 487 is repealed.*

13 (B) *The table of sections at the beginning of*
14 *chapter 23 is amended by striking the item relating*
15 *to section 487.*

16 (10) *Section 983(e)(1) is amended—*

17 (A) *by striking the comma after “Secretary*
18 *of Education” and inserting “and”; and*

19 (B) *by striking “, and to Congress”.*

20 (11) *Section 1781b is amended by striking sub-*
21 *section (d).*

22 (12) *Section 2010 is amended—*

23 (A) *by striking subsection (b); and*

1 (B) by redesignating subsections (c), (d),
2 and (e) as subsections (b), (c), and (d), respec-
3 tively.

4 (13) Section 2244a(c) is amended by striking the
5 second sentence.

6 (14)(A) Section 2282 is repealed.

7 (B) The table of sections at the beginning of
8 chapter 136 is amended by striking the item relating
9 to section 2282.

10 (15) Section 2350a(g) is amended by striking
11 paragraph (3).

12 (16) Section 2410m is amended by striking sub-
13 section (c).

14 (17) Section 2485(a) is amended—

15 (A) by striking “(1)”; and

16 (B) by striking paragraph (2).

17 (18) Section 2493 is amended by striking sub-
18 section (g).

19 (19) Section 2515 is amended by striking sub-
20 section (d).

21 (20)(A) Section 2582 is repealed.

22 (B) the table of sections at the beginning of chap-
23 ter 153 is amended by striking the item relating to
24 section 2582.

25 (21) Section 2583 is amended—

1 (A) *by striking subsection (f); and*

2 (B) *by redesignating subsection (g) as sub-*
 3 *section (f).*

4 (22) *Section 2688 is amended—*

5 (A) *in subsection (a)—*

6 (i) *by striking “(1)” before “The Sec-*
 7 *retary of a military department”; and*

8 (ii) *by striking paragraphs (2) and*
 9 *(3);*

10 (B) *in subsection (d)(2), by striking the sec-*
 11 *ond sentence;*

12 (C) *by striking subsection (f); and*

13 (D) *in subsection (h), by striking the last*
 14 *sentence.*

15 (23)(A) *Section 2706 is repealed.*

16 (B) *The table of sections at the beginning of*
 17 *chapter 160 is amended by striking the item relating*
 18 *to section 2706.*

19 (24)(A) *Section 2815 is repealed.*

20 (B) *The table of sections at the beginning of sub-*
 21 *chapter I of chapter 169 is amended by striking the*
 22 *item relating to section 2815.*

23 (25) *Section 2825(c)(1) is amended—*

24 (A) *by inserting “and” at the end of sub-*
 25 *paragraph (A);*

1 (B) by striking the semicolon at the end of
2 subparagraph (B) and inserting a period; and

3 (C) by striking subparagraphs (C) and (D).

4 (26) Section 2826 is amended—

5 (A) by striking “(a) LOCAL COM-
6 PARABILITY.—”; and

7 (B) by striking subsection (b).

8 (27) Section 2827 is amended—

9 (A) by striking “(a) Subject to subsection
10 (b), the Secretary” and inserting “The Sec-
11 retary”; and

12 (B) by striking subsection (b).

13 (28) Section 2836 is amended—

14 (A) in subsection (b)—

15 (i) by striking “(1)” before “The Sec-
16 retary of a military department”; and

17 (ii) by striking paragraph (2);

18 (B) by striking subsection (f); and

19 (C) by redesignating subsection (g) as sub-
20 section (f).

21 (29) Section 2837(c) is amended—

22 (A) by striking “(1)” after “OPPORTUNI-
23 TIES.—”; and

24 (B) by striking paragraph (2).

1 (30) *Section 2854a is amended by striking sub-*
 2 *section (c).*

3 (31) *Section 2861 is amended by striking sub-*
 4 *section (d).*

5 (32)(A) *Section 7296 is repealed.*

6 (B) *The table of sections at the beginning of*
 7 *chapter 633 is amended by striking the item relating*
 8 *to section 7296.*

9 (33)(A) *Section 10504 is repealed.*

10 (B) *The table of sections at the beginning of*
 11 *chapter 1011 is amended by striking the item relating*
 12 *to section 10504.*

13 (34) *Section 12302(b) is amended by striking the*
 14 *last sentence.*

15 (35)(A) *Section 16137 is repealed.*

16 (B) *The table of sections at the beginning of*
 17 *chapter 1606 is amended by striking the item relating*
 18 *to section 16137.*

19 **SEC. 1062. REPEAL OF REPORTING REQUIREMENTS UNDER**
 20 **ANNUAL DEFENSE AUTHORIZATION ACTS.**

21 (a) *FISCAL YEAR 2010.—The National Defense Au-*
 22 *thorization Act for Fiscal Year 2010 (Public Law 111–84)*
 23 *is amended as follows:*

24 (1) *Section 219 (123 Stat. 2228) is amended by*
 25 *striking subsection (c).*

1 (2) *Section 1113(e)(1) (123 Stat. 2502) is*
 2 *amended by striking “, which information shall be”*
 3 *and all that follows through “semiannual basis”.*

4 (3) *Section 1245 (123 Stat. 2542) is repealed.*

5 (b) *FISCAL YEAR 2009.—Section 1504 of The Duncan*
 6 *Hunter National Defense Authorization Act for Fiscal Year*
 7 *2009 (10 U.S.C. 2358 note) is amended by striking sub-*
 8 *section (c).*

9 (c) *FISCAL YEAR 2008.—The National Defense Au-*
 10 *thorization Act for Fiscal Year 2008 (Public Law 110–181)*
 11 *is amended as follows:*

12 (1) *Section 885 (10 U.S.C. 2304 note) is amend-*
 13 *ed—*

14 (A) *in subsection (a), by striking the last*
 15 *sentence of paragraph (2); and*

16 (B) *in subsection (b), by striking “the date*
 17 *of the enactment of this Act” both places it ap-*
 18 *pears and inserting “January 28, 2008”.*

19 (2) *Section 2864 (10 U.S.C. 2911 note) is re-*
 20 *pealed.*

21 (d) *FISCAL YEAR 2007.—The John Warner National*
 22 *Defense Authorization Act for Fiscal Year 2007 (Public*
 23 *Law 109–364) is amended as follows:*

24 (1) *Section 347 (10 U.S.C. 221 note) is repealed.*

1 (2) *Section 731 (10 U.S.C. 1095c note) is*
 2 *amended—*

3 *(A) by striking subsection (d); and*

4 *(B) by redesignating subsection (e) as sub-*
 5 *section (d).*

6 (3) *Section 732 (10 U.S.C. 1073 note) is amend-*
 7 *ed by striking subsection (d).*

8 (4) *Section 1231 (22 U.S.C. 2776a) is repealed.*

9 (5) *Section 1402 (10 U.S.C. 113 note) is re-*
 10 *pealed.*

11 (e) *FISCAL YEAR 2006.—Section 716 of the National*
 12 *Defense Authorization Act for Fiscal Year 2006 (10 U.S.C.*
 13 *1073 note) is amended—*

14 *(1) by striking subsection (b); and*

15 *(2) by redesignating subsection (c) as subsection*
 16 *(b).*

17 (f) *FISCAL YEAR 2005.—The Ronald W. Reagan Na-*
 18 *tional Defense Authorization Act for Fiscal Year 2005 (Pub-*
 19 *lic Law 108–375) is amended as follows:*

20 *(1) Section 731 (10 U.S.C. 1074 note) is amend-*
 21 *ed by striking subsection (c).*

22 *(2) Section 1041 (10 U.S.C. 229 note) is re-*
 23 *pealed.*

1 (g) *FISCAL YEAR 2004.—The National Defense Au-*
 2 *thorization Act for Fiscal Year 2004 (Public Law 108–136)*
 3 *is amended as follows:*

4 (1) *Section 586 (117 Stat. 1493) is repealed.*

5 (2) *Section 812 (117 Stat. 1542) is amended by*
 6 *striking subsection (c).*

7 (3) *Section 1601(d) (10 U.S.C. 2358 note) is*
 8 *amended—*

9 (A) *by striking paragraph (5); and*

10 (B) *by redesignating paragraphs (6) and*
 11 *(7) as paragraphs (5) and (6), respectively.*

12 (h) *FISCAL YEAR 2003.—Section 221 of the Bob*
 13 *Stump National Defense Authorization Act for Fiscal Year*
 14 *2003 (10 U.S.C. 2431 note) is repealed.*

15 (i) *FISCAL YEAR 2002.—Section 232 of the National*
 16 *Defense Authorization Act for Fiscal Year 2002 (10 U.S.C.*
 17 *2431 note) is amended by striking subsections (c) and (d).*

18 (j) *FISCAL YEAR 2001.—The Floyd D. Spence Na-*
 19 *tional Defense Authorization Act for Fiscal Year 2001 (as*
 20 *enacted into law by Public Law 106–398) is amended as*
 21 *follows:*

22 (1) *Section 374 (10 U.S.C. 2851 note) is re-*
 23 *pealed.*

24 (2) *Section 1212 (114 Stat. 1654A–326) is*
 25 *amended by striking subsections (c) and (d).*

1 (3) *Section 1213 (114 Stat. 1654A–327) is re-*
 2 *pealed.*

3 (k) *FISCAL YEAR 2000.—The National Defense Au-*
 4 *thorization Act for Fiscal Year 2000 (Public Law 106–65)*
 5 *is amended as follows:*

6 (1) *Section 723 (10 U.S.C. 1071 note) is amend-*
 7 *ed—*

8 (A) *in subsection (d)—*

9 (i) *by striking paragraph (5); and*

10 (ii) *by redesignating paragraphs (6)*
 11 *and (7) as paragraphs (5) and (6), respec-*
 12 *tively; and*

13 (B) *by striking subsection (e).*

14 (2) *Section 1025 (10 U.S.C. 113 note) is re-*
 15 *pealed.*

16 (3) *Section 1035 (113 Stat. 753), as amended by*
 17 *section 1211 of the Floyd D. Spence National Defense*
 18 *Authorization Act for Fiscal Year 2001 (as enacted*
 19 *into law by Public Law 106–398; 114 Stat. 1654A–*
 20 *325), is repealed.*

21 (l) *FISCAL YEAR 1999.—Section 1101 of the Strom*
 22 *Thurmond National Defense Authorization Act for Fiscal*
 23 *Year 1999 (5 U.S.C. 3104 note) is amended by striking sub-*
 24 *section (g).*

1 (m) *FISCAL YEAR 1998.*—*The National Defense Au-*
 2 *thorization Act for Fiscal Year 1998 (Public Law 105–85)*
 3 *is amended as follows:*

4 (1) *Section 234 (50 U.S.C. 2367) is repealed.*

5 (2) *Section 349 (10 U.S.C. 2702 note) is amend-*
 6 *ed by striking subsection (e).*

7 (3) *Section 743 (111 Stat. 1817) is amended by*
 8 *striking subsection (f).*

9 (n) *FISCAL YEAR 1997.*—*Section 218 of the National*
 10 *Defense Authorization Act for Fiscal Year 1997 (Public*
 11 *Law 104–201; 110 Stat. 2455) is repealed.*

12 (o) *FISCAL YEARS 1992 AND 1993.*—*Section 2868 of*
 13 *the National Defense Authorization Act for Fiscal Years*
 14 *1992 and 1993 (10 U.S.C. 2802 note) is repealed.*

15 (p) *FISCAL YEAR 1991.*—*Section 831 of the National*
 16 *Defense Authorization Act for Fiscal Year 1991 (10 U.S.C.*
 17 *2302 note) is amended—*

18 (1) *by striking subsection (l); and*

19 (2) *by redesignating subsection (m) as subsection*
 20 *(1).*

21 **SEC. 1063. REPEAL OF REPORTING REQUIREMENTS UNDER**
 22 **OTHER LAWS.**

23 (a) *TITLE 37.*—*Section 402a of title 37, United States*
 24 *Code, is amended—*

25 (1) *by striking subsection (f); and*

1 (2) by redesignating subsections (g) and (h) as
2 subsections (f) and (g), respectively.

3 (b) *TITLE 38.—Section 3020 of title 38, United States*
4 *Code, is amended—*

5 (1) by striking subsection (l); and

6 (2) by redesignating subsection (m) as subsection
7 (1).

8 (c) *NATIONAL AND COMMUNITY SERVICE ACT OF*
9 *1990.—Section 172 of the National and Community Serv-*
10 *ice Act of 1990 (42 U.S.C. 12632) is amended by striking*
11 *subsection (c).*

12 **PART II—MODIFICATION OF EXISTING**

13 **REPORTING REQUIREMENTS**

14 **SEC. 1066. MODIFICATION OF REPORTING REQUIREMENTS**

15 **UNDER TITLE 10, UNITED STATES CODE.**

16 *Title 10, United States Code, is amended as follows:*

17 (1) *Section 113(j) is amended—*

18 (A) *in paragraph (1)—*

19 (i) *by striking subparagraphs (A) and*
20 (C);

21 (ii) *by redesignating subparagraph (B)*
22 *as subparagraph (A); and*

23 (iii) *by inserting after subparagraph*
24 (A), *as redesignated by clause (ii), the fol-*
25 *lowing new subparagraph (B):*

1 “(B) *The amount of direct and indirect support*
2 *for the stationing of United States forces provided by*
3 *each host nation.*”;

4 (B) *by striking paragraph (2); and*

5 (C) *by redesignating paragraph (3) as*
6 *paragraph (2).*

7 (2)(A) *Section 115b is amended—*

8 (i) *in subsection (a)—*

9 (I) *in the subsection caption, by strik-*
10 *ing “ANNUAL” and inserting “BIENNIAL”;*
11 *and*

12 (II) *by striking “on an annual basis”*
13 *and inserting “in every even-numbered*
14 *year”;* *and*

15 (ii) *in subsection (b)(1)(A), by striking*
16 *“during the seven-year period following the year*
17 *in which the plan is submitted” and inserting*
18 *“during the five-year period corresponding to the*
19 *current future-years defense plan under section*
20 *221 of this title”.*

21 (B)(i) *The heading of such section is amended to*
22 *read as follows:*

1 **“§ 115b. Biennial strategic workforce plan”.**

2 (ii) *The table of sections at the beginning of*
 3 *chapter 2 is amended by striking the item relating to*
 4 *section 115b and inserting the following new item:*

“115b. Biennial strategic workforce plan.”.

5 (3) *Section 116 is amended—*

6 (A) *by redesignating subsection (b) as sub-*
 7 *section (c); and*

8 (B) *by inserting after subsection (a) the fol-*
 9 *lowing new subsection (b):*

10 “(b) *The Secretary may submit the report required by*
 11 *subsection (a) by including the materials required in the*
 12 *report as an exhibit to the defense authorization request sub-*
 13 *mitted pursuant to section 113a of this title in the fiscal*
 14 *year concerned.”.*

15 (4) *Section 127b(f) is amended by striking “De-*
 16 *cember 1” and inserting “February 1”.*

17 (5) *Section 138c(e)(4) is amended—*

18 (A) *by striking “Not later than 10 days”*
 19 *and all that follows through “title 31,” and in-*
 20 *serting “Not later than March 31 in any year,”;*
 21 *and*

22 (B) *by striking “that fiscal year” and in-*
 23 *serting “the fiscal year beginning in the year in*
 24 *which such report is submitted”.*

25 (6)(A) *Section 228 is amended—*

1 *(i) in subsection (a)—*

2 *(I) by striking “QUARTERLY RE-*
 3 *PORT.—” and inserting “BIANNUAL RE-*
 4 *PORT.—”;*

5 *(II) by striking “a quarterly report”*
 6 *and inserting “a biannual report”; and*

7 *(III) by striking “fiscal-year quarter”*
 8 *and inserting “two fiscal-year quarters”;*
 9 *and*

10 *(ii) in subsection (c)—*

11 *(I) by striking “(1)”;*

12 *(II) by striking “a quarter of a fiscal*
 13 *year after the first quarter of that fiscal*
 14 *year” and inserting “the second two fiscal-*
 15 *year quarters of a fiscal year”;*

16 *(III) by striking “the first quarter of*
 17 *that fiscal year” and inserting “the first*
 18 *two fiscal-year quarters of that fiscal year”;*
 19 *and*

20 *(IV) by striking paragraph (2).*

21 *(B)(i) The heading of such section is amended to*
 22 *read as follows:*

1 **“§ 228. Biannual reports on allocation of funds within**
 2 **operation and maintenance budget sub-**
 3 **activities”.**

4 (ii) *The table of sections at the beginning of*
 5 *chapter 9 is amended by striking the item relating to*
 6 *section 228 and inserting the following new item:*

“228. Biannual reports on allocation of funds within operation and maintenance budget subactivities.”.

7 (7) *Subsection (f) of section 408 is amended to*
 8 *read as follows:*

9 “(f) CONGRESSIONAL OVERSIGHT.—Whenever the Sec-
 10 retary of Defense provides assistance to a foreign nation
 11 under this section, the Secretary shall submit to the congres-
 12 sional defense committees a report on the assistance pro-
 13 vided. Each such report shall identify the nation to which
 14 the assistance was provided and include a description of
 15 the type and amount of the assistance provided.”.

16 (8)(A) *Section 488—*

17 (i) *in subsection (a), by striking “Every*
 18 *other year” and inserting “Every fourth year”;*

19 (ii) *in subsection (b), by striking “an even-*
 20 *numbered fiscal year” and inserting “every other*
 21 *even-numbered fiscal year beginning with fiscal*
 22 *year 2012”;* and

23 (iii) *by adding at the end the following new*
 24 *subsection:*

1 “(c) *BIENNIAL NOTICE ON CHANGES TO STRATEGIC*
 2 *PLAN.—If the Secretary modifies a strategic plan under*
 3 *subsection (a) during the two-year period beginning on the*
 4 *date of its submittal to Congress under subsection (b), the*
 5 *Secretary shall submit to Congress a written notice on the*
 6 *modifications at the end of such two-year period.”.*

7 (B)(i) *The heading of such section is amended to*
 8 *read as follows:*

9 **“§488. Management of electromagnetic spectrum:**
 10 **quadrennial strategic plan”.**

11 (ii) *The table of sections at the beginning of*
 12 *chapter 23 is amended by striking the item relating*
 13 *to section 488 and inserting the following new item:*

“488. Management of electromagnetic spectrum: quadrennial strategic plan.”.

14 (9) *Section 490(b)(1) is amended by inserting*
 15 *“through 2014” after “every even-numbered year”.*

16 (10) *Section 2401(h) is amended—*

17 (A) *by striking “only if—” and all that fol-*
 18 *lows through “of the proposed” and inserting*
 19 *“only if the Secretary has notified the congres-*
 20 *sional defense committees of the proposed”;*

21 (B) *by striking paragraph (2);*

22 (C) *by redesignating subparagraphs (A),*
 23 *(B), and (C) as paragraphs (1), (2), and (3), re-*
 24 *spectively, and realigning those paragraphs so as*
 25 *to be indented two ems from the left margin; and*

1 (D) by striking “; and” at the end of para-
2 graph (3), as so redesignated, and inserting a
3 period.

4 (11) Section 2482(d)(1) is amended by inserting
5 “in the United States” after “commissary store”.

6 (12) Section 2608(e)(1) is amended—

7 (A) by striking “each quarter” and insert-
8 ing “the second quarter and the fourth quarter”;
9 and

10 (B) by striking “the preceding quarter” and
11 inserting “the preceding two quarters”.

12 (13) Section 2645(d) is amended by striking
13 “\$1,000,000” and inserting “\$10,000,000”.

14 (14) Section 2803(b) is amended by striking “21-
15 day period” and inserting “seven-day period”.

16 (15) Section 2811(d) is amended by striking
17 “\$7,500,000” and inserting “\$10,000,000”.

18 (16) Section 9514(c) is amended by striking
19 “\$1,000,000” and inserting “\$10,000,000”.

20 (17) Section 10541(a) is amended by striking
21 “February 15” and inserting “April 15”.

22 (18) Section 10543(c)(3) is amended by striking
23 “15 days” and inserting “90 days”.

1 **SEC. 1067. MODIFICATION OF REPORTING REQUIREMENTS**
 2 **UNDER OTHER TITLES OF THE UNITED**
 3 **STATES CODE.**

4 (a) *TITLE 32.*—Section 908(a) of title 32, United
 5 States Code, is amended by striking “After the end of each
 6 fiscal year,” and inserting “After the end of any fiscal year
 7 during which any assistance was provided or activities were
 8 carried out under this chapter,”.

9 (b) *TITLE 37.*—Section 316a(f) of title 37, United
 10 States Code, is amended by striking “January 1, 2010” and
 11 inserting “April 1, 2012”.

12 **SEC. 1068. MODIFICATION OF REPORTING REQUIREMENTS**
 13 **UNDER ANNUAL DEFENSE AUTHORIZATION**
 14 **ACTS.**

15 (a) *FISCAL YEAR 2010.*—Section 121(e) of the Na-
 16 tional Defense Authorization Act for Fiscal Year 2010 (Pub-
 17 lic Law 111–84; 123 Stat. 2212) is amended by striking
 18 paragraph (5).

19 (b) *FISCAL YEAR 2008.*—The National Defense Au-
 20 thorization Act for Fiscal Year 2008 (Public Law 110–181)
 21 is amended as follows:

22 (1) Section 958 (122 Stat. 297) is amended—

23 (A) in subsection (a), by striking “240 days
 24 after the date of the enactment of this Act” and
 25 inserting “June 30, 2012”; and

1 (B) in subsection (d), by striking “Decem-
2 ber 31, 2013” and inserting “June 30, 2014”.

3 (2) Section 1107 (10 U.S.C. 2358 note) is
4 amended—

5 (A) in subsection (d)—

6 (i) by striking “beginning with March
7 1, 2008,”; and

8 (ii) by inserting “a report containing”
9 after “to Congress”; and

10 (B) in subsection (e)—

11 (i) in paragraph (1), by striking “Not
12 later than” and all that follows through
13 “the information” and inserting “The Sec-
14 retary shall include in each report under
15 subsection (d) the information”; and

16 (ii) in paragraph (2), by striking
17 “under this subsection” and inserting
18 “under subsection (d)”.

19 (3) Section 1674(c) (122 Stat. 483) is amend-
20 ed—

21 (A) by striking “After submission” and all
22 the follows through “that patients,” and insert-
23 ing “Patients,”; and

24 (B) by striking “have not been moved or
25 disestablished until” and inserting “may not be

1 *moved or disestablished until the Secretary of*
2 *Defense has certified to the congressional defense*
3 *committees that”.*

4 (c) *FISCAL YEAR 2007.*—Subsection (a) of section
5 1104 of the John Warner National Defense Authorization
6 Act for Fiscal Year 2007 (10 U.S.C. note prec. 711) is
7 amended to read as follows:

8 “(a) *REPORTS ON DETAILS AND FELLOWSHIPS OF*
9 *LONG DURATION.*—Whenever a member of the Armed
10 Forces or a civilian employee of the Department of Defense
11 serves continuously in the Legislative Branch for more than
12 12 consecutive months in one or a combination of covered
13 legislative details or fellowships, the Secretary of Defense
14 shall submit to the congressional defense committees, within
15 90 days, and quarterly thereafter for as long as the service
16 continues, a report on the service of the member or em-
17 ployee.”.

18 (d) *FISCAL YEAR 2001.*—Section 1308(c) of the Floyd
19 D. Spence National Defense Authorization Act for Fiscal
20 Year 2001 (22 U.S.C. 5959(c)) is amended—

21 (1) *by striking paragraph (7); and*

22 (2) *by redesignating paragraph (8) as para-*
23 *graph (7).*

1 (e) *FISCAL YEAR 2000.—The National Defense Au-*
 2 *thorization Act for Fiscal Year 2000 (Public Law 106–65)*
 3 *is amended as follows:*

4 (1) *Section 1202(b)(11) (10 U.S.C. 113 note) is*
 5 *amended by adding at the end the following new sub-*
 6 *paragraph:*

7 “(G) *The Secretary’s certification whether*
 8 *or not any military-to-military exchange or con-*
 9 *tact was conducted during the period covered by*
 10 *the report in violation of section 1201(a).”.*

11 (2) *Section 1201 (10 U.S.C. 168 note) is amend-*
 12 *ed by striking subsection (d).*

13 **SEC. 1069. MODIFICATION OF REPORTING REQUIREMENTS**
 14 **UNDER OTHER LAWS.**

15 (a) *SMALL BUSINESS ACT.—Section 9 of the Small*
 16 *Business Act (15 U.S.C. 638) is amended—*

17 (1) *in subsection (b)(7), by inserting “and in-*
 18 *cluding an accounting of funds, initiatives, and out-*
 19 *comes under the Commercialization Pilot Program”*
 20 *after “and (o)(15),”; and*

21 (2) *in subsection (y), by striking paragraph (5).*

22 (b) *UNIFORMED AND OVERSEAS CITIZENS ABSENTEE*
 23 *VOTING ACT.—Section 105A(b) The Uniformed and Over-*
 24 *seas Citizens Absentee Voting Act (42 U.S.C. 1973ff–4a(b))*
 25 *is amended—*

1 (1) *in the subsection heading, by striking “AN-*
2 *NUAL REPORT” and inserting “BIENNIAL REPORT”;*

3 (2) *in the matter preceding paragraph (1)—*

4 (A) *by striking “March 31 of each year”*
5 *and inserting “September 30 of each odd-num-*
6 *bered year”; and*

7 (B) *by striking “the following information”*
8 *and inserting “the following information with*
9 *respect to the Federal election held during the*
10 *preceding calendar year”; and*

11 (3) *in paragraph (3), by striking “In the case*
12 *of” and all that follows through “a description” and*
13 *inserting “A description”.*

14 (c) *IMPLEMENTING RECOMMENDATIONS OF THE 9/11*
15 *COMMISSION ACT OF 2007.—Section 1821(b)(2) of the Im-*
16 *plementing Recommendations of the 9/11 Commission Act*
17 *of 2007 (50 U.S.C. 2911(b)(2)) is amended in the first sen-*
18 *tence by striking “of each year” and inserting “of each even-*
19 *numbered year”.*

1 ***Subtitle G—Other Study and Report***
 2 ***Matters***

3 ***SEC. 1071. MODIFICATION OF DATES OF COMPTROLLER***
 4 ***GENERAL OF THE UNITED STATES REVIEW OF***
 5 ***EXECUTIVE AGREEMENT ON JOINT MEDICAL***
 6 ***FACILITY DEMONSTRATION PROJECT, NORTH***
 7 ***CHICAGO AND GREAT LAKES, ILLINOIS.***

8 *Section 1701(e)(1) of the National Defense Authoriza-*
 9 *tion Act for Fiscal Year 2010 (Public Law 111–84; 123*
 10 *Stat. 2568) is amended by striking “and annually there-*
 11 *after” and inserting “not later than two years after the exe-*
 12 *cution of the executive agreement, and not later than Sep-*
 13 *tember 30, 2015”.*

14 ***SEC. 1072. REPORT ON PLAN TO IMPLEMENT ORGANIZA-***
 15 ***TIONAL GOALS RECOMMENDED IN THE NA-***
 16 ***TIONAL SECURITY STRATEGY–2010.***

17 *(a) FINDINGS.—Congress makes the following findings:*

18 *(1) An urgent need exists to transform the*
 19 *United States national security system in order to*
 20 *employ all elements of national power effectively and*
 21 *efficiently to meet the challenges of the 21st century*
 22 *security environment.*

23 *(2) The Quadrennial Defense Review Inde-*
 24 *pendent Panel emphasized this need in its July 2010*
 25 *report, writing that “the Panel notes with extreme*

1 *concern that our current Federal Government struc-*
 2 *tures—both executive and legislative, and in par-*
 3 *ticular those related to security—were fashioned in*
 4 *the 1940s and, at best, they work imperfectly*
 5 *today. . . A new approach is needed”.*

6 *(3) The National Security Strategy—May 2010*
 7 *calls for such a transformation of the United States*
 8 *national security system through its identification of*
 9 *organizational changes already underway, its rec-*
 10 *ommendation of additional organizational changes to*
 11 *be undertaken, and its commitment to strengthening*
 12 *national capacity through a whole-of-government ap-*
 13 *proach.*

14 *(4) The realization of these organizational goals*
 15 *can best be assured by the preparation of a report by*
 16 *the President on progress being made on organiza-*
 17 *tional changes already underway and on an imple-*
 18 *mentation plan for the organizational changes newly*
 19 *recommended in the National Security Strategy.*

20 *(b) PLAN TO IMPLEMENT RECOMMENDATIONS RE-*
 21 *QUIRED.—*

22 *(1) IN GENERAL.—Not later than 180 days after*
 23 *the date of the enactment of this Act, the President*
 24 *shall submit to the appropriate committees of Con-*
 25 *gress a report setting forth a plan to implement the*

1 *organizational goals recommended in the National*
2 *Security Strategy—May 2010.*

3 (2) *ELEMENTS.—The report required under this*
4 *subsection shall include the following:*

5 (A) *A progress report identifying each orga-*
6 *nizational change identified by the National Se-*
7 *curity Strategy as already underway, including*
8 *for each such change the following:*

9 (i) *The goal such organizational*
10 *change seeks to achieve.*

11 (ii) *The actions required of the Execu-*
12 *tive Branch to achieve such goal.*

13 (iii) *The actions required of Congress*
14 *to achieve such goal.*

15 (iv) *The preferred sequencing of the ex-*
16 *ecutive and legislative actions specified*
17 *under clauses (ii) and (iii).*

18 (v) *The preferred timetable for such ex-*
19 *ecutive and legislative actions and for*
20 *achievement of such goal.*

21 (vi) *The progress that has already been*
22 *achieved toward such goal, and the obstacles*
23 *that have been encountered.*

24 (B) *An implementation plan addressing*
25 *each organizational change newly recommended*

1 *by the National Security Strategy, including for*
2 *each such change the following:*

3 (i) *The goal such organizational*
4 *change seeks to achieve.*

5 (ii) *The actions required of the Execu-*
6 *tive Branch to achieve such goal.*

7 (iii) *The actions required of Congress*
8 *to achieve such goal.*

9 (iv) *The preferred sequencing of the ex-*
10 *ecutive and legislative actions specified*
11 *under clauses (ii) and (iii).*

12 (v) *The preferred timetable for such ex-*
13 *ecutive and legislative actions and for*
14 *achievement of such goal.*

15 (c) *ANNUAL UPDATE.*—*Not later than December 1 in*
16 *each year following the year in which the report required*
17 *by subsection (b) is submitted, the President shall submit*
18 *to the appropriate committees of Congress an update of the*
19 *report setting forth a description of the following:*

20 (1) *The progress made in achieving each organi-*
21 *zational goal covered by the report required by sub-*
22 *section (b).*

23 (2) *The modifications necessary to the plan re-*
24 *quired by subsection (b) in light of the experience of*
25 *the Executive Branch in implementing the plan.*

1 (d) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
 2 *FINED.*—*In this section, the term “appropriate committees*
 3 *of Congress” means—*

4 (1) *the Committee on Armed Services, Committee*
 5 *on Foreign Relations, Committee on Homeland Secu-*
 6 *rity and Government Affairs, Committee on the*
 7 *Budget, Committee on the Judiciary, Committee on*
 8 *Appropriations, and Select Committee on Intelligence*
 9 *of the Senate; and*

10 (2) *the Committee on Armed Services, Committee*
 11 *on Foreign Affairs, Committee on Homeland Secu-*
 12 *rity, Committee on the Budget, Committee on the Ju-*
 13 *diciary, Committee on Oversight and Government Re-*
 14 *form, Committee on Appropriations, and Permanent*
 15 *Select Committee on Intelligence of the House of Rep-*
 16 *resentatives.*

17 **SEC. 1073. BIENNIAL ASSESSMENT OF AND REPORT ON DE-**
 18 **LIVERY PLATFORMS FOR NUCLEAR WEAPONS**
 19 **AND THE NUCLEAR COMMAND AND CONTROL**
 20 **SYSTEM.**

21 (a) *IN GENERAL.*—*The Secretary of Defense shall, in*
 22 *each odd-numbered year beginning with calendar year*
 23 *2013, conduct an assessment of the safety, security, reli-*
 24 *ability, sustainability, performance, and military effective-*
 25 *ness of each type of platform for the delivery of nuclear*

1 *weapons and of the nuclear command and control system*
2 *of the United States.*

3 *(b) REPORT REQUIRED.—Not later than March 1 of*
4 *each odd-numbered year beginning with calendar year*
5 *2013, the Secretary of Defense shall submit to the congres-*
6 *sional defense committees a report on the assessment con-*
7 *ducted under subsection (a) that includes the following:*

8 *(1) The results of the assessment.*

9 *(2) An identification and assessment of any gaps*
10 *or shortfalls in the capabilities of the platforms or the*
11 *system described in subsection (a).*

12 *(3) An identification and assessment of any risks*
13 *with respect to whether any of those platforms or that*
14 *system will meet the mission or capability require-*
15 *ments of those platforms or that system, as the case*
16 *may be.*

17 *(4) Recommendations of the Secretary of Defense*
18 *with respect to measures to mitigate any gaps or*
19 *shortfalls identified under paragraph (2) and any*
20 *risks identified under paragraph (3).*

21 *(c) CONSULTATIONS.—The Secretary of Defense shall*
22 *consult with the Commander of the United States Strategic*
23 *Command in conducting assessments under subsection (a)*
24 *and preparing reports under subsection (b).*

1 **SEC. 1074. ANNUAL REPORT ON THE NUCLEAR WEAPONS**
2 **STOCKPILE OF THE UNITED STATES.**

3 (a) *FINDINGS.*—Congress makes the following findings:

4 (1) *In response to a question for the record from*
5 *a March 29, 2011, hearing of the Committee on*
6 *Armed Services of the Senate, General C. Robert*
7 *Kehler stated, “The stockpile under New START is*
8 *appropriately sized to meet our deterrence require-*
9 *ments and manage risk associated with our aging*
10 *systems and infrastructure. A recapitalized nuclear*
11 *infrastructure could also support potential reductions*
12 *in the future non-deployed stockpile.”.*

13 (2) *In response to an additional question for the*
14 *record from that hearing, General Kehler stated,*
15 *“Completion of critical stockpile sustainment activi-*
16 *ties and restoration of [the National Nuclear Security*
17 *Administration’s] production infrastructure could en-*
18 *able future reductions in the quantity of non-deployed*
19 *warheads currently held to mitigate weapon and in-*
20 *frastructure risk.”.*

21 (b) *SENSE OF CONGRESS.*—*It is the sense of Congress*
22 *that—*

23 (1) *sustained investments in the nuclear weapons*
24 *stockpile and the nuclear security complex are needed*
25 *to ensure a reliable nuclear deterrent; and*

1 (2) *such investments could enable additional fu-*
2 *ture reductions in the hedge stockpile.*

3 (c) *REPORT REQUIRED.*—*Not later than March 1,*
4 *2012, and annually thereafter, the Secretary of Defense*
5 *shall submit to the congressional defense committees a re-*
6 *port on the nuclear weapons stockpile of the United States*
7 *that includes the following:*

8 (1) *An accounting of the weapons in the stock-*
9 *pile as of the end of the fiscal year preceding the sub-*
10 *mission of the report that includes deployed and non-*
11 *deployed weapons, including each category of non-de-*
12 *ployed weapon.*

13 (2) *The planned force levels for each category of*
14 *nuclear weapon over the course of the future-years de-*
15 *fense program submitted to Congress under section*
16 *221 of title 10, United States Code, for the fiscal year*
17 *following the fiscal year in which the report is sub-*
18 *mitted.*

19 **SEC. 1075. NUCLEAR EMPLOYMENT STRATEGY OF THE**
20 **UNITED STATES.**

21 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
22 *that any future modification to the nuclear employment*
23 *strategy of the United States should maintain or enhance*
24 *the ability of the nuclear forces of the United States to sup-*
25 *port the goals of the United States with respect to nuclear*

1 *deterrence, extended deterrence, and assurances for allies,*
 2 *and the defense of the United States.*

3 *(b) REPORTS ON MODIFICATION OF STRATEGY.—*

4 *(1) IN GENERAL.—Chapter 23 title 10, United*
 5 *States Code, is amended by adding at the end the fol-*
 6 *lowing new section:*

7 **“§491. Nuclear employment strategy of the United**
 8 **States: reports on modification of strategy**

9 *“Not later than 30 days after the date on which the*
 10 *President issues a nuclear employment strategy of the*
 11 *United States that differs from the nuclear employment*
 12 *strategy of the United States then in force, the President*
 13 *shall submit to Congress a report setting forth the following:*

14 *“(1) A description of the modifications to nu-*
 15 *clear employment strategy of the United States made*
 16 *by the strategy so issued.*

17 *“(2) An assessment of effects of such modification*
 18 *for the nuclear posture of the United States.”.*

19 *(2) CLERICAL AMENDMENT.—The table of sec-*
 20 *tions at the beginning of chapter 23 of such title is*
 21 *amended by adding at the end the following new item:*

*“491. Nuclear employment strategy of the United States: reports on modification
 of strategy.”.*

1 **SEC. 1076. STUDY ON THE RECRUITMENT, RETENTION, AND**
2 **DEVELOPMENT OF CYBERSPACE EXPERTS.**

3 (a) *STUDY.*—The Secretary of Defense shall conduct an
4 independent study examining the availability of military
5 and civilian personnel for Department of Defense defensive
6 and offensive cyberspace operations, identifying any gaps
7 in meeting personnel needs, and recommending available
8 mechanisms to fill such gaps, including permanent and
9 temporary positions.

10 (b) *REPORT.*—

11 (1) *IN GENERAL.*—Not later than one year after
12 the date of the enactment of this Act, the Secretary of
13 Defense shall submit to the congressional defense com-
14 mittees a report containing the results of the study
15 conducted under subsection (a).

16 (2) *MATTERS TO BE COVERED.*—The report re-
17 quired under paragraph (1) shall include the fol-
18 lowing elements:

19 (A) A statement of capabilities and number
20 of cyberspace operations personnel required to
21 meet the defensive and offensive cyberspace oper-
22 ation requirements of the Department of Defense.

23 (B) An assessment of the sufficiency of the
24 numbers and types of personnel available for
25 cyberspace operations, including an assessment
26 of the balance of military personnel, Department

1 *of Defense civilian employees, and contractor po-*
2 *sitions, and the availability of personnel with ex-*
3 *pertise in matters related to cyberspace oper-*
4 *ations from outside of the Department of De-*
5 *fense.*

6 *(C) A description of the obstacles to ade-*
7 *quate recruitment and retention of such per-*
8 *sonnel.*

9 *(D) An exploration of the various recruit-*
10 *ing, training, and affiliation mechanisms, such*
11 *as the reserve components, including the indi-*
12 *vidual ready reserves, the civilian expeditionary*
13 *workforce, corporate and university partnerships,*
14 *the Reserve Officers' Training Corps, and civil-*
15 *ian auxiliaries to address challenges to recruit-*
16 *ment, retention, and training.*

17 *(E) A description of incentives that enable*
18 *and encourage individuals with cyber skills from*
19 *outside the Department of Defense to affiliate*
20 *with the Armed Forces and civilian employees of*
21 *the Department of Defense through other types of*
22 *service agreements, as well as obstacles that dis-*
23 *courage cyberspace experts and the Department*
24 *of Defense from implementing new organiza-*
25 *tional constructs.*

1 (F) *Identification of legal, policy, or ad-*
 2 *ministrative impediments to attracting and re-*
 3 *taining cyberspace operations personnel.*

4 (G) *Recommendations for legislative or pol-*
 5 *icy changes necessary to increase the availability*
 6 *of cyberspace operations personnel.*

7 (3) *SUBMISSION OF COMMENTS.—The Secretary*
 8 *of Defense shall include with the report submitted*
 9 *under paragraph (1) comments on the findings and*
 10 *recommendations contained in the report, including*
 11 *comments from the Secretaries of each of the military*
 12 *departments.*

13 (c) *CYBERSPACE OPERATIONS PERSONNEL DE-*
 14 *FINED.—In this section, the term “cyberspace operations*
 15 *personnel” refers to members of the Armed Forces and civil-*
 16 *ian employees of the Department of Defense involved with*
 17 *the operations and maintenance of a computer network con-*
 18 *nected to the global information grid, as well as offensive,*
 19 *defensive, and exploitation functions of such a network.*

20 **SEC. 1077. REPORTS ON RESOLUTION RESTRICTIONS ON**
 21 **THE COMMERCIAL SALE OR DISSEMINATION**
 22 **OF ELETRO-OPTICAL IMAGERY COLLECTED**
 23 **BY SATELLITES.**

24 (a) *SECRETARY OF COMMERCE REPORT.—*

1 (1) *REPORT REQUIRED.*—Not later than April
2 15, 2012, the Secretary of Commerce shall submit to
3 Congress a report setting forth the results of a com-
4 prehensive review of current restrictions on the resolu-
5 tion of electro-optical (EO) imagery collected from
6 satellites that commercial companies may sell or dis-
7 seminate. The report shall include such recommenda-
8 tions for legislative or administrative action as the
9 Secretary considers appropriate in light of the results
10 of the review.

11 (2) *CONSIDERATIONS.*—In conducting the review
12 required for purposes of the report under paragraph
13 (1), the Secretary shall take into consideration the fol-
14 lowing:

15 (A) *Increases in sales of commercial satellite*
16 *imagery that would result from a relaxation of*
17 *resolution restrictions, and the ensuing benefit to*
18 *the United States Government, commerce, and*
19 *academia from an expanding market in satellite*
20 *imagery.*

21 (B) *Current and anticipated deployments of*
22 *satellites built in foreign countries that can or*
23 *will be able to collect imagery at a resolution*
24 *greater than .5 meter resolution, and the sale or*
25 *dissemination of such imagery.*

1 (C) *The lead-time involved in securing fi-*
2 *nancing, designing, building, and launching the*
3 *new satellite imagery collection capabilities that*
4 *would be required to enable United States com-*
5 *mercial satellite companies to match current and*
6 *anticipated foreign satellite imagery collection*
7 *capabilities.*

8 (D) *Inconsistencies between the current res-*
9 *olution restrictions on the sale or dissemination*
10 *of imagery collected by United States commercial*
11 *companies, the availability of higher resolution*
12 *imagery from foreign sources, and the National*
13 *Space Policy of the United States, released by*
14 *the President on June 28, 2010.*

15 (E) *The lack of restrictions on the sale or*
16 *dissemination of high-resolution imagery col-*
17 *lected by aircraft.*

18 (F) *The utility that higher resolution im-*
19 *agery would bring to the United States Armed*
20 *Forces, the production of military geo-spatial in-*
21 *formation, intelligence analysis, cooperation*
22 *with allies, scientific research efforts, and domes-*
23 *tic disaster monitoring and relief.*

24 (b) *INTELLIGENCE ASSESSMENT.—*

1 (1) *ASSESSMENT REQUIRED.*—Not later than 15
2 *days after the date of the enactment of this Act, the*
3 *Director of National Intelligence and the Under Sec-*
4 *retary of Defense for Intelligence shall jointly submit*
5 *to the appropriate committees of Congress a report*
6 *setting forth an assessment of the benefits and risks*
7 *of relaxing current resolution restrictions on the*
8 *electro-optical imagery from satellites that commer-*
9 *cial United States companies may sell or disseminate,*
10 *together with recommendations for means of pro-*
11 *tecting national security related information in the*
12 *event of the relaxation of such resolution restrictions.*

13 (2) *APPROPRIATE COMMITTEES OF CONGRESS*
14 *DEFINED.*—In this subsection, the term “appropriate
15 committees of Congress” means—

16 (A) *the Committee on Armed Services, the*
17 *Committee on Appropriations, and the Select*
18 *Committee on Intelligence of the Senate; and*

19 (B) *the Committee on Armed Services, the*
20 *Committee on Appropriations, and the Perma-*
21 *nent Select Committee on Intelligence of the*
22 *House of Representatives.*

1 **SEC. 1078. REPORT ON INTEGRATION OF UNMANNED AER-**
2 **IAL SYSTEMS INTO THE NATIONAL AIRSPACE**
3 **SYSTEM.**

4 (a) *REPORT REQUIRED.*—Not later than 90 days after
5 the date of the enactment of this Act, the Secretary of De-
6 fense shall, in consultation with the Administrator of the
7 Federal Aviation Administration and on behalf of the UAS
8 Executive Committee, submit to the appropriate committees
9 of Congress a report setting forth the following:

10 (1) *A description and assessment of the rate of*
11 *progress in integrating unmanned aircraft systems*
12 *into the national airspace system.*

13 (2) *An assessment of the potential for one or*
14 *more pilot program or programs on such integration*
15 *at certain test ranges to increase that rate of progress.*

16 (b) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
17 *FINED.*—In this section, the term “appropriate committees
18 of Congress” means—

19 (1) *the Committee on Armed Services, the Com-*
20 *mittee on Commerce, Science, and Transportation,*
21 *and the Committee on Appropriations of the Senate;*
22 *and*

23 (2) *the Committee on Armed Services, the Com-*
24 *mittee on Transportation and Infrastructure, the*
25 *Committee on Science, Space, and Technology, and*

1 *the Committee on Appropriations of the House of*
2 *Representatives.*

3 **SEC. 1079. STUDY ON UNITED STATES FORCE POSTURE IN**
4 **EAST ASIA AND THE PACIFIC REGION.**

5 *(a) INDEPENDENT ASSESSMENT.—*

6 *(1) IN GENERAL.—The Secretary of Defense, in*
7 *consultation with the Chairmen and Ranking Mem-*
8 *bers of the Committees on Armed Services of the Sen-*
9 *ate and the House of Representatives, shall commis-*
10 *sion an independent assessment of America's security*
11 *interests in East Asia and the Pacific region. The as-*
12 *essment shall be conducted by an independent, non-*
13 *governmental institute which is described in section*
14 *501(c)(3) of the Internal Revenue Code of 1986 and*
15 *exempt from tax under section 501(a) of such Code,*
16 *and has recognized credentials and expertise in na-*
17 *tional security and military affairs with ready access*
18 *to policy experts throughout the country and from the*
19 *region.*

20 *(2) ELEMENTS.—The assessment conducted pur-*
21 *suant to paragraph (1) shall include the following ele-*
22 *ments:*

23 *(A) A review of current and emerging*
24 *United States national security interests in the*
25 *East Asia and Pacific region.*

1 (B) *A review of current United States mili-*
2 *tary force posture and deployment plans, with*
3 *an emphasis on the current plans for United*
4 *States force realignments in Okinawa and*
5 *Guam.*

6 (C) *Options for the realignment of United*
7 *States forces in the region to respond to new op-*
8 *portunities presented by allies and partners.*

9 (D) *The views of noted policy leaders and*
10 *regional experts, including military commanders*
11 *in the region.*

12 (b) *REPORT.—Not later than 90 days after the date*
13 *of the enactment of this Act, the designated private entity*
14 *shall provide an unclassified report, with a classified annex,*
15 *containing its findings to the Secretary of Defense. Not later*
16 *than 90 days after the date of receipt of the report, the Sec-*
17 *retary of Defense shall transmit the report to the congres-*
18 *sional defense committees, together with such comments on*
19 *the report as the Secretary considers appropriate.*

20 (c) *AUTHORIZATION OF APPROPRIATIONS.—Of the*
21 *amounts authorized to be appropriated under section 301*
22 *for operation and maintenance for Defense-wide activities,*
23 *up to \$1,000,000, shall be made available for the completion*
24 *of the study required under this section.*

1 **SEC. 1080. REPORT ON STATUS OF IMPLEMENTATION OF**
2 **ACCEPTED RECOMMENDATIONS IN THE**
3 **FINAL REPORT OF THE 2010 ARMY ACQUISI-**
4 **TION REVIEW PANEL.**

5 *Not later than 1 October 2012, the Secretary of the*
6 *Army shall submit to the congressional defense committees*
7 *a report describing the plan and implementation status of*
8 *the recommendations contained in the Final Report of the*
9 *2010 Army Acquisition Review panel (also known as the*
10 *“Decker-Wagner Report”) that the Army agreed to imple-*
11 *ment.*

12 **SEC. 1080A. REPORT ON FEASIBILITY OF USING UNMANNED**
13 **AERIAL SYSTEMS TO PERFORM AIRBORNE IN-**
14 **SPECTION OF NAVIGATIONAL AIDS IN FOR-**
15 **EIGN AIRSPACE.**

16 *Not later than 90 days after the date of the enactment*
17 *of this Act, the Secretary of the Air Force shall submit to*
18 *the congressional defense committees a report on the feasi-*
19 *bility of using unmanned aerial systems to perform air-*
20 *borne flight inspection of electronic signals-in-space from*
21 *ground-based navigational aids that support aircraft de-*
22 *parture, en route, and arrival flight procedures in foreign*
23 *airspace in support of United States military operations.*

1 **SEC. 1080B. COMPTROLLER GENERAL REVIEW OF MEDICAL**
2 **RESEARCH AND DEVELOPMENT RELATING TO**
3 **IMPROVED COMBAT CASUALTY CARE.**

4 (a) *STUDY REQUIRED.*—The Comptroller General of
5 the United States shall conduct a review of Department of
6 Defense programs and organizations related to, and
7 resourcing of, medical research and development in support
8 of improved combat casualty care designed to save lives on
9 the battlefield.

10 (b) *REPORT.*—Not later than January 1, 2013, the
11 Comptroller General shall submit to the congressional de-
12 fense committees a report on the review conducted under
13 subsection (a), including the following elements:

14 (1) *A description of current medical combat cas-*
15 *ualty care research and development programs*
16 *throughout the Department of Defense, including*
17 *basic and applied medical research, technology devel-*
18 *opment, and clinical research.*

19 (2) *An identification of organizational elements*
20 *within the Department that have responsibility for*
21 *planning and oversight of combat casualty care re-*
22 *search and development.*

23 (3) *A description of the means by which the De-*
24 *partment applies combat casualty care research find-*
25 *ings, including development of new medical devices,*
26 *to improve battlefield care.*

1 (4) *An assessment of the adequacy of the coordi-*
2 *nation by the Department of planning for combat*
3 *casualty care medical research and development and*
4 *whether or not the Department has a coordinated*
5 *combat casualty care research and development strat-*
6 *egy.*

7 (5) *An assessment of the adequacy of resources*
8 *provided for combat casualty care research and devel-*
9 *opment across the Department.*

10 (6) *An assessment of the programmatic, organi-*
11 *zational, and resource challenges and gaps faced by*
12 *the Department in optimizing investments in combat*
13 *casualty care medical research and development in*
14 *order to save lives on the battlefield.*

15 (7) *The extent to which the Department utilizes*
16 *expertise from experts and entities outside the Depart-*
17 *ment with expertise in combat casualty care medical*
18 *research and development.*

19 (8) *An assessment of the challenges faced in rap-*
20 *idly applying research findings and technology devel-*
21 *opments to improved battlefield care.*

22 (9) *Recommendations regarding—*

23 (A) *the need for a coordinated combat cas-*
24 *ualty care medical research and development*
25 *strategy;*

- 1 (B) organizational obstacles or realignments
 2 to improve effectiveness of combat casualty care
 3 medical research and development; and
 4 (C) adequacy of resource support.

5 **SEC. 1080C. REPORTS TO CONGRESS ON THE MODIFICA-**
 6 **TION OF THE FORCE STRUCTURE FOR THE**
 7 **STRATEGIC NUCLEAR WEAPONS DELIVERY**
 8 **SYSTEMS OF THE UNITED STATES.**

9 (a) *FINDINGS.*—Congress makes the following findings:

10 (1) *Since the early 1960s, the United States has*
 11 *developed and maintained a triad of strategic nuclear*
 12 *weapons delivery systems.*

13 (2) *The triad includes sea-based, land-based, and*
 14 *air-based strategic nuclear weapons delivery systems.*

15 (b) *REPORT ON MODIFICATION.*—Whenever after the
 16 *date of the enactment of this Act the President proposes a*
 17 *modification of the force structure for the strategic nuclear*
 18 *weapons delivery systems of the United States, the President*
 19 *shall submit to Congress a report on the modification. The*
 20 *report shall include a description of the manner in which*
 21 *such modification will maintain for the United States a*
 22 *range of strategic nuclear weapons delivery systems appro-*
 23 *priate for the current and anticipated threats faced by the*
 24 *United States when compared with the current force struc-*
 25 *ture of strategic nuclear weapons delivery systems.*

1 **SEC. 1080D. COMPTROLLER GENERAL OF THE UNITED**
2 **STATES REPORTS ON THE MAJOR AUTO-**
3 **MATED INFORMATION SYSTEM PROGRAMS OF**
4 **THE DEPARTMENT OF DEFENSE.**

5 *(a) ASSESSMENT REPORTS REQUIRED.—*

6 *(1) IN GENERAL.—Not later than March 30 of*
7 *each year from 2013 through 2018, the Comptroller*
8 *General of the United States shall submit to the ap-*
9 *propriate committees of Congress a report setting*
10 *forth an assessment of the performance of the major*
11 *automated information system programs of the De-*
12 *partment of Defense.*

13 *(2) ELEMENTS.—Each report under subsection*
14 *(a) shall include the following:*

15 *(A) An assessment by the Comptroller Gen-*
16 *eral of the cost, schedule, and performance of a*
17 *representative variety of major automated infor-*
18 *mation system programs selected by the Comp-*
19 *troller General for purposes of such report.*

20 *(B) An assessment by the Comptroller Gen-*
21 *eral of the level of risk associated with the pro-*
22 *grams selected under subparagraph (A) for pur-*
23 *poses of such report, and a description of the ac-*
24 *tions taken by the Department to manage or re-*
25 *duce such risk.*

1 (C) *An assessment by the Comptroller Gen-*
2 *eral of the extent to which the programs selected*
3 *under subparagraph (A) for purposes of such re-*
4 *port employ best practices for the acquisition of*
5 *information technology systems, as identified by*
6 *the Comptroller General, the Defense Science*
7 *Board, and the Department.*

8 (b) *PRELIMINARY REPORT.—*

9 (1) *IN GENERAL.—Not later than September 30,*
10 *2012, the Comptroller General shall submit to the ap-*
11 *propriate committees of Congress a report setting*
12 *forth the following:*

13 (A) *The metrics to be used by the Comp-*
14 *troller General for the reports submitted under*
15 *subsection (a).*

16 (B) *A preliminary assessment on the mat-*
17 *ters set forth under subsection (a)(2).*

18 (2) *BRIEFINGS.—In developing metrics for pur-*
19 *poses of the report required by paragraph (1)(A), the*
20 *Comptroller General shall provide the appropriate*
21 *committees of Congress with periodic briefings on the*
22 *development of such metrics.*

23 (c) *DEFINITIONS.—In this section:*

24 (1) *The term “appropriate committees of Con-*
25 *gress” means—*

1 (A) *the Committee on Armed Services, the*
 2 *Committee on Homeland Security and Govern-*
 3 *mental Affairs, and the Committee on Appro-*
 4 *priations of the Senate; and*

5 (B) *the Committee on Armed Services, the*
 6 *Committee on Oversight and Government Re-*
 7 *form, and the Committee on Appropriations of*
 8 *the House of Representatives.*

9 (2) *The term “major automated information sys-*
 10 *tem program” has the meaning given that term in*
 11 *section 2445a of title 10, United States Code.*

12 **SEC. 1080E. COMPTROLLER GENERAL REPORT ON DEPART-**
 13 **MENT OF DEFENSE SCIENCE AND TECH-**
 14 **NOLOGY PROGRAMS.**

15 (a) *STUDY.*—*The Comptroller General of the United*
 16 *States shall conduct a study on unnecessary redundancies,*
 17 *inefficiencies, and gaps in Department of Defense 6.1–6.3*
 18 *Science and Technology (S&T) programs. The study*
 19 *shall—*

20 (1) *focus on S&T programs within the Army,*
 21 *Navy, and Air Force, as well as programs run by the*
 22 *Office of the Secretary of Defense;*

23 (2) *describe options for consolidation and cost-*
 24 *savings, if any;*

1 (3) *assess how the military departments and the*
 2 *Office of the Secretary of Defense are aligning their*
 3 *programs with the seven S&T strategic investment*
 4 *priorities identified by the Assistant Secretary of De-*
 5 *fense for Research and Engineering: Data to Deci-*
 6 *sions, Engineered Resilient Systems, Cyber Science*
 7 *and Technology, Electronic Warfare/Electronic Pro-*
 8 *tection, Counter Weapons of Mass Destruction, Auton-*
 9 *omy, and Human Systems; and*

10 (4) *assess how the military departments and the*
 11 *Office of the Secretary of Defense are coordinating ef-*
 12 *forts with respect to duplicative programs, if any.*

13 (b) *REPORT.*—*Not later than January 1, 2013, the*
 14 *Comptroller General shall submit to the congressional de-*
 15 *fense committees a report on the findings of the study con-*
 16 *ducted under subsection (a).*

17 **SEC. 1080F. COMPTROLLER GENERAL REPORT ON SCIENCE,**
 18 **TECHNOLOGY, ENGINEERING, AND MATH**
 19 **(STEM) INITIATIVES.**

20 (a) *STUDY.*—*The Comptroller General of the United*
 21 *States shall conduct a study assessing Science, Technology,*
 22 *Engineering, and Math (STEM) initiatives of the Depart-*
 23 *ment of Defense. The study shall—*

1 (1) *determine which programs are ineffective,*
 2 *and which are unnecessarily redundant within the*
 3 *Department of Defense;*

4 (2) *describe options for consolidation and elimi-*
 5 *nation of programs identified under paragraph (1);*
 6 *and*

7 (3) *describe options for how the Department and*
 8 *other Federal departments and agencies can work to-*
 9 *gether on similar initiatives without unnecessary du-*
 10 *plication of funding.*

11 (b) *REPORT.*—*Not later than January 1, 2013, the*
 12 *Comptroller General shall submit to the congressional de-*
 13 *fense committees a report on the findings of the study con-*
 14 *ducted under subsection (a).*

15 **SEC. 1080G. REPORT ON DEFENSE DEPARTMENT ANALYTIC**
 16 **CAPABILITIES REGARDING FOREIGN BAL-**
 17 **LISTIC MISSILE THREATS.**

18 (a) *REPORT REQUIRED.*—*Not later than 180 days*
 19 *after the date of enactment of this Act, the Secretary of De-*
 20 *fense shall submit to the congressional defense committees*
 21 *a report on the analytic capabilities of the Department of*
 22 *Defense regarding threats from foreign ballistic missiles of*
 23 *all ranges.*

24 (b) *ELEMENTS.*—*The report required by subsection (a)*
 25 *shall include the following:*

1 (1) *A description of the current capabilities of*
 2 *the Department of Defense to analyze threats from*
 3 *foreign ballistic missiles of all ranges, including the*
 4 *degree of coordination among the relevant analytic*
 5 *elements of the Department.*

6 (2) *A description of any current or foreseeable*
 7 *gaps in the analytic capabilities of the Department*
 8 *regarding threats from foreign ballistic missiles of all*
 9 *ranges.*

10 (3) *A plan to address any gaps identified pursu-*
 11 *ant to paragraph (2) during the 5-year period begin-*
 12 *ning on the date of the report.*

13 (c) *FORM.*—*The report required by subsection (a) shall*
 14 *be submitted in unclassified form, but may include a classi-*
 15 *fied annex.*

16 **SEC. 1080H. REPORT ON APPROVAL AND IMPLEMENTATION**
 17 **OF AIR SEA BATTLE CONCEPT.**

18 (a) *REPORT REQUIRED.*—*Not later than 180 days*
 19 *after the date of the enactment of this Act, the Secretary*
 20 *of Defense shall submit to Congress a report on the approved*
 21 *Air Sea Battle Concept, as required by the 2010 Quadren-*
 22 *nial Defense Review Report, and a plan for the implemen-*
 23 *tation of the concept.*

24 (b) *ELEMENTS.*—*The report required by subsection (a)*
 25 *shall include, at a minimum, the following:*

1 (1) *The approved Air Sea Battle Concept.*

2 (2) *An identification and assessment of risks re-*
3 *lated to gaps between Air Sea Battle Concept require-*
4 *ments and the current force structure and capabilities*
5 *of the Department of Defense.*

6 (3) *The plan and assessment of the Department*
7 *on the risks to implementation of the approved con-*
8 *cept within the current force structure and capabili-*
9 *ties.*

10 (4) *A description and assessment of how current*
11 *research, development, and acquisition priorities in*
12 *the program of record meet or fail to meet current*
13 *and future requirements for implementation of the*
14 *Air Sea Battle Concept.*

15 (5) *An identification, in order of priority, of the*
16 *five most critical force structure or capabilities re-*
17 *quiring increased or sustained investment for the im-*
18 *plementation of the Air Sea Battle Concept.*

19 (6) *An identification, in order of priority, of*
20 *how the Department will offset the increased costs for*
21 *force structure and capabilities required by imple-*
22 *mentation of the Air Sea Battle Concept, including*
23 *an explanation of what force structure, capabilities,*
24 *and programs will be reduced and how potentially in-*

1 *creased risks based on those reductions will be man-*
 2 *aged relative to other strategic requirements.*

3 (7) *A description and assessment of the esti-*
 4 *mated incremental increases in costs and savings*
 5 *from implementing the Air Sea Battle Concept, in-*
 6 *cluding the most significant reasons for those in-*
 7 *creased costs and savings.*

8 (8) *A description and assessment of the contribu-*
 9 *tions required from allies and other international*
 10 *partners, including the identification and plans for*
 11 *management of related risks, in order to implement*
 12 *the Air Sea Battle Concept.*

13 (9) *Such other matters relating to the develop-*
 14 *ment and implementation of the Air Sea Battle Con-*
 15 *cept as the Secretary considers appropriate.*

16 (c) *FORM.*—*The report required by subsection (a) shall*
 17 *be submitted in both unclassified and classified form.*

18 **SEC. 1080I. REPORT ON EFFECTS OF CHANGING FLAG OFFI-**
 19 **CER POSITIONS WITHIN THE AIR FORCE MA-**
 20 **TERIAL COMMAND.**

21 (a) *REPORT REQUIRED.*—*Not later than 60 days after*
 22 *the date of the enactment of this Act, the Secretary of the*
 23 *Air Force shall conduct an analysis and submit to the con-*
 24 *gressional defense committees a report on the effects of*
 25 *changing flag officer positions within the Air Force Mate-*

1 *riel Command (AFMC), including consideration of the fol-*
2 *lowing issues:*

3 (1) *The effect on the weapons testing mission of*
4 *AFMC.*

5 (2) *The potential for lack of oversight if flag po-*
6 *sitions are reduced or eliminated.*

7 (3) *The reduced experience level of general offi-*
8 *cers managing challenging weapons development pro-*
9 *grams under a new command structure.*

10 (4) *The additional duties of base management*
11 *functions impacting the test wing commander's abil-*
12 *ity to manage actual weapons testing under the new*
13 *structure.*

14 (b) *COMPTROLLER GENERAL ASSESSMENT.—Not later*
15 *than 60 days after the submittal of the report under sub-*
16 *section (a), the Comptroller General of the United States*
17 *shall submit to Congress an assessment by the Comptroller*
18 *General of the report, including a determination whether*
19 *or not the report complies with applicable best practices.*

1 ***Subtitle H—Other Matters***

2 ***SEC. 1081. REDESIGNATION OF PSYCHOLOGICAL OPER-***
3 ***ATIONS AS MILITARY INFORMATION SUP-***
4 ***PORT OPERATIONS IN TITLE 10, UNITED***
5 ***STATES CODE, TO CONFORM TO DEPART-***
6 ***MENT OF DEFENSE USAGE.***

7 *Title 10, United States Code, is amended as follows:*

8 (1) *In section 167(j), by striking paragraph (6)*
9 *and inserting the following new paragraph:*

10 “(6) *Military information support operations.*”.

11 (2) *Section 2011(d)(1) is amended by striking*
12 *“psychological operations” and inserting “military*
13 *information support operations”.*

14 ***SEC. 1082. TERMINATION OF REQUIREMENT FOR APPOINT-***
15 ***MENT OF CIVILIAN MEMBERS OF NATIONAL***
16 ***SECURITY EDUCATION BOARD BY AND WITH***
17 ***THE ADVICE AND CONSENT OF THE SENATE.***

18 (a) *TERMINATION.*—*Subsection (b)(7) of section 803 of*
19 *the David L. Boren National Security Education Act of*
20 *1991 (50 U.S.C. 1903) is amended by striking “by and with*
21 *the advice and consent of the Senate,”.*

22 (b) *TECHNICAL AMENDMENT.*—*Subsection (c) of such*
23 *section is amended by striking “subsection (b)(6)” and in-*
24 *serting “subsection (b)(7)”.*

1 **SEC. 1083. REDESIGNATION OF INDUSTRIAL COLLEGE OF**
 2 **THE ARMED FORCES AS THE DWIGHT D. EI-**
 3 **SENHOWER SCHOOL FOR NATIONAL SECU-**
 4 **RITY AND RESOURCE STRATEGY.**

5 (a) *REDESIGNATION.*—*The Industrial College of the*
 6 *Armed Forces is hereby renamed the “Dwight D. Eisen-*
 7 *hower School for National Security and Resource Strat-*
 8 *egy”.*

9 (b) *CONFORMING AMENDMENT.*—*Paragraph (2) of sec-*
 10 *tion 2165(b) of title 10, United States Code, is amended*
 11 *to read as follows:*

12 “(2) *The Dwight D. Eisenhower School for Na-*
 13 *tional Security and Resource Strategy.”.*

14 (c) *REFERENCES.*—*Any reference to the Industrial*
 15 *College of the Armed Forces in any law, regulation, map,*
 16 *document, record, or other paper of the United States shall*
 17 *be deemed to be a reference to the Dwight D. Eisenhower*
 18 *School for National Security and Resource Strategy.*

19 **SEC. 1084. DESIGNATION OF FISHER HOUSE FOR THE FAMI-**
 20 **LIES OF THE FALLEN AND MEDITATION PA-**
 21 **VILION, DOVER AIR FORCE BASE, DELAWARE,**
 22 **AS A FISHER HOUSE.**

23 *The Fisher House for the Families of the Fallen and*
 24 *Meditation Pavilion at Dover Air Force Base, Delaware,*
 25 *is hereby designated as a Fisher House for purposes of sec-*
 26 *tion 2493 of title 10, United States Code.*

1 **SEC. 1085. SENSE OF SENATE ON APPLICATION OF MORATO-**
 2 **RIUM ON EARMARKS TO THIS ACT.**

3 *It is the sense of the Senate that the moratorium on*
 4 *congressionally-directed spending items in the Senate, and*
 5 *on congressional earmarks in the House of Representatives,*
 6 *should be fully enforced in this Act.*

7 **SEC. 1086. TECHNICAL AMENDMENT RELATING TO RESPON-**
 8 **SIBILITIES OF DEPUTY ASSISTANT SEC-**
 9 **RETARY OF DEFENSE FOR MANUFACTURING**
 10 **AND INDUSTRIAL BASE POLICY.**

11 *Section 139e(b)(12) of title 10, United States Code, is*
 12 *amended by striking “titles I and II” and inserting “titles*
 13 *I and III”.*

14 **SEC. 1087. TECHNICAL AMENDMENT.**

15 *Section 382 of title 10, United States Code, is amended*
 16 *by striking “biological or chemical” each place it appears*
 17 *in subsections (a) and (b).*

18 **SEC. 1088. IMPROVING THE TRANSITION OF MEMBERS OF**
 19 **THE ARMED FORCES WITH EXPERIENCE IN**
 20 **THE OPERATION OF CERTAIN MOTOR VEHI-**
 21 **CLES INTO CAREERS OPERATING COMMER-**
 22 **CIAL MOTOR VEHICLES IN THE PRIVATE SEC-**
 23 **TOR.**

24 *(a) STUDY.—*

25 *(1) IN GENERAL.—Not later than 90 days after*
 26 *the date of the enactment of this Act, the Secretary of*

1 *Defense and the Secretary of Transportation shall*
2 *jointly conduct a study to identify the legislative and*
3 *regulatory actions that can be taken for purposes as*
4 *follows:*

5 *(A) To facilitate the obtaining of commer-*
6 *cial driver's licenses (within the meaning of sec-*
7 *tion 31302 of title 49, United States Code) by*
8 *former members of the Armed Forces who oper-*
9 *ated qualifying motor vehicles as members of the*
10 *Armed Forces.*

11 *(B) To improve the transition of members*
12 *of the Armed Forces who operate qualifying*
13 *motor vehicles as members of the Armed Forces*
14 *into careers operating commercial motor vehicles*
15 *(as defined in section 31301 of such title) in the*
16 *private sector after separation from service in*
17 *the Armed Forces.*

18 *(2) ELEMENTS.—The study required by para-*
19 *graph (1) shall include the following:*

20 *(A) Identification of any training, quali-*
21 *fications, or experiences of members of the Armed*
22 *Forces described in paragraph (1)(B) that sat-*
23 *isfy the minimum standards prescribed by the*
24 *Secretary of Transportation for the operation of*

1 *commercial motor vehicles under section 31305*
2 *of title 49, United States Code.*

3 *(B) Identification of the actions the Sec-*
4 *retary of Defense can take to document the train-*
5 *ing, qualifications, and experiences of such mem-*
6 *bers for the purposes described in paragraph (1).*

7 *(C) Identification of the actions the Sec-*
8 *retary of Defense can take to modify the training*
9 *and education programs of the Department of*
10 *Defense for the purposes described in paragraph*
11 *(1).*

12 *(D) An assessment of the feasibility and ad-*
13 *visability of each of the legislative and regu-*
14 *latory actions identified under the study.*

15 *(E) Development of recommendations for*
16 *legislative and regulatory actions to further the*
17 *purposes described in paragraph (1).*

18 *(b) IMPLEMENTATION.—Upon completion of the study*
19 *required by subsection (a), the Secretary of Defense and the*
20 *Secretary of Transportation shall carry out the actions*
21 *identified under the study which the Secretaries—*

22 *(1) can carry out without legislative action; and*

23 *(2) jointly consider both feasible and advisable.*

24 *(c) REPORT.—*

1 (1) *IN GENERAL.*—Upon completion of the study
 2 required by subsection (a)(1), the Secretary of Defense
 3 and the Secretary of Transportation shall jointly sub-
 4 mit to Congress a report on the findings of the Secre-
 5 taries with respect to the study.

6 (2) *ELEMENTS.*—The report required by para-
 7 graph (1) shall include the following:

8 (A) A description of the legislative and reg-
 9 ulatory actions identified under the study.

10 (B) A description of the actions described in
 11 subparagraph (A) that can be carried out by the
 12 Secretary of Defense and the Secretary of Trans-
 13 portation without any legislative action.

14 (C) A description of the feasibility and ad-
 15 visability of each of the legislative and regu-
 16 latory actions identified by the study.

17 (D) The recommendations developed under
 18 subsection (a)(2)(E).

19 (d) *DEFINITIONS.*—In this section:

20 (1) *MOTOR VEHICLE.*—The term “motor vehicle”
 21 means a vehicle, machine, tractor, trailer, or
 22 semitrailer propelled or drawn by mechanical power
 23 and used on land, but does not include a vehicle, ma-
 24 chine, tractor, trailer, or semitrailer operated only on
 25 a rail line or custom harvesting farm machinery.

1 (2) *QUALIFYING MOTOR VEHICLE.*—*The term*
2 *“qualifying motor vehicle” means a motor vehicle or*
3 *combination of motor vehicles used to transport pas-*
4 *sengers or property that—*

5 (A) *has a gross combination vehicle weight*
6 *rating of 26,001 pounds or more, inclusive of a*
7 *towed unit with a gross vehicle weight rating of*
8 *more than 10,000 pounds;*

9 (B) *has a gross vehicle weight rating of*
10 *26,001 pounds or more;*

11 (C) *is designed to transport 16 or more pas-*
12 *sengers, including the driver; or*

13 (D) *is of any size and is used in the trans-*
14 *portation of materials found to be hazardous*
15 *under chapter 51 of title 49, United States Code,*
16 *and which require the motor vehicle to be plac-*
17 *arded under subpart F of part 172 of title 49,*
18 *Code of Federal Regulations, or any cor-*
19 *responding similar regulation or ruling.*

20 **SEC. 1089. FIRE SUPPRESSION AGENTS.**

21 Section 605(a) of the Clean Air Act (42 U.S.C.
22 7671d(a)) is amended—

23 (1) *in paragraph (2), by striking “or” at the*
24 *end;*

1 (2) in paragraph (3), by striking the period at
2 the end and inserting “; or”; and

3 (3) by adding at the end the following:

4 “(4) is listed as acceptable for use as a fire sup-
5 pression agent for nonresidential applications in ac-
6 cordance with section 612(c).”.

7 **SEC. 1090. ACQUISITION AND PROCUREMENT EXCHANGES**

8 **BETWEEN THE UNITED STATES AND INDIA.**

9 *The Secretary of Defense should seek to establish ex-*
10 *changes between acquisition and procurement officials of*
11 *the Department of Defense and defense officials of the Gov-*
12 *ernment of India to increase mutual understanding regard-*
13 *ing best practices in defense acquisition.*

14 **SEC. 1091. LONG-TERM PLAN FOR MAINTENANCE OF INTER-**

15 **CONTINENTAL BALLISTIC MISSILE SOLID**

16 **ROCKET MOTOR PRODUCTION CAPACITY.**

17 *The Secretary of Defense shall submit, with the budget*
18 *justification materials submitted to Congress in support of*
19 *the budget of the Department of Defense for fiscal year 2013*
20 *(as submitted with the budget of the President under section*
21 *1105(a) of title 31, United States Code), a long-term plan*
22 *for maintaining a minimal capacity to produce interconti-*
23 *ental ballistic missile solid rocket motors.*

1 **SEC. 1092. CYBERSECURITY COLLABORATION BETWEEN**
2 **THE DEPARTMENT OF DEFENSE AND THE DE-**
3 **PARTMENT OF HOMELAND SECURITY.**

4 (a) *INTERDEPARTMENTAL COLLABORATION.*—

5 (1) *IN GENERAL.*—*The Secretary of Defense and*
6 *the Secretary of Homeland Security shall provide per-*
7 *sonnel, equipment, and facilities in order to increase*
8 *interdepartmental collaboration with respect to—*

9 (A) *strategic planning for the cybersecurity*
10 *of the United States;*

11 (B) *mutual support for cybersecurity capa-*
12 *bilities development; and*

13 (C) *synchronization of current operational*
14 *cybersecurity mission activities.*

15 (2) *EFFICIENCIES.*—*The collaboration provided*
16 *for under paragraph (1) shall be designed—*

17 (A) *to improve the efficiency and effective-*
18 *ness of requirements formulation and requests for*
19 *products, services, and technical assistance for,*
20 *and coordination and performance assessment of,*
21 *cybersecurity missions executed across a variety*
22 *of Department of Defense and Department of*
23 *Homeland Security elements; and*

24 (B) *to leverage the expertise of each indi-*
25 *vidual Department and to avoid duplicating,*
26 *replicating, or aggregating unnecessarily the di-*

verse line organizations across technology developments, operations, and customer support that collectively execute the cybersecurity mission of each Department.

(b) *RESPONSIBILITIES.*—

(1) *DEPARTMENT OF HOMELAND SECURITY.*—

The Secretary of Homeland Security shall identify and assign, in coordination with the Department of Defense, a Director of Cybersecurity Coordination within the Department of Homeland Security to undertake collaborative activities with the Department of Defense.

(2) *DEPARTMENT OF DEFENSE.*—The Secretary

of Defense shall identify and assign, in coordination with the Department of Homeland Security, one or more officials within the Department of Defense to coordinate, oversee, and execute collaborative activities and the provision of cybersecurity support to the Department of Homeland Security.

**SEC. 1093. REEMPLOYMENT RIGHTS FOLLOWING CERTAIN
NATIONAL GUARD DUTY.**

Section 4312(c)(4) of title 38, United States Code, is amended—

(1) in subparagraph (D), by striking “or” at the end;

(2) in subparagraph (E), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following new subparagraph:

“(F) ordered to full-time National Guard duty (other than for training) under section 502(f) of title 32 when authorized by the President or the Secretary of Defense for the purpose of responding to a national emergency declared by the President and supported by Federal funds, as determined by the Secretary concerned.”.

TITLE XI—CIVILIAN PERSONNEL MATTERS

SEC. 1101. AUTHORITY OF THE SECRETARIES OF THE MILITARY DEPARTMENTS TO EMPLOY UP TO 10 PERSONS WITHOUT PAY.

Section 1583 of title 10, United States Code, is amended in the first sentence—

(1) by inserting “and the Secretaries of the military departments” after “the Secretary of Defense”; and

(2) by inserting “each” after “may”.

1 **SEC. 1102. EXTENSION OF ELIGIBILITY TO CONTINUE FED-**
 2 **ERAL EMPLOYEE HEALTH BENEFITS FOR**
 3 **CERTAIN EMPLOYEES OF THE DEPARTMENT**
 4 **OF DEFENSE.**

5 (a) *EXTENSION FOR DEPARTMENT OF DEFENSE.—*
 6 *Subparagraph (B) of section 8905a(d)(4) of title 5, United*
 7 *States Code, is amended—*

8 (1) *in clause (i), by striking “December 31,*
 9 *2011” and inserting “October 1, 2015”; and*

10 (2) *in clause (ii)—*

11 (A) *by striking “February 1, 2012” and in-*
 12 *serting “February 1, 2016”; and*

13 (B) *by striking “December 31, 2011” and*
 14 *inserting “the date specified in clause (i)”.*

15 (b) *TECHNICAL AMENDMENT TO DELETE OBSOLETE*
 16 *AUTHORITY APPLICABLE TO DEPARTMENT OF ENERGY.—*
 17 *Subparagraph (A) of such section is amended by striking*
 18 *“, or the Department of Energy due to a reduction in force*
 19 *resulting from the establishment of the National Nuclear Se-*
 20 *curity Administration”.*

21 **SEC. 1103. AUTHORITY FOR WAIVER OF RECOVERY OF CER-**
 22 **TAIN PAYMENTS PREVIOUSLY MADE UNDER**
 23 **CIVILIAN EMPLOYEES VOLUNTARY SEPARA-**
 24 **TION INCENTIVE PROGRAM.**

25 (a) *AUTHORITY FOR WAIVER.—Subject to subsection*
 26 *(c), the Secretary of Defense may waive the requirement*

1 *under subsection (f)(6)(B) of section 9902 of title 5, United*
2 *States Code, for repayment to the Department of Defense*
3 *of a voluntary separation incentive payment made under*
4 *subsection (f)(1) of that section in the case of an employee*
5 *or former employee of the Department of Defense described*
6 *in subsection (b).*

7 (b) *PERSONS COVERED.*—Subsection (a) applies to
8 *any employee or former employee of the Department of De-*
9 *fense—*

10 (1) *who during the period beginning on April 1,*
11 *2004, and ending on March 1, 2008, received a vol-*
12 *untary separation incentive payment under sub-*
13 *section (f)(1) of section 9902 of title 5, United States*
14 *Code;*

15 (2) *who was reappointed to a position in the De-*
16 *partment of Defense to support a declared national*
17 *emergency related to terrorism or a natural disaster*
18 *during the period beginning on June 1, 2004, and*
19 *ending on March 1, 2008; and*

20 (3) *with respect to whom the Secretary deter-*
21 *mines—*

22 (A) *that the employee or former employee,*
23 *before accepting the reappointment referred to in*
24 *paragraph (2), received a representation from an*
25 *officer or employee of the Department of Defense*

1 *that recovery of the amount of the payment re-*
2 *ferred to in paragraph (1) would not be required*
3 *or would be waived; and*

4 *(B) that the employee or former employee*
5 *reasonably relied on that representation when*
6 *accepting reappointment.*

7 *(c) REQUIRED DETERMINATION.—The Secretary of*
8 *Defense may grant a waiver under subsection (a) in the*
9 *case of any individual only if the Secretary determines that*
10 *recovery of the amount of the payment otherwise required*
11 *would be against equity and good conscience because of the*
12 *circumstances of that individual's reemployment after re-*
13 *ceiving a voluntary separation incentive payment.*

14 *(d) TREATMENT OF PRIOR REPAYMENTS.—The Sec-*
15 *retary of Defense may, pursuant to a determination under*
16 *subsection (c) specific to an individual, provide for reim-*
17 *bursement to that individual for any amount the individual*
18 *has previously repaid to the United States for a voluntary*
19 *separation incentive payment covered by this section. The*
20 *reimbursement shall be paid either from the appropriations*
21 *into which the repayment was deposited, if such appropria-*
22 *tions remain available, or from appropriations currently*
23 *available for the purposes of the appropriation into which*
24 *the repayment was deposited.*

1 (e) *EXPIRATION OF AUTHORITY.*—*The authority to*
 2 *grant a waiver under this section shall expire on December*
 3 *31, 2012.*

4 **SEC. 1104. PERMANENT EXTENSION AND EXPANSION OF EX-**
 5 **PERIMENTAL PERSONNEL PROGRAM FOR SCI-**
 6 **ENTIFIC AND TECHNICAL PERSONNEL.**

7 (a) *PERMANENT EXTENSION.*—*Section 1101 of the*
 8 *Strom Thurmond National Defense Authorization Act for*
 9 *Fiscal Year 1999 (5 U.S.C. 3104 note) is amended—*

10 (1) *in subsection (a), by striking “During the*
 11 *program period” and all that follows through “use of*
 12 *the” and inserting “The Secretary of Defense may*
 13 *carry out a program to use the”; and*

14 (2) *by striking subsections (e), (f), and (g).*

15 (b) *EXPANSION OF AVAILABILITY OF PERSONNEL MAN-*
 16 *AGEMENT AUTHORITY.*—*Subsection (b)(1) of such section is*
 17 *amended—*

18 (1) *in subparagraph (A), by striking “40” and*
 19 *inserting “50”;*

20 (2) *in subparagraph (C), by striking “and” at*
 21 *the end;*

22 (3) *in subparagraph (D), by adding “and” at*
 23 *the end; and*

24 (4) *by adding at the end the following new sub-*
 25 *paragraph:*

“(E) not more than a total of 10 scientific and engineering positions in the Office of the Director of Operational Test and Evaluation;”.

**SEC. 1105. MODIFICATION OF BENEFICIARY DESIGNATION
AUTHORITIES FOR DEATH GRATUITY PAY-
ABLE UPON DEATH OF A UNITED STATES
GOVERNMENT EMPLOYEE IN SERVICE WITH
THE ARMED FORCES.**

(a) *AUTHORITY TO DESIGNATE MORE THAN 50 PER-
CENT OF DEATH GRATUITY TO UNRELATED PERSONS.—*

(1) *IN GENERAL.—Paragraph (4) of section
8102a(d) of title 5, United States Code, is amended—*

*(A) by striking the first sentence and insert-
ing “A person covered by this section may des-
ignate another person to receive an amount pay-
able under this section.”; and*

*(B) in the second sentence, by striking “up
to the maximum of 50 percent”.*

(2) *EFFECTIVE DATE.—The amendments made
by this subsection shall take effect on the date of en-
actment of this Act and apply to the payment of a
death gratuity based on any death occurring on or
after that date.*

(b) *NOTICE TO SPOUSE OF DESIGNATION OF ANOTHER
PERSON TO RECEIVE PORTION OF DEATH GRATUITY.—*

1 *Such section is further amended by adding at the end the*
 2 *following new paragraph:*

3 “(6) *If a person covered by this section has a*
 4 *spouse, but designates a person other than the spouse*
 5 *to receive all or a portion of the amount payable*
 6 *under this section, the head of the agency, or other en-*
 7 *tity, in which that person is employed shall provide*
 8 *notice of the designation to the spouse.”.*

9 **SEC. 1106. TWO-YEAR EXTENSION OF DISCRETIONARY AU-**
 10 **THORITY TO GRANT ALLOWANCES, BENEFITS,**
 11 **AND GRATUITIES TO PERSONNEL ON OFFI-**
 12 **CIAL DUTY IN A COMBAT ZONE.**

13 *Paragraph (2) of section 1603(a) of the Emergency*
 14 *Supplemental Appropriations Act for Defense, the Global*
 15 *War on Terror, and Hurricane Recovery, 2006 (Public Law*
 16 *109–234; 120 Stat. 443), as added by section 1102 of the*
 17 *Duncan Hunter National Defense Authorization Act for*
 18 *Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616),*
 19 *is amended by striking “fiscal years 2009, 2010, and 2011”*
 20 *and inserting “fiscal years 2009 through 2013”.*

1 **SEC. 1107. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE**
 2 **ANNUAL LIMITATION ON PREMIUM PAY AND**
 3 **AGGREGATE LIMITATION ON PAY FOR FED-**
 4 **ERAL CIVILIAN EMPLOYEES WORKING OVER-**
 5 **SEAS.**

6 *Effective January 1, 2012, section 1101(a) of the Dun-*
 7 *can Hunter National Defense Authorization Act for Fiscal*
 8 *Year 2009 (Public Law 110–417; 122 Stat. 4615), as most*
 9 *recently amended by section 1103 of the Ike Skelton Na-*
 10 *tional Defense Authorization Act for Fiscal Year 2011 (Pub-*
 11 *lic Law 111–383; 124 Stat. 4382), is further amended by*
 12 *striking “through 2011” and inserting “through 2012”.*

13 **TITLE XII—MATTERS RELATING**
 14 **TO FOREIGN NATIONS**
 15 **Subtitle A—Assistance and**
 16 **Training**

17 **SEC. 1201. EXPANSION OF SCOPE OF HUMANITARIAN**
 18 **DEMINE ASSISTANCE AUTHORITY TO IN-**
 19 **CLUDE STOCKPILED CONVENTIONAL MUNI-**
 20 **TIONS.**

21 *(a) EXPANSION.—Section 407 of title 10, United*
 22 *States Code, is amended—*

23 *(1) in subsection (a)—*

24 *(A) in paragraph (1), by inserting “and*
 25 *stockpiled conventional munitions assistance”*
 26 *after “humanitarian demining assistance”;*

(B) in paragraph (2), by inserting “and stockpiled conventional munitions assistance” after “Humanitarian demining assistance”; and

(C) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by inserting “or stockpiled conventional munitions assistance” after “humanitarian demining assistance”; and

(ii) in subparagraph (A), by inserting “, or stockpiled conventional munitions, as applicable,” after “explosive remnants of war”;

(2) in subsection (b)—

(A) in paragraph (1), by inserting “and stockpiled conventional munitions assistance” after “humanitarian demining assistance”; and

(B) in paragraph (2), by inserting “or stockpiled conventional munitions assistance” after “humanitarian demining assistance”;

(3) in subsection (c)—

(A) in paragraph (1), by inserting “or stockpiled conventional munitions assistance” after “humanitarian demining assistance”; and

(B) in paragraph (2)(B)—

1 (i) by inserting “or stockpiled conven-
 2 tional munitions activities” after “humani-
 3 tarian demining activities”; and

4 (ii) by inserting “, or stockpiled con-
 5 ventional munitions, as applicable,” after
 6 “explosive remnants of war”; and

7 (4) in subsection (d), by inserting “or stockpiled
 8 conventional munitions assistance” after “humani-
 9 tarian demining assistance” each place it appears.

10 (b) *DEFINITIONS.*—Subsection (e) of such section is
 11 amended to read as follows:

12 “(e) *DEFINITIONS.*—In this section:

13 “(1) *HUMANITARIAN DEMINING ASSISTANCE.*—
 14 The term ‘humanitarian demining assistance’, as it
 15 relates to training and support, means detection and
 16 clearance of landmines and other explosive remnants
 17 of war.

18 “(2) *STOCKPILED CONVENTIONAL MUNITIONS AS-*
 19 *SISTANCE.*—The term ‘stockpiled conventional muni-

20 tions assistance’, as it relates to support of humani-

21 tarian assistance efforts, means training and support

22 in the disposal, demilitarization, physical security,

23 and stockpile management of potentially dangerous

24 stockpiles of explosive ordnance.

1 “(3) *INCLUDED ACTIVITIES.*—The terms in para-
 2 graphs (1) and (2) include activities related to the
 3 furnishing of education, training, and technical as-
 4 sistance with respect to explosive safety, the detection
 5 and clearance of landmines and other explosive rem-
 6 nants of war, and the disposal, demilitarization,
 7 physical security, and stockpile management of poten-
 8 tially dangerous stockpiles of explosive ordnance.”.

9 (c) *CLERICAL AMENDMENTS.*—

10 (1) *SECTION HEADING.*—The heading of such sec-
 11 tion is amended to read as follows:

12 **“§ 407. Humanitarian demining assistance and stock-**
 13 **piled conventional munitions assistance:**
 14 **authority; limitations”.**

15 (2) *TABLE OF SECTIONS.*—The table of sections
 16 at the beginning of chapter 20 of such title is amend-
 17 ed by striking the item relating to section 407 and in-
 18 serting the following new item:

“407. Humanitarian demining assistance and stockpiled conventional munitions
 assistance: authority; limitations.”.

19 **SEC. 1202. ONE-YEAR EXTENSION AND MODIFICATION OF**
 20 **AUTHORITIES APPLICABLE TO COMMANDERS’**
 21 **EMERGENCY RESPONSE PROGRAM.**

22 (a) *ONE-YEAR EXTENSION OF AUTHORITY.*—

23 (1) *IN GENERAL.*—Subsection (a) of section 1202
 24 of the National Defense Authorization Act for Fiscal

1 *Year 2006 (Public Law 109–163; 119 Stat. 3455), as*
 2 *most recently amended by section 1212 of the Ike*
 3 *Skelton National Defense Authorization Act for Fiscal*
 4 *Year 2011 (Public Law 111–383; 124 Stat. 4389), is*
 5 *further amended—*

6 *(A) in the subsection heading, by striking*
 7 *“FISCAL YEAR 2011” and inserting “FISCAL*
 8 *YEAR 2012”;*

9 *(B) by striking “fiscal year 2011, from”*
 10 *and inserting “fiscal year 2012”; and*

11 *(C) by striking “operation and mainte-*
 12 *nance” and all that follows and inserting “oper-*
 13 *ation and maintenance, not to exceed*
 14 *\$400,000,000 may be used by the Secretary of*
 15 *Defense to provide funds for the Commanders’*
 16 *Emergency Response Program in Afghanistan.”.*

17 *(2) EFFECTIVE DATE.—The amendments made*
 18 *by paragraph (1) shall take effect on October 1, 2011.*

19 *(b) EXTENSION OF DUE DATE FOR QUARTERLY RE-*
 20 *PORTS TO CONGRESS.—Subsection (b)(1) of such section, as*
 21 *most recently amended by section 1222 of the National De-*
 22 *fense Authorization Act for Fiscal Year 2010 (Public Law*
 23 *111–84; 123 Stat. 2518), is further amended by striking*
 24 *“30 days” and inserting “45 days”.*

1 (c) *AUTHORITY TO ACCEPT CONTRIBUTIONS.*—Such
 2 section, as so amended by section 1212 of the Ike Skelton
 3 National Defense Authorization Act for Fiscal Year 2011,
 4 is further amended—

5 (1) by redesignating subsection (i) as subsection
 6 (j); and

7 (2) by inserting after subsection (h) the following
 8 new subsection (i):

9 “(i) *AUTHORITY TO ACCEPT CONTRIBUTIONS.*—The
 10 Secretary of Defense may accept cash contributions from
 11 any person, foreign government, or international organiza-
 12 tion for the purposes specified in subsection (a). Funds re-
 13 ceived by the Secretary may be credited to the operation
 14 and maintenance account from which funds are made
 15 available to carry out the authority in subsection (a), and
 16 may be used for such purposes until expended in addition
 17 to the funds specified in that subsection.”.

18 **SEC. 1203. THREE-YEAR EXTENSION OF TEMPORARY AU-**
 19 **THORITY TO USE ACQUISITION AND CROSS-**
 20 **SERVICING AGREEMENTS TO LEND MILITARY**
 21 **EQUIPMENT FOR PERSONNEL PROTECTION**
 22 **AND SURVIVABILITY.**

23 Section 1202(e) of the John Warner National Defense
 24 Authorization Act for Fiscal Year 2007 (Public Law 109–
 25 364; 120 Stat. 2413), as most recently amended by section

1 1204(b) of the Duncan Hunter National Defense Authoriza-
 2 tion Act for Fiscal Year 2009 (Public Law 110–417; 122
 3 Stat. 4623), is further amended by striking “September 30,
 4 2011” and inserting “September 30, 2014”.

5 **SEC. 1204. CONDITIONAL EXTENSION AND MODIFICATION**
 6 **OF AUTHORITY TO BUILD THE CAPACITY OF**
 7 **COUNTER TERRORISM FORCES OF YEMEN.**

8 (a) *EXTENSION.*—Subsection (a) of section 1205 of the
 9 Ike Skelton National Defense Authorization Act for Fiscal
 10 Year 2011 (Public Law 111–383; 124 Stat. 4387) is amend-
 11 ed by striking “fiscal year 2011” and inserting “fiscal years
 12 2011 and 2012”.

13 (b) *ASSISTANCE THROUGH MINOR MILITARY CON-*
 14 *STRUCTION.*—Subsection (b) of such section is amended—

15 (1) in paragraph (1), by inserting “and minor
 16 military construction” before the period at the end;

17 (2) by redesignating paragraph (3) as para-
 18 graph (4); and

19 (3) by inserting after paragraph (2) the fol-
 20 lowing new paragraph (3):

21 “(3) *LIMITATIONS ON MINOR MILITARY CON-*
 22 *STRUCTION.*—Minor military construction may be
 23 provided under subsection (a) only after September
 24 30, 2011. The total amount that may be obligated and
 25 expended on such construction in any fiscal year may

1 *not exceed \$10,000,000. Minor military construction*
 2 *may not be provided under subsection (a) in the city*
 3 *of Sana’a or in the Sana’a Governate, Yemen.”.*

4 *(c) FUNDING.—Subsection (c) of that section is amend-*
 5 *ed by striking “by section 301” and all that follows through*
 6 *“for fiscal year 2011” and inserting “for the fiscal year*
 7 *concerned for operation and maintenance (other than oper-*
 8 *ation and maintenance for overseas contingency oper-*
 9 *ations)”.*

10 *(d) CONDITION ON USE OF AUTHORITIES.—*

11 *(1) NOTICE AND WAIT.—An authority specified*
 12 *in paragraph (2) may not be used until 60 days after*
 13 *the date on which the Secretary of Defense and the*
 14 *Secretary of State jointly certify, in writing, to the*
 15 *appropriate committees of Congress that the use of*
 16 *such authority is important to the national security*
 17 *interests of the United States. The certification on an*
 18 *authority shall include the following:*

19 *(A) The reasons why the use of such author-*
 20 *ity is important to the national security inter-*
 21 *ests of the United States.*

22 *(B) A justification for the provision of as-*
 23 *sistance pursuant to such authority.*

24 *(C) An acknowledgment by the Secretary of*
 25 *Defense and the Secretary of State that they have*

1 *received assurance from the Government of*
 2 *Yemen that any assistance provided pursuant to*
 3 *such authority will be utilized in manner con-*
 4 *sistent with subsection (b)(2) of the applicable*
 5 *section.*

6 (2) *COVERED AUTHORITIES.*—*The authorities re-*
 7 *ferred to in this paragraph are the following:*

8 (A) *The authority in section 1205 of the Ike*
 9 *Skelton National Defense Authorization Act for*
 10 *Fiscal Year 2011, as amended by this section.*

11 (B) *The authority in section 1206 of the*
 12 *National Defense Authorization Act for Fiscal*
 13 *Year 2006 (Public Law 109–163; 119 Stat.*
 14 *2456), as amended.*

15 (3) *APPROPRIATE COMMITTEES OF CONGRESS*
 16 *DEFINED.*—*In this subsection, the term “appropriate*
 17 *committees of Congress” means the committees of*
 18 *Congress specified in section 1205(d)(2) of the Ike*
 19 *Skelton National Defense Authorization Act for Fiscal*
 20 *Year 2011.*

21 **SEC. 1205. EXTENSION OF AUTHORITY FOR SUPPORT OF**
 22 **SPECIAL OPERATIONS TO COMBAT TER-**
 23 **RORISM.**

24 (a) *EXTENSION.*—*Subsection (h) of section 1208 of the*
 25 *Ronald W. Reagan National Defense Authorization Act for*

1 *Fiscal Year 2005 (Public Law 108–375), as most recently*
 2 *amended by section 1208(c) of the Duncan Hunter National*
 3 *Defense Authorization Act for Fiscal Year 2009 (Public*
 4 *Law 110–417; 122 Stat. 4626), is further amended by strik-*
 5 *ing “2013” and inserting “2017”.*

6 (b) *CLARIFICATION OF LIMITATION ON FUNDING.—*
 7 *Subsection (g) of such section, as amended by section*
 8 *1202(b) of the National Defense Authorization Act for Fis-*
 9 *cal Year 2008 (Public Law 110–181; 122 Stat. 364), is fur-*
 10 *ther amended—*

11 (1) *by striking “each fiscal year” and inserting*
 12 *“any fiscal year”; and*

13 (2) *by striking “pursuant to title XV of this Act”*
 14 *and inserting “for that fiscal year”.*

15 **SEC. 1206. LIMITATION ON AVAILABILITY OF FUNDS FOR**
 16 **AUTHORITIES RELATING TO PROGRAM TO**
 17 **BUILD THE CAPACITY OF FOREIGN MILITARY**
 18 **FORCES.**

19 *Of the funds available for fiscal year 2012 for building*
 20 *the capacity of foreign military forces under section 1206*
 21 *of the National Defense Authorization Act for Fiscal Year*
 22 *2006 (Public Law 109–163; 119 Stat. 3456), as most re-*
 23 *cently amended by section 1207 of the Ike Skelton National*
 24 *Defense Authorization Act for Fiscal Year 2011 (Public*
 25 *Law 111–383; 124 Stat. 4389), not more than \$100,000,000*

1 *may be obligated and expended until the Secretary of De-*
 2 *fense and the Secretary of State submit the report required*
 3 *by section 1237 of the Duncan Hunter National Defense*
 4 *Authorization Act for Fiscal Year 2009 (Public Law 110–*
 5 *417; 122 Stat. 4642).*

6 **SEC. 1207. GLOBAL SECURITY CONTINGENCY FUND.**

7 (a) *ESTABLISHMENT.*—*There is established on the*
 8 *books of the Treasury of the United States an account to*
 9 *be known as the “Global Security Contingency Fund”.*

10 (b) *AUTHORITY.*—*Amounts in the Fund shall be avail-*
 11 *able to either the Secretary of State or the Secretary of De-*
 12 *fense, notwithstanding any other provision of law, to pro-*
 13 *vide assistance to countries designated by the Secretary of*
 14 *State, with the concurrence of the Secretary of Defense, for*
 15 *purposes of this section, as follows:*

16 (1) *Assistance under this section may be pro-*
 17 *vided to enhance the capabilities of a foreign coun-*
 18 *try’s national military forces, and other national se-*
 19 *curity forces that conduct border and maritime secu-*
 20 *rity, internal security, and counterterrorism oper-*
 21 *ations, as well as the government agencies responsible*
 22 *for such forces, to—*

23 (A) *conduct border and maritime security,*
 24 *internal defense, and counterterrorism oper-*
 25 *ations; and*

1 (B) participate in or support military, sta-
 2 bility, or peace support operations consistent
 3 with United States foreign policy and national
 4 security interests.

5 (2) Assistance may be provided for the justice
 6 sector (including law enforcement and prisons), rule
 7 of law programs, and stabilization efforts in those
 8 cases in which the Secretary of State, in consultation
 9 with the Secretary of Defense, determines that conflict
 10 or instability in a country or region challenges the
 11 existing capability of civilian providers to deliver
 12 such assistance.

13 (c) *TYPES OF ASSISTANCE.*—

14 (1) *AUTHORIZED ELEMENTS.*—A program to
 15 provide the assistance under subsection (b)(1) may
 16 include the provision of equipment, supplies, and
 17 training.

18 (2) *REQUIRED ELEMENTS.*—A program to pro-
 19 vide the assistance under subsection (b)(1) shall in-
 20 clude elements that promote—

21 (A) observance of and respect for human
 22 rights and fundamental freedoms; and

23 (B) respect for legitimate civilian authority
 24 within that country.

25 (d) *LIMITATIONS.*—

1 (1) *ASSISTANCE OTHERWISE PROHIBITED BY*
2 *LAW.—The Secretary of Defense and the Secretary of*
3 *State may not use the authority provided under sub-*
4 *section (b) to provide any type of assistance that is*
5 *otherwise prohibited by any provision of law.*

6 (2) *LIMITATION ON ELIGIBLE COUNTRIES.—The*
7 *Secretary of Defense and the Secretary of State may*
8 *not use the authority provided under subsection (b) to*
9 *provide assistance to any foreign country that is oth-*
10 *erwise prohibited from receiving such type of assist-*
11 *ance under any other provision of law.*

12 (e) *FORMULATION AND APPROVAL OF ASSISTANCE*
13 *PROGRAMS.—*

14 (1) *SECURITY PROGRAMS.—The Secretary of*
15 *State and the Secretary of Defense shall jointly for-*
16 *mulate assistance programs under subsection (b)(1).*
17 *Assistance programs to be carried out pursuant to*
18 *subsection (b)(1) shall be approved by the Secretary*
19 *of State, with the concurrence of the Secretary of De-*
20 *fense, prior to implementation.*

21 (2) *JUSTICE SECTOR AND STABILIZATION PRO-*
22 *GRAMS.—The Secretary of State, in consultation with*
23 *the Secretary of Defense, shall formulate assistance*
24 *programs under subsection (b)(2). Assistance pro-*
25 *grams to be carried out under the authority in sub-*

1 *section (b)(2) shall be approved by the Secretary of*
2 *State, with the concurrence of the Secretary of De-*
3 *fense, prior to implementation.*

4 *(f) RELATION TO OTHER AUTHORITIES.—The author-*
5 *ity to provide assistance under this section is in addition*
6 *to any other authority to provide assistance to foreign na-*
7 *tions. The administrative authorities of the Foreign Assist-*
8 *ance Act of 1961 (22 U.S.C. 2151 et seq.) shall be available*
9 *to the Secretary of State with respect to funds made avail-*
10 *able to carry out this section.*

11 *(g) TRANSFER AUTHORITY.—*

12 *(1) FOREIGN ASSISTANCE AND OTHER FUNDS.—*
13 *Funds available to the Department of State for for-*
14 *oreign assistance may be transferred to the Fund by the*
15 *Secretary of State. Funds available to the Department*
16 *of Defense may be transferred to the Fund by the Sec-*
17 *retary of Defense in accordance with established pro-*
18 *cedures for reprogramming under section 1001 of this*
19 *Act and successor provisions of law. Amounts trans-*
20 *ferred under this paragraph shall be merged with*
21 *funds made available under this section and remain*
22 *available until expended as provided in subsection (i)*
23 *for the purposes specified in subsection (b).*

24 *(2) LIMITATION.—The total amount of funds ap-*
25 *propriated and transferred to the Fund in any fiscal*

1 *year shall not exceed \$300,000,000. This limitation*
2 *does not apply to amounts contributed to the Fund*
3 *under subsection (h).*

4 (3) *TRANSFERS TO OTHER ACCOUNTS.—Funds*
5 *made available to carry out assistance activities ap-*
6 *proved pursuant to subsection (c) may be transferred*
7 *to accounts under the following authorities:*

8 (A) *Section 1206 of the National Defense*
9 *Authorization Act for Fiscal Year 2006 (Public*
10 *Law 109–163; 119 Stat. 3456; relating to pro-*
11 *gram to build the capacity of foreign military*
12 *forces).*

13 (B) *Section 23 of the Arms Export Control*
14 *Act (22 U.S.C. 2763; relating to foreign military*
15 *financing program).*

16 (C) *Section 481 of the Foreign Assistance*
17 *Act of 1961 (22 U.S.C. 2291; relating to inter-*
18 *national narcotics control and law enforcement).*

19 (D) *Chapter 5 of part II of the Foreign As-*
20 *istance Act of 1961 (22 U.S.C. 2347 et seq.; re-*
21 *lating to international military education and*
22 *training program).*

23 (E) *Chapter 8 of part II of the Foreign As-*
24 *istance Act of 1961 (22 U.S.C. 2349aa et seq.;*
25 *relating to antiterrorism assistance).*

(F) *Complex Crises Fund of the Foreign Assistance Act of 1961 (title III of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117; 123 Stat. 3327)).*

(4) *ADDITIONAL AUTHORITIES.*—*The transfer authorities in paragraphs (1) and (3) are in addition to any other transfer authority available to the Department of State or the Department of Defense.*

(5) *EFFECT ON AUTHORIZATION AMOUNTS.*—*A transfer of an amount to an account under the authority provided in paragraph (3) shall be deemed to increase the amount authorized for such account by an amount equal to the amount transferred.*

(h) *AUTHORITY TO ACCEPT GIFTS.*—*The Secretary of State may use money, funds, property, and services accepted pursuant to the authority of section 635(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2395(d)) to fulfill the purposes of subsection (b).*

(i) *AVAILABILITY OF FUNDS.*—*Amounts in the Fund shall remain available until September 30, 2015.*

(j) *CONGRESSIONAL NOTIFICATION.*—

(1) *SECURITY PROGRAMS.*—*Not less than 15 days before initiating activities under a program of assistance under subsection (b)(1), the Secretary of*

1 *Defense, with the concurrence of the Secretary of*
2 *State, shall notify the specified congressional commit-*
3 *tees of the program to be initiated.*

4 (2) *JUSTICE SECTOR AND STABILIZATION PRO-*
5 *GRAMS.—Not less than 15 days before initiating ac-*
6 *tivities under a program of assistance under sub-*
7 *section (b)(2), the Secretary of State, with the concur-*
8 *rence of the Secretary of Defense, shall notify the spec-*
9 *ified congressional committees of the program to be*
10 *initiated.*

11 (3) *EXERCISE OF TRANSFER AUTHORITY.—Not*
12 *less than 15 days before a transfer under the author-*
13 *ity of subsection (g), the Secretary of State and the*
14 *Secretary of Defense shall jointly notify the specified*
15 *congressional committees of the transfer of funds into*
16 *the Fund.*

17 (k) *REPORTING REQUIREMENT.—The Secretary of*
18 *State and the Secretary of Defense jointly shall provide a*
19 *report quarterly to the specified congressional committees*
20 *on obligations of funds or transfers into the Fund made*
21 *during the preceding quarter.*

22 (l) *SPECIFIED CONGRESSIONAL COMMITTEES.—In this*
23 *section, the term “specified congressional committees”*
24 *means—*

1 (1) *the Committee on Armed Services, the Com-*
 2 *mittee on Foreign Affairs, and the Committee on Ap-*
 3 *propriations of the House of Representatives; and*

4 (2) *the Committee on Armed Services, the Com-*
 5 *mittee on Foreign Relations, and the Committee on*
 6 *Appropriations of the Senate.*

7 (m) *EXPIRATION.*—*The authority provided under this*
 8 *section may not be exercised after September 30, 2014, ex-*
 9 *cept with respect to amounts appropriated or transferred*
 10 *to the Fund prior to such date, which can continue to be*
 11 *obligated and expended as provided in subsection (i).*

12 (n) *ADMINISTRATIVE EXPENSES.*—*Amounts in the*
 13 *Fund may be used for necessary administrative expenses.*

14 **SEC. 1208. AUTHORITY TO BUILD THE CAPACITY OF CER-**
 15 **TAIN COUNTERTERRORISM FORCES OF EAST**
 16 **AFRICAN COUNTRIES.**

17 (a) *AUTHORITY.*—*The Secretary of Defense may, with*
 18 *the concurrence of the Secretary of State, provide assistance*
 19 *during fiscal years 2012 and 2013 as follows:*

20 (1) *To enhance the capacity of the national mili-*
 21 *tary forces, security agencies serving a similar defense*
 22 *function, and border security forces of Djibouti, Ethi-*
 23 *opia, and Kenya to conduct counterterrorism oper-*
 24 *ations against al Qaeda, al Qaeda affiliates, and al*
 25 *Shabaab.*

1 (2) *To enhance the capacity of national military*
2 *forces participating in the African Union Mission in*
3 *Somalia to conduct counterterrorism operations de-*
4 *scribed in paragraph (1).*

5 **(b) TYPES OF ASSISTANCE.—**

6 (1) **AUTHORIZED ELEMENTS.**—*Assistance under*
7 *subsection (a) may include the provision of equip-*
8 *ment, supplies, training, and minor military con-*
9 *struction.*

10 (2) **REQUIRED ELEMENTS.**—*Assistance under*
11 *subsection (a) shall be provided in a manner that*
12 *promotes—*

13 (A) *observance of and respect for human*
14 *rights and fundamental freedoms; and*

15 (B) *respect for legitimate civilian authority*
16 *in the country receiving such assistance.*

17 (3) **ASSISTANCE OTHERWISE PROHIBITED BY**
18 **LAW.**—*The Secretary of Defense may not use the au-*
19 *thority in subsection (a) to provide any type of assist-*
20 *ance described in this subsection that is otherwise*
21 *prohibited by any provision of law.*

22 **(c) FUNDING.—**

23 (1) **IN GENERAL.**—*Of the amount authorized to*
24 *be appropriated for each of fiscal years 2012 and*
25 *2103 for the Department of Defense for operation and*

1 *maintenance (other than operation and maintenance*
 2 *for overseas contingency operations), \$75,000,000*
 3 *may be utilized to provide assistance under subsection*
 4 *(a).*

5 (2) *AVAILABILITY OF FUNDS FOR ASSISTANCE*
 6 *ACROSS FISCAL YEARS.—Amounts available under*
 7 *this subsection for the authority in subsection (a) for*
 8 *a fiscal year may be used for assistance under that*
 9 *authority that begins in such fiscal year but ends in*
 10 *the next fiscal year.*

11 (d) *NOTICE TO CONGRESS.—*

12 (1) *IN GENERAL.—Not later than 30 days before*
 13 *providing assistance under subsection (a), the Sec-*
 14 *retary of Defense shall submit to the committees of*
 15 *Congress specified in paragraph (2) a notice setting*
 16 *forth the assistance to be provided, including the types*
 17 *of such assistance, the budget for such assistance, and*
 18 *the completion date for the provision of such assist-*
 19 *ance.*

20 (2) *COMMITTEES OF CONGRESS.—The commit-*
 21 *tees of Congress specified in this paragraph are—*

22 (A) *the Committee on Armed Services, the*
 23 *Committee on Foreign Relations, and the Com-*
 24 *mittee on Appropriations of the Senate; and*

1 (B) the Committee on Armed Services, the
 2 Committee on Foreign Affairs, and the Com-
 3 mittee on Appropriations of the House of Rep-
 4 resentatives.

5 **SEC. 1209. SUPPORT OF FORCES PARTICIPATING IN OPER-**
 6 **ATIONS TO DISARM THE LORD'S RESISTANCE**
 7 **ARMY.**

8 (a) *AUTHORITY.*—Pursuant to the policy established
 9 by the Lord's Resistance Army Disarmament and Northern
 10 Uganda Recovery Act of 2009 (Public Law 111–172; 124
 11 Stat. 1209), the Secretary of Defense may, with the concur-
 12 rence of Secretary of State, provide logistic support, sup-
 13 plies, and services and intelligence support for forces par-
 14 ticipating in operations to mitigate and eliminate the
 15 threat posed by the Lord's Resistance Army as follows:

- 16 (1) *The national military forces of Uganda.*
- 17 (2) *The national military forces of any other*
 18 *country determined by the Secretary of Defense, with*
 19 *the concurrence of the Secretary of State, to be par-*
 20 *ticipating in such operations.*

21 (b) *PARTICIPATION OF UNITED STATES PER-*
 22 *SONNEL.*—No United States Armed Forces personnel,
 23 United States civilian employees, or United States civilian
 24 contractor personnel may participate in combat operations
 25 in connection with the provision of support under sub-

1 *section (a), except for the purpose of acting in self-defense*
2 *or of rescuing any United States citizen (including any*
3 *member of the United States Armed Forces, any United*
4 *States civilian employee, or any United States civilian con-*
5 *tractor).*

6 *(c) FUNDING.—Of the amount authorized to be appro-*
7 *priated for the Department of Defense for each of fiscal*
8 *years 2012 and 2013 for operation and maintenance, not*
9 *more than \$35,000,000 may be utilized in each such fiscal*
10 *year to provide support under subsection (a).*

11 *(d) LIMITATIONS.—*

12 *(1) IN GENERAL.—The Secretary of Defense may*
13 *not use the authority in subsection (a) to provide any*
14 *type of support that is otherwise prohibited by any*
15 *provision of law.*

16 *(2) ELIGIBLE COUNTRIES.—The Secretary of De-*
17 *fense may not use the authority in subsection (a) to*
18 *provide support to any foreign country that is other-*
19 *wise prohibited from receiving such type of support*
20 *under any other provision of law.*

21 *(e) NOTICE TO CONGRESS ON ELIGIBLE COUNTRIES.—*
22 *The Secretary of Defense may not provide support under*
23 *subsection (a) for the national military forces of a country*
24 *determined to be eligible for such support under that sub-*
25 *section until the Secretary notifies the appropriate commit-*

tees of Congress of the eligibility of the country for such support.

(f) NOTICE TO CONGRESS ON SUPPORT TO BE PROVIDED.—Not later than 5 days after the date on which funds are obligated to provide support under subsection (a), the Secretary of Defense shall submit to the appropriate committees of Congress a notice setting forth the following:

- (1) The type of support to be provided.
- (2) The national military forces to be supported.
- (3) The objectives of such support.
- (4) The estimated cost of such support.
- (5) The intended duration of such support.

(g) QUARTERLY REPORTS TO CONGRESS.—The Secretary of State and the Secretary of Defense shall jointly submit to the appropriate committees of Congress on a quarterly basis a report on the obligation of funds under this section during the preceding quarter.

(h) DEFINITIONS.—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Com-

1 *mittee on Appropriations of the House of Rep-*
 2 *resentatives.*

3 (2) *The term “logistic support, supplies, and*
 4 *services” has the meaning given that term in section*
 5 *2350(1) of title 10, United States Code.*

6 (i) *EXPIRATION.—The authority provided under this*
 7 *section may not be exercised after September 30, 2013.*

8 ***Subtitle B—Matters Relating to***
 9 ***Iraq, Afghanistan, and Pakistan***

10 ***SEC. 1221. EXTENSION AND MODIFICATION OF LOGISTICAL***
 11 ***SUPPORT FOR COALITION FORCES SUP-***
 12 ***PORTING OPERATIONS IN IRAQ AND AFGHAN-***
 13 ***ISTAN.***

14 (a) *EXTENSION.—Section 1234 of the National Defense*
 15 *Authorization Act for Fiscal Year 2008 (Public Law 110–*
 16 *181; 122 Stat. 394), as amended by section 1218 of the Ike*
 17 *Skelton National Defense Authorization Act for Fiscal Year*
 18 *2011 (Public Law 111–383; 124 Stat. 4394), is further*
 19 *amended by striking “fiscal year 2011” each place it ap-*
 20 *pears and inserting “fiscal year 2012”.*

21 (b) *AMOUNT OF FUNDS AVAILABLE.—Subsection (d) of*
 22 *such section is amended by striking “\$400,000,000” and in-*
 23 *serting “\$450,000,000”.*

24 (c) *ADDITIONAL LIMITATION ON AVAILABILITY OF*
 25 *FUNDS.—Of the funds available for logistical support under*

1 *such section during fiscal year 2012, not more than*
 2 *\$200,000,000 may be obligated and expended until the Sec-*
 3 *retary of Defense submits the report required by section*
 4 *1234 of the Ike Skelton National Defense Authorization Act*
 5 *for Fiscal Year 2011 (124 Stat. 4397).*

6 **SEC. 1222. ONE-YEAR EXTENSION OF AUTHORITY TO TRANS-**
 7 **FER DEFENSE ARTICLES AND PROVIDE DE-**
 8 **FENSE SERVICES TO THE MILITARY AND SE-**
 9 **CURITY FORCES OF IRAQ AND AFGHANISTAN.**

10 (a) *EXTENSION OF AUTHORITY.*—Subsection (h) of sec-
 11 *tion 1234 of the National Defense Authorization Act for Fis-*
 12 *cal Year 2010 (Public Law 111–84; 123 Stat. 2532), as*
 13 *amended by section 1214 of the Ike Skelton National De-*
 14 *fense Authorization Act for Fiscal Year 2011 (Public Law*
 15 *111–383; 124 Stat. 4391), is further amended by striking*
 16 *“December 31, 2011” and inserting “December 31, 2012”.*

17 (b) *QUARTERLY REPORTS.*—Subsection (f)(1) of such
 18 *section, as so amended, is further amended by striking “and*
 19 *every 90 days thereafter through March 31, 2012” and in-*
 20 *serting “every 90 days thereafter through March 31, 2012,*
 21 *and at the end of each calendar quarter, if any, thereafter*
 22 *through March 31, 2013, in which the authority in sub-*
 23 *section (a) is implemented”.*

1 **SEC. 1223. ONE-YEAR EXTENSION OF AUTHORITIES APPLI-**
 2 **CABLE TO THE PAKISTAN COUNTERINSUR-**
 3 **GENCY FUND.**

4 (a) *ONE-YEAR EXTENSION.*—Subsection (h) of section
 5 1224 of the National Defense Authorization Act for Fiscal
 6 Year 2010 (Public Law 111–84; 123 Stat. 2521), as amend-
 7 ed by section 1220(a) of the Ike Skelton National Defense
 8 Authorization Act for Fiscal Year 2011 (Public Law 111–
 9 383; 124 Stat. 4395), is further amended by striking “Sep-
 10 tember 30, 2011” both places it appears and inserting “Sep-
 11 tember 30, 2012”.

12 (b) *CLARIFICATION OF SOURCE OF FUNDS FOR*
 13 *FUND.*—Subsection (a)(1)(A) of such section is amended by
 14 striking “for fiscal year 2009”.

15 **SEC. 1224. ONE-YEAR EXTENSION OF AUTHORITY TO USE**
 16 **FUNDS FOR REINTEGRATION ACTIVITIES IN**
 17 **AFGHANISTAN.**

18 Section 1216 of the Ike Skelton National Defense Au-
 19 thorization Act for Fiscal Year 2011 (Public Law 111–383;
 20 124 Stat. 4392) is amended—

21 (1) in subsection (a), by striking “fiscal year
 22 2011” and inserting “in each of fiscal years 2011 and
 23 2012”; and

24 (2) in subsection (e), by striking “December 31,
 25 2011” and inserting “December 31, 2012”.

1 **SEC. 1225. MODIFICATION OF AUTHORITY ON PROGRAM TO**
 2 **DEVELOP AND CARRY OUT INFRASTRUCTURE**
 3 **PROJECTS IN AFGHANISTAN.**

4 (a) *FUNDING.*—Subsection (f) of section 1217 of the Ike
 5 Skelton National Defense Authorization Act for Fiscal Year
 6 2011 (Public Law 111–383; 124 Stat. 4393; 22 U.S.C. 7513
 7 note) is amended—

8 (1) in paragraph (1), by inserting “or 2012”
 9 after “fiscal year 2011”; and

10 (2) in paragraph (2), by striking “until Sep-
 11 tember 30, 2012.” and inserting “as follows:

12 “(A) In the case of funds for fiscal year
 13 2011, until September 30, 2012.

14 “(B) In the case of funds for fiscal year
 15 2012, until September 30, 2013.”.

16 (b) *NOTICE TO CONGRESS.*—Subsection (g) of such sec-
 17 tion is amended by striking “30 days” and inserting “15
 18 days”.

19 **SEC. 1226. ONE-YEAR EXTENSION OF AUTHORITY FOR REIM-**
 20 **BURSEMENT OF CERTAIN COALITION NA-**
 21 **TIONS FOR SUPPORT PROVIDED TO UNITED**
 22 **STATES MILITARY OPERATIONS.**

23 (a) *EXTENSION.*—Subsection (a) of section 1233 of the
 24 National Defense Authorization Act for Fiscal Year 2008
 25 (Public Law 110–181; 122 Stat. 393), as amended by sec-
 26 tion 1223 of the National Defense Authorization Act for Fis-

1 cal Year 2010 (Public Law 111–84; 123 Stat. 2519) and
 2 section 1213 of the Ike Skelton National Defense Authoriza-
 3 tion Act for Fiscal Year 2011 (Public Law 111–383; 12
 4 Stat. 4391), is further amended by striking “by section
 5 1510 of the Ike Skelton National Defense Authorization Act
 6 for Fiscal Year 2011” and inserting “for fiscal year 2012
 7 for overseas contingency operations”.

8 (b) *LIMITATION ON AMOUNT AVAILABLE.*—Subsection
 9 (d)(1) of such section, as so amended, is further amended—

10 (1) by striking “fiscal year 2010 or 2011” and
 11 inserting “fiscal year 2012”; and

12 (2) by striking “\$1,600,000,000” and inserting
 13 “\$1,750,000,000”.

14 (c) *TECHNICAL AMENDMENT.*—Subsection (c)(2) of
 15 such section, as so amended, is further amended by insert-
 16 ing a comma after “Budget”.

17 (d) *EXTENSION OF NOTICE REQUIREMENT RELATING*
 18 *TO REIMBURSEMENT OF PAKISTAN FOR SUPPORT PRO-*
 19 *VIDED BY PAKISTAN.*—Section 1232(b)(6) of the National
 20 Defense Authorization Act for Fiscal Year 2008 (122 Stat.
 21 393), as most recently amended by section 1213(d) of the
 22 Ike Skelton National Defense Authorization Act for Fiscal
 23 Year 2011, is further amended by striking “September 30,
 24 2012” and inserting “September 30, 2013”.

1 **SEC. 1227. TWO-YEAR EXTENSION OF CERTAIN REPORTS ON**
2 **AFGHANISTAN.**

3 (a) *REPORT ON PROGRESS TOWARD SECURITY AND*
4 *STABILITY IN AFGHANISTAN.*—*Section 1230(a) of the Na-*
5 *tional Defense Authorization Act for Fiscal Year 2008 (Pub-*
6 *lic Law 110–181; 122 Stat. 385), as most recently amended*
7 *by section 1231 of the Ike Skelton National Defense Author-*
8 *ization Act for Fiscal Year 2011 (Public Law 111–383; 124*
9 *Stat. 4395), is further amended by striking “2012” and in-*
10 *serting “2014”.*

11 (b) *REPORT ON UNITED STATES PLAN FOR SUS-*
12 *TAINING AFGHANISTAN NATIONAL SECURITY FORCES.*—
13 *Section 1231(a) of the National Defense Authorization Act*
14 *for Fiscal Year 2008 (122 Stat. 390), as amended by section*
15 *1232 of the Ike Skelton National Defense Authorization Act*
16 *for Fiscal Year 2011 (124 Stat. 4395), is further amended*
17 *by striking “2012” and inserting “2014”.*

18 **SEC. 1228. AUTHORITY TO SUPPORT OPERATIONS AND AC-**
19 **TIVITIES OF THE OFFICE OF SECURITY CO-**
20 **OPERATION IN IRAQ.**

21 (a) *AUTHORITY.*—*The Secretary of Defense may sup-*
22 *port United States Government transition activities in Iraq*
23 *by providing funds for the following:*

24 (1) *Operations and activities of the Office of Se-*
25 *curity Cooperation in Iraq.*

1 (2) *Operations and activities of security assist-*
2 *ance teams in Iraq.*

3 (b) *TYPES OF SUPPORT.*—*The operations and activi-*
4 *ties for which the Secretary may provide funds under the*
5 *authority in subsection (a) may include life support, trans-*
6 *portation and personal security, and minor construction*
7 *and renovation of facilities.*

8 (c) *LIMITATION ON AMOUNT.*—*The total amount of*
9 *funds provided under the authority in subsection (a) in fis-*
10 *cal year 2012 may not exceed \$524,000,000.*

11 (d) *SOURCE OF FUNDS.*—*Funds for purposes of sub-*
12 *section (a) for fiscal year 2012 shall be derived from*
13 *amounts available for that fiscal year for operation and*
14 *maintenance for the Air Force.*

15 (e) *COVERAGE OF COSTS OF OSCI IN CONNECTION*
16 *WITH SALES OF DEFENSE ARTICLES OR DEFENSE SERV-*
17 *ICES TO IRAQ.*—*The President shall ensure that any letter*
18 *of offer for the sale to Iraq of any defense articles or defense*
19 *services issued after the date of the enactment of this Act*
20 *includes, consistent with the provisions of the Arms Export*
21 *Control Act (22 U.S.C. 2751 et seq.), charges for adminis-*
22 *trative services sufficient to recover the pro rata costs of*
23 *operations and activities of the Office of Security Coopera-*
24 *tion in Iraq and associated security assistance teams in*
25 *Iraq in connection with such sale.*

1 **SEC. 1229. BENCHMARKS TO EVALUATE THE PROGRESS**
2 **BEING MADE TOWARD THE TRANSITION OF**
3 **SECURITY RESPONSIBILITIES FOR AFGHANI-**
4 **STAN TO THE GOVERNMENT OF AFGHANI-**
5 **STAN.**

6 (a) *FINDINGS.*—Congress makes the following findings:

7 (1) *October 7, 2011, will mark the 10-year anni-*
8 *versary of the start of Operation Enduring Freedom*
9 *in Afghanistan.*

10 (2) *Military operations in Afghanistan have cost*
11 *United States taxpayers more than \$300,000,000,000*
12 *to date.*

13 (3) *As of June 6, 2011, 1,599 members of the*
14 *United States Armed Forces have lost their lives in*
15 *support of Operation Enduring Freedom in Afghani-*
16 *stan and more than 11,000 have been wounded.*

17 (4) *On December 1, 2009, at a speech at the*
18 *United States Military Academy at West Point, New*
19 *York, President Barack Obama stated that the United*
20 *States would begin the transfer of United States*
21 *Armed Forces out of Afghanistan in July 2011 with*
22 *the pace of reductions to be based upon conditions on*
23 *the ground.*

24 (5) *In the December 2010 Afghanistan-Pakistan*
25 *Annual Review, President Obama reaffirmed that the*

1 *core goal of the United States strategy in Afghanistan*
2 *is to disrupt, dismantle, and defeat al Qaeda.*

3 *(6) In January 2010, participants at the Lon-*
4 *don Conference pledged to develop a plan for phased*
5 *transition to Afghan security lead. The North Atlantic*
6 *Treaty Organization (NATO) and foreign ministers*
7 *of the constituent elements of the International Secu-*
8 *rity Assistance Force (ISAF) endorsed the Joint*
9 *Framework for Transition in April 2010, and Presi-*
10 *dent Obama and President Karzai of Afghanistan*
11 *committed to the process in a May 2010 joint state-*
12 *ment.*

13 *(7) At the Kabul Conference in July 2010, the*
14 *international community expressed its support for the*
15 *objective of President Karzai that the Afghanistan*
16 *National Security Forces (ANSF) should lead and*
17 *conduct all military operations in all provinces in*
18 *Afghanistan by the end of 2014, support that was*
19 *later re-affirmed by North Atlantic Treaty Organiza-*
20 *tion and International Security Assistance Force*
21 *member nations at the Lisbon Summit in November*
22 *2010.*

23 *(8) On May 1, 2011, in support of the goal to*
24 *disrupt, dismantle, and defeat al Qaeda, President*
25 *Obama authorized a United States operation that*

1 *killed Osama bin Laden, leader of al Qaeda. While*
2 *the impact of his death on al Qaeda remains to be*
3 *seen, Secretary of Defense Robert Gates called the*
4 *death of bin Laden a “game changer” in a speech on*
5 *May 6, 2011.*

6 *(b) BENCHMARKS REQUIRED.—The President shall es-*
7 *tablish, and may update from time to time, a comprehen-*
8 *sive set of benchmarks to evaluate progress being made to-*
9 *ward the objective of transitioning and transferring lead*
10 *security responsibilities in Afghanistan to the Government*
11 *of Afghanistan by December 31, 2014.*

12 *(c) TRANSITION PLAN.—The President shall devise a*
13 *plan based on inputs from military commanders, NATO*
14 *and Coalition allies, the diplomatic missions in the region,*
15 *and appropriate members of the Cabinet, along with the*
16 *consultation of Congress, for expediting the drawdown of*
17 *United States combat troops in Afghanistan and accel-*
18 *erating the transfer of security authority to Afghan authori-*
19 *ties.*

20 *(d) SUBMITTAL TO CONGRESS.—The President shall*
21 *include the most current set of benchmarks established pur-*
22 *suant to subsection (b) and the plan pursuant to subsection*
23 *(c) with each report on progress toward security and sta-*
24 *bility in Afghanistan that is submitted to Congress under*
25 *sections 1230 and 1231 of the National Defense Authoriza-*

tion Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 385, 390).

SEC. 1230. CERTIFICATION REQUIREMENT REGARDING EFFORTS BY GOVERNMENT OF PAKISTAN TO IMPLEMENT A STRATEGY TO COUNTER IMPROVISED EXPLOSIVE DEVICES.

(a) *CERTIFICATION REQUIREMENT.*—

(1) *IN GENERAL.*—None of the amounts authorized to be appropriated under this Act for the Pakistan Counterinsurgency Fund or transferred to the Pakistan Counterinsurgency Fund from the Pakistan Counterinsurgency Capability Fund should be made available for the Government of Pakistan until the Secretary of Defense, in consultation with the Secretary of State, certifies to the congressional defense committees and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that the Government of Pakistan is demonstrating a continuing commitment to and is making significant efforts towards the implementation of a strategy to counter improvised explosive devices (IEDs).

(2) *SIGNIFICANT IMPLEMENTATION EFFORTS.*—For purposes of this subsection, significant implementation efforts include attacking IED networks, moni-

1 *toring of known precursors used in IEDs, and the de-*
 2 *velopment of a strict protocol for the manufacture of*
 3 *explosive materials, including calcium ammonium ni-*
 4 *trate, and accessories and their supply to legitimate*
 5 *end users.*

6 (b) *WAIVER.*—*The Secretary of Defense, in consulta-*
 7 *tion with the Secretary of State, may waive the require-*
 8 *ments of subsection (a) if the Secretary determines it is in*
 9 *the national security interest of the United States to do so.*

10 **SEC. 1231. REPORT ON COALITION SUPPORT FUND REIM-**
 11 **BURSEMENTS TO THE GOVERNMENT OF PAKI-**
 12 **STAN FOR OPERATIONS CONDUCTED IN SUP-**
 13 **PORT OF OPERATION ENDURING FREEDOM.**

14 (a) *IN GENERAL.*—*Not later than 120 days after the*
 15 *date of the enactment of this Act, the Secretary of Defense*
 16 *shall submit a report to the congressional defense commit-*
 17 *tees and the Committee on Foreign Relations of the Senate*
 18 *and the Committee on Foreign Affairs of the House of Rep-*
 19 *resentatives assessing the effectiveness of the Coalition Sup-*
 20 *port Fund reimbursements to the Government of Pakistan*
 21 *for operations conducted in support of Operation Enduring*
 22 *Freedom.*

23 (b) *ELEMENTS.*—*The report required under subsection*
 24 (a) *shall include the following elements:*

1 (1) *A description of the types of reimbursements*
2 *requested by the Government of Pakistan.*

3 (2) *The total amount reimbursed to the Govern-*
4 *ment of Pakistan since the beginning of Operation*
5 *Enduring Freedom, in the aggregate and by fiscal*
6 *year.*

7 (3) *The percentage and types of reimbursement*
8 *requests made by the Government of Pakistan for*
9 *which the United States Government has deferred or*
10 *not provided payment.*

11 (4) *An assessment of the effectiveness of Coalition*
12 *Support Fund reimbursements in supporting oper-*
13 *ations conducted by the Government of Pakistan in*
14 *support of Operation Enduring Freedom and of the*
15 *impact of those operations in containing the ability*
16 *of terrorist organizations to threaten the stability of*
17 *Afghanistan and Pakistan and to impede the oper-*
18 *ations of the United States in Afghanistan.*

19 (5) *Recommendations, if any, relative to poten-*
20 *tial alternatives to or termination of reimbursements*
21 *from the Coalition Support Fund to the Government*
22 *of Pakistan taking into account the transition plan*
23 *for Afghanistan.*

1 (c) *FORM.*—*The report required under subsection (a)*
 2 *shall be submitted in unclassified form, but may contain*
 3 *a classified annex.*

4 ***Subtitle C—Reports and Other***
 5 ***Matters***

6 ***SEC. 1241. REPORT ON PROGRESS OF THE AFRICAN UNION***
 7 ***IN OPERATIONALIZING THE AFRICAN STAND-***
 8 ***BY FORCE.***

9 (a) *REPORT REQUIRED.*—*Not later than 180 days*
 10 *after the date of the enactment of this Act, the Under Sec-*
 11 *retary of Defense for Policy shall submit to the Committees*
 12 *on Armed Services of the Senate and the House of Rep-*
 13 *resentatives a report on the progress of the African Union*
 14 *in operationalizing the African Standby Force.*

15 (b) *ELEMENTS.*—*The report required by subsection (a)*
 16 *shall include the following:*

17 (1) *An assessment of the existing personnel*
 18 *strengths and capabilities of each of the five regional*
 19 *brigades of the African Standby Force and their bri-*
 20 *gade-level headquarters.*

21 (2) *An assessment of the specific capacity-build-*
 22 *ing needs of the African Standby Force, including*
 23 *with respect to supply management, information*
 24 *management, strategic planning, and other critical*
 25 *components.*

1 (3) *A description of the functionality of the sup-*
 2 *ply depots of each brigade referred to in paragraph*
 3 *(1), and current information on existing stocks of*
 4 *each such brigade.*

5 (4) *An assessment of the capacity of the African*
 6 *Union to manage the African Standby Force.*

7 (5) *An assessment of inter-organizational coordi-*
 8 *nation on assistance to the African Union and the Af-*
 9 *rican Standby Force between multilateral donors, in-*
 10 *cluding the United Nations, the European Union, and*
 11 *the North Atlantic Treaty Organization.*

12 (6) *An assessment of the capacity of the African*
 13 *Union to absorb additional international assistance*
 14 *toward the development of a fully functional African*
 15 *Standby Force.*

16 **SEC. 1242. COMPTROLLER GENERAL OF THE UNITED**
 17 **STATES REPORT ON THE NATIONAL GUARD**
 18 **STATE PARTNERSHIP PROGRAM.**

19 (a) *REPORT REQUIRED.*—Not later than March 31,
 20 2012, the Comptroller General of the United States shall
 21 submit to the Committee on Armed Services of the Senate
 22 and the Committee on Armed Services of the House of Rep-
 23 resentatives a report on the National Guard State Partner-
 24 ship Program.

1 (b) *ELEMENTS.*—*The report required by subsection (a)*
2 *shall include the following:*

3 (1) *A summary of the sources of funds for the*
4 *State Partnership Program over the last five years.*

5 (2) *An analysis of the types and frequency of ac-*
6 *tivities performed by participants in the State Part-*
7 *nership Program.*

8 (3) *A description of the objectives of the State*
9 *Partnership Program and the manner in which objec-*
10 *tives under the program are established and coordi-*
11 *nated with the Office of the Secretary of Defense, the*
12 *geographic combatant commands, United States*
13 *Country Teams, and other departments and agencies*
14 *of the United States Government.*

15 (4) *A description of the manner in which the De-*
16 *partment of Defense selects and designates particular*
17 *State and foreign country partnerships under the*
18 *State Partnership Program.*

19 (5) *A description of the manner in which the De-*
20 *partment measures the effectiveness of the activities*
21 *under the State Partnership Program in meeting the*
22 *objectives of the program.*

23 (6) *An assessment by the Comptroller General of*
24 *the United States of the effectiveness of the activities*

1 *under the State Partnership Program in meeting the*
2 *objectives of the program.*

3 **SEC. 1243. MAN-PORTABLE AIR-DEFENSE SYSTEMS ORIGI-**
4 **NATING FROM LIBYA.**

5 *(a) STATEMENT OF POLICY.—Pursuant to section 11*
6 *of the Department of State Authorities Act of 2006 (22*
7 *U.S.C. 2349bb–6), the following is the policy of the United*
8 *States:*

9 *(1) To reduce and mitigate, to the greatest extent*
10 *feasible, the threat posed to United States citizens and*
11 *citizens of allies of the United States by man-portable*
12 *air-defense systems (MANPADS) that were in Libya*
13 *as of March 19, 2011.*

14 *(2) To seek the cooperation of, and to assist, the*
15 *Government of Libya and governments of neighboring*
16 *countries and other countries (as determined by the*
17 *President) to secure, remove, or eliminate stocks of*
18 *man-portable air-defense systems described in para-*
19 *graph (1) that pose a threat to United States citizens*
20 *and citizens of allies of the United States.*

21 *(3) To pursue, as a matter of priority, an agree-*
22 *ment with the Government of Libya and governments*
23 *of neighboring countries and other countries (as deter-*
24 *mined by the Secretary of State) to formalize coopera-*
25 *tion with the United States to limit the availability,*

1 *transfer, and proliferation of man-portable air-defense*
2 *systems described in paragraph (1).*

3 **(b) INTELLIGENCE COMMUNITY ASSESSMENT ON**
4 **MANPADS IN LIBYA.—**

5 **(1) IN GENERAL.**—*The Director of National In-*
6 *telligence shall submit to the appropriate committees*
7 *of Congress an assessment by the intelligence commu-*
8 *nity that accounts for the disposition of, and the*
9 *threat to United States citizens and citizens of allies*
10 *of the United States posed by man-portable air-de-*
11 *fense systems that were in Libya as of March 19,*
12 *2011. The assessment shall be submitted as soon as*
13 *practicable, but not later than the end of the 45-day*
14 *period beginning on the date of the enactment of this*
15 *Act.*

16 **(2) ELEMENTS.**—*The assessment submitted*
17 *under this subsection shall include the following:*

18 **(A)** *An estimate of the number of man-port-*
19 *able air-defense systems that were in Libya as of*
20 *March 19, 2011.*

21 **(B)** *An estimate of the number of man-port-*
22 *able air-defense systems in Libya as of March*
23 *19, 2011, that are currently in the secure custody*
24 *of the Government of Libya, the United States,*
25 *an ally of the United States, a member of the*

1 *North Atlantic Treaty Organization (NATO), or*
2 *the United Nations.*

3 *(C) An estimate of the number of man-port-*
4 *able air-defense systems in Libya as of March*
5 *19, 2011, that were destroyed, disabled, or other-*
6 *wise rendered unusable during Operation Uni-*
7 *fied Protector and since the end of Operation*
8 *Unified Protector.*

9 *(D) An assessment of the number of man-*
10 *portable air-defense systems that is the difference*
11 *between the number of man-portable air-defense*
12 *systems in Libya as of March 19, 2011, and the*
13 *cumulative number of man-portable air-defense*
14 *systems accounted for under subparagraphs (B)*
15 *and (C), and the current disposition and loca-*
16 *tions of such man-portable air-defense systems.*

17 *(E) An assessment of the number of man-*
18 *portable air-defense systems that are currently in*
19 *the custody of militias in Libya.*

20 *(F) A list of any organizations designated*
21 *as terrorist organizations by the Department of*
22 *State, or affiliate organizations or members of*
23 *such organizations, that are known or believed to*
24 *have custody of any man-portable air-defense*

1 *systems that were in the custody of the Govern-*
2 *ment of Libya as of March 19, 2011.*

3 *(G) An assessment of the threat posed to*
4 *United States citizens and citizens of allies of the*
5 *United States from unsecured man-portable air-*
6 *defense systems (as defined in section 11 of the*
7 *Department of State Authorities Act of 2006)*
8 *originating from Libya.*

9 *(H) An assessment of the effect of the pro-*
10 *liferation of man-portable air-defense systems*
11 *that were in Libya as of March 19, 2011, on the*
12 *price and availability of man-portable air-de-*
13 *fense systems that are on the global arms market.*

14 *(3) NOTICE REGARDING DELAY IN SUBMITTAL.—*
15 *If, before the end of the 45-day period specified in*
16 *paragraph (1), the Director determines that the as-*
17 *essment required by that paragraph cannot be sub-*
18 *mitted by the end of that period as required by that*
19 *paragraph, the Director shall (before the end of that*
20 *period) submit to the appropriate committees of Con-*
21 *gress a report setting forth—*

22 *(A) the reasons why the assessment cannot*
23 *be submitted by the end of that period; and*

24 *(B) an estimated date for the submittal of*
25 *the assessment.*

1 (c) *COMPREHENSIVE STRATEGY ON THREAT OF*
2 *MANPADS ORIGINATING FROM LIBYA.*—

3 (1) *STRATEGY REQUIRED.*—*The President shall*
4 *develop and implement, and from time to time up-*
5 *date, a comprehensive strategy, pursuant to section 11*
6 *of the Department of State Authorities Act of 2006,*
7 *to reduce and mitigate the threat posed to United*
8 *States citizens and citizens of allies of the United*
9 *States from man-portable air-defense systems that*
10 *were in Libya as of March 19, 2011.*

11 (2) *REPORT REQUIRED.*—

12 (A) *IN GENERAL.*—*Not later than 45 days*
13 *after the assessment required by subsection (b) is*
14 *submitted to the appropriate committees of Con-*
15 *gress, the President shall submit to the appro-*
16 *priate committees of Congress a report setting*
17 *forth the strategy required by paragraph (1).*

18 (B) *ELEMENTS.*—*The report required by*
19 *this paragraph shall include the following:*

20 (i) *An assessment of the effectiveness of*
21 *efforts undertaken to date by the United*
22 *States, Libya, Mauritania, Egypt, Algeria,*
23 *Tunisia, Mali, Morocco, Niger, Chad, the*
24 *United Nations, the North Atlantic Treaty*
25 *Organization, and any other country or en-*

1 *tity (as determined by the President) to re-*
2 *duce the threat posed to United States citi-*
3 *zens and citizens of allies of the United*
4 *States from man-portable air-defense sys-*
5 *tems that were in Libya as of March 19,*
6 *2011.*

7 *(ii) A timeline for future efforts by the*
8 *United States, Libya, and neighboring*
9 *countries to—*

10 *(I) secure, remove, or disable any*
11 *man-portable air-defense systems that*
12 *remain in Libya;*

13 *(II) counter proliferation of man-*
14 *portable air-defense systems origi-*
15 *nating from Libya that are in the re-*
16 *gion; and*

17 *(III) disrupt the ability of terror-*
18 *ists, non-state actors, and state spon-*
19 *sors of terrorism to acquire such man-*
20 *portable air-defense systems.*

21 *(iii) A description of any additional*
22 *funding required to address the threat of*
23 *man-portable air-defense systems origi-*
24 *nating from Libya.*

1 (iv) *A description of technologies cur-*
2 *rently available to reduce the susceptibility*
3 *and vulnerability of civilian aircraft to*
4 *man-portable air-defense systems, including*
5 *an assessment of the feasibility of using air-*
6 *craft-based anti-missile systems to protect*
7 *United States passenger jets.*

8 (v) *Recommendations for the most ef-*
9 *fective policy measures that can be taken to*
10 *reduce and mitigate the threat posed to*
11 *United States citizens and citizens of allies*
12 *of the United States from man-portable air-*
13 *defense systems that were in Libya as of*
14 *March 19, 2011.*

15 (vi) *Such recommendations for legisla-*
16 *tive or administrative action as the Presi-*
17 *dent considers appropriate to implement the*
18 *strategy required by paragraph (1).*

19 (C) *FORM.*—*The report required by this*
20 *paragraph shall be submitted in unclassified*
21 *form, but may include a classified annex.*

22 (d) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
23 *FINED.*—*In this section, the term “appropriate committees*
24 *of Congress” means—*

1 (1) *the Committee on Armed Services, the Com-*
2 *mittee on Foreign Relations, and the Select Com-*
3 *mittee on Intelligence of the Senate; and*

4 (2) *the Committee on Armed Services, the Com-*
5 *mittee on Foreign Affairs, and the Permanent Select*
6 *Committee on Intelligence of the House of Representa-*
7 *tives.*

8 **SEC. 1244. DEFENSE COOPERATION WITH REPUBLIC OF**
9 **GEORGIA.**

10 (a) *PLAN FOR NORMALIZATION.*—*Not later than 90*
11 *days after the date of the enactment of this Act, the Presi-*
12 *dent shall develop and submit to the congressional defense*
13 *committees and the Committee on Foreign Relations of the*
14 *Senate and the Committee on Foreign Affairs of the House*
15 *of Representatives a plan for the normalization of United*
16 *States defense cooperation with the Republic of Georgia, in-*
17 *cluding the sale of defensive arms.*

18 (b) *OBJECTIVES.*—*The plan required under subsection*
19 (a) *shall address the following objectives:*

20 (1) *To establish a normalized defense cooperation*
21 *relationship between the United States and the Re-*
22 *public of Georgia, taking into consideration the*
23 *progress of the Government of the Republic of Georgia*
24 *on democratic and economic reforms and the capacity*
25 *of the Georgian armed forces.*

1 (2) *To support the Government of the Republic*
2 *of Georgia in providing for the defense of its govern-*
3 *ment, people, and sovereign territory, consistent with*
4 *the continuing commitment of the Government of the*
5 *Republic of Georgia to its nonuse-of-force pledge and*
6 *consistent with Article 51 of the Charter of the United*
7 *Nations.*

8 (3) *To provide for the sale by the United States*
9 *of defense articles and services in support of the ef-*
10 *forts of the Government of the Republic of Georgia to*
11 *provide for its own self-defense consistent with para-*
12 *graphs (1) and (2).*

13 (4) *To continue to enhance the ability of the*
14 *Government of the Republic of Georgia to participate*
15 *in coalition operations and meet NATO partnership*
16 *goals.*

17 (5) *To encourage NATO member and candidate*
18 *countries to restore and enhance their sales of defen-*
19 *sive articles and services to the Republic of Georgia*
20 *as part of a broader NATO effort to deepen its defense*
21 *relationship and cooperation with the Republic of*
22 *Georgia.*

23 (6) *To ensure maximum transparency in the*
24 *United States-Georgia defense relationship.*

1 (c) *INCLUDED INFORMATION.*—*The plan required*
 2 *under subsection (a) shall include the following informa-*
 3 *tion:*

4 (1) *A needs-based assessment, or an update to an*
 5 *existing needs-based assessment, of the defense require-*
 6 *ments of the Republic of Georgia, which shall be pre-*
 7 *pared by the Department of Defense.*

8 (2) *A description of each of the requests by the*
 9 *Government of the Republic of Georgia for purchase*
 10 *of defense articles and services during the two-year*
 11 *period ending on the date of the report.*

12 (3) *A summary of the defense needs asserted by*
 13 *the Government of the Republic of Georgia as jus-*
 14 *tification for its requests for defensive arms purchases.*

15 (4) *A description of the action taken on any de-*
 16 *fensive arms sale request by the Government of the*
 17 *Republic of Georgia and an explanation for such ac-*
 18 *tion.*

19 (d) *FORM.*—*The plan required under subsection (a)*
 20 *shall be submitted in unclassified form, but may contain*
 21 *a classified annex.*

22 **SEC. 1245. IMPOSITION OF SANCTIONS WITH RESPECT TO**
 23 **THE FINANCIAL SECTOR OF IRAN.**

24 (a) *FINDINGS.*—*Congress makes the following findings:*

1 (1) *On November 21, 2011, the Secretary of the*
 2 *Treasury issued a finding under section 5318A of*
 3 *title 31, United States Code, that identified Iran as*
 4 *a jurisdiction of primary money laundering concern.*

5 (2) *In that finding, the Financial Crimes En-*
 6 *forcement Network of the Department of the Treasury*
 7 *wrote, “The Central Bank of Iran, which regulates*
 8 *Iranian banks, has assisted designated Iranian banks*
 9 *by transferring billions of dollars to these banks in*
 10 *2011. In mid-2011, the CBI transferred several billion*
 11 *dollars to designated banks, including Saderat,*
 12 *Mellat, EDBI and Melli, through a variety of pay-*
 13 *ment schemes. In making these transfers, the CBI at-*
 14 *tempted to evade sanctions by minimizing the direct*
 15 *involvement of large international banks with both*
 16 *CBI and designated Iranian banks.”.*

17 (3) *On November 22, 2011, the Under Secretary*
 18 *of the Treasury for Terrorism and Financial Intel-*
 19 *ligence, David Cohen, wrote, “Treasury is calling out*
 20 *the entire Iranian banking sector, including the Cen-*
 21 *tral Bank of Iran, as posing terrorist financing, pro-*
 22 *liferation financing, and money laundering risks for*
 23 *the global financial system.”.*

24 (b) *DESIGNATION OF FINANCIAL SECTOR OF IRAN AS*
 25 *OF PRIMARY MONEY LAUNDERING CONCERN.—The finan-*

1 cial sector of Iran, including the Central Bank of Iran, is
 2 designated as of primary money laundering concern for
 3 purposes of section 5318A of title 31, United States Code,
 4 because of the threat to government and financial institu-
 5 tions resulting from the illicit activities of the Government
 6 of Iran, including its pursuit of nuclear weapons, support
 7 for international terrorism, and efforts to deceive respon-
 8 sible financial institutions and evade sanctions.

9 (c) *FREEZING OF ASSETS OF IRANIAN FINANCIAL IN-*
 10 *STITUTIONS.*—The President shall, pursuant to the Inter-
 11 national Emergency Economic Powers Act (50 U.S.C. 1701
 12 et seq.), block and prohibit all transactions in all property
 13 and interests in property of an Iranian financial institu-
 14 tion if such property and interests in property are in the
 15 United States, come within the United States, or are or
 16 come within the possession or control of a United States
 17 person.

18 (d) *IMPOSITION OF SANCTIONS WITH RESPECT TO*
 19 *THE CENTRAL BANK OF IRAN AND OTHER IRANIAN FINAN-*
 20 *CIAL INSTITUTIONS.*—

21 (1) *IN GENERAL.*—Except as specifically pro-
 22 vided in this subsection, beginning on the date that
 23 is 60 days after the date of the enactment of this Act,
 24 the President—

1 (A) shall prohibit the opening or maintain-
2 ing in the United States of a correspondent ac-
3 count or a payable-through account by a foreign
4 financial institution that the President deter-
5 mines has knowingly conducted or facilitated
6 any significant financial transaction with the
7 Central Bank of Iran or another Iranian finan-
8 cial institution designated by the Secretary of
9 the Treasury for the imposition of sanctions pur-
10 suant to the International Emergency Economic
11 Powers Act (50 U.S.C. 1701 et seq.); and

12 (B) may impose sanctions pursuant to the
13 International Emergency Economic Powers Act
14 (50 U.S.C. 1701 et seq.) with respect to the Cen-
15 tral Bank of Iran.

16 (2) *EXCEPTION FOR SALES OF FOOD, MEDICINE,*
17 *AND MEDICAL DEVICES.*—The President may not im-
18 pose sanctions under paragraph (1) with respect to
19 any person for conducting or facilitating a trans-
20 action for the sale of food, medicine, or medical de-
21 vices to Iran.

22 (3) *APPLICABILITY OF SANCTIONS WITH RESPECT*
23 *TO FOREIGN CENTRAL BANKS.*—Except as provided in
24 paragraph (4), sanctions imposed under paragraph
25 (1)(A) shall apply with respect to a foreign financial

1 *institution owned or controlled by the government of*
2 *a foreign country, including a central bank of a for-*
3 *ign country, only insofar as it engages in a financial*
4 *transaction for the sale or purchase of petroleum or*
5 *petroleum products to or from Iran conducted or fa-*
6 *cilitated on or after that date that is 180 days after*
7 *the date of the enactment of this Act.*

8 (4) *APPLICABILITY OF SANCTIONS WITH RESPECT*
9 *TO PETROLEUM TRANSACTIONS.—*

10 (A) *REPORT REQUIRED.—Not later than 60*
11 *days after the date of the enactment of this Act,*
12 *and every 60 days thereafter, the Administrator*
13 *of the Energy Information Administration, in*
14 *consultation with the Secretary of the Treasury,*
15 *shall submit to Congress a report on the avail-*
16 *ability and price of petroleum and petroleum*
17 *products produced in countries other than Iran*
18 *in the 60-day period preceding the submission of*
19 *the report.*

20 (B) *DETERMINATION REQUIRED.—Not later*
21 *than 90 days after the date of the enactment of*
22 *the Act, and every 180 days thereafter, the Presi-*
23 *dent shall make a determination, based on the*
24 *reports required by subparagraph (A), of whether*
25 *the price and supply of petroleum and petroleum*

1 *products produced in countries other than Iran*
2 *is sufficient to permit purchasers of petroleum*
3 *and petroleum products from Iran to reduce sig-*
4 *nificantly in volume their purchases from Iran.*

5 (C) *APPLICATION OF SANCTIONS.—Except*
6 *as provided in subparagraph (D), sanctions im-*
7 *posed under paragraph (1)(A) shall apply with*
8 *respect to a financial transaction conducted or*
9 *facilitated by a foreign financial institution on*
10 *or after the date that is 180 days after the date*
11 *of the enactment of this Act for the purchase of*
12 *petroleum or petroleum products from Iran if the*
13 *President determines pursuant to subparagraph*
14 *(B) that there is a sufficient supply of petroleum*
15 *and petroleum products from countries other*
16 *than Iran to permit a significant reduction in*
17 *the volume of petroleum and petroleum products*
18 *purchased from Iran by or through foreign fi-*
19 *nancial institutions.*

20 (D) *EXCEPTION.—Sanctions imposed pur-*
21 *suant to paragraph (1) shall not apply with re-*
22 *spect to a foreign financial institution if the*
23 *President determines and reports to Congress,*
24 *not later than 90 days after the date on which*
25 *the President makes the determination required*

by subparagraph (B), and every 180 days thereafter, that the country with primary jurisdiction over the foreign financial institution has significantly reduced its volume of crude oil purchases from Iran during the period beginning on the date on which the President submitted the last report with respect to the country under this subparagraph.

(5) *WAIVER.*—The President may waive the imposition of sanctions under paragraph (1) for a period of not more than 120 days, and may renew that waiver for additional periods of not more than 120 days, if the President—

(A) determines that such a waiver is vital to the national security of the United States; and

(B) submits to Congress a report—

(i) providing a justification for the waiver; and

(ii) that includes any concrete cooperation the President has received or expects to receive as a result of the waiver.

(e) *MULTILATERAL DIPLOMACY INITIATIVE.*—

(1) *IN GENERAL.*—The President shall—

1 (A) carry out an initiative of multilateral
2 diplomacy to persuade countries purchasing oil
3 from Iran—

4 (i) to limit the use by Iran of revenue
5 from purchases of oil to purchases of non-
6 luxury consumers goods from the country
7 purchasing the oil; and

8 (ii) to prohibit purchases by Iran of—

9 (I) military or dual-use tech-
10 nology, including items—

11 (aa) in the Annex to the to
12 the Missile Technology Control
13 Regime Guidelines;

14 (bb) in the Annex on Chemi-
15 cals to the Convention on the Pro-
16 hibition of the Development, Pro-
17 duction, Stockpiling and Use of
18 Chemical Weapons and on their
19 Destruction, done at Paris Janu-
20 ary 13, 1993, and entered into
21 force April 29, 1997 (commonly
22 known as the “Chemical Weapons
23 Convention”);

1 (cc) in Part 1 or 2 of the Nu-
 2 clear Suppliers Group Guidelines;
 3 or

4 (dd) on a control list of the
 5 Wassenaar Arrangement on Ex-
 6 port Controls for Conventional
 7 Arms and Dual-Use Goods and
 8 Technologies; or

9 (II) any other item that could
 10 contribute to Iran's conventional, nu-
 11 clear, chemical or biological weapons
 12 program; and

13 (B) conduct outreach to petroleum-pro-
 14 ducing countries to encourage those countries to
 15 increase their output of crude oil to ensure there
 16 is a sufficient supply of crude oil from countries
 17 other than Iran and to minimize any impact on
 18 the price of oil resulting from the imposition of
 19 sanctions under this section.

20 (2) *REPORT REQUIRED.*—Not later than 180
 21 days after the date of the enactment of this Act, and
 22 every 180 days thereafter, the President shall submit
 23 to Congress a report on the efforts of the President to
 24 carry out the initiative described in paragraph (1)(A)

1 and conduct the outreach described in paragraph
2 (1)(B) and the results of those efforts.

3 (f) *FORM OF REPORTS.*—Each report submitted under
4 this section shall be submitted in unclassified form, but may
5 contain a classified annex.

6 (g) *DEFINITIONS.*—In this section:

7 (1) *ACCOUNT; CORRESPONDENT ACCOUNT; PAY-*
8 *ABLE-THROUGH ACCOUNT.*—The terms “account”,
9 “correspondent account”, and “payable-through ac-
10 count” have the meanings given those terms in section
11 5318A of title 31, United States Code.

12 (2) *FOREIGN FINANCIAL INSTITUTION.*—The term
13 “foreign financial institution” has the meaning of
14 that term as determined by the Secretary of the
15 Treasury pursuant to section 104(i) of the Com-
16 prehensive Iran Sanctions, Accountability, and Di-
17 vestment Act of 2010 (22 U.S.C. 8513(i)).

18 (3) *UNITED STATES PERSON.*—The term “United
19 States person” means—

20 (A) a natural person who is a citizen or
21 resident of the United States or a national of the
22 United States (as defined in section 101(a) of the
23 Immigration and Nationality Act (8 U.S.C.
24 1101(a)); and

1 (B) an entity that is organized under the
 2 laws of the United States or jurisdiction within
 3 the United States.

4 **TITLE XIII—COOPERATIVE**
 5 **THREAT REDUCTION**

6 **SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT RE-**
 7 **DUCTION PROGRAMS AND FUNDS.**

8 (a) *SPECIFICATION OF COOPERATIVE THREAT REDUC-*
 9 *TION PROGRAMS.*—For purposes of section 301 and other
 10 provisions of this Act, Cooperative Threat Reduction pro-
 11 grams are the programs specified in section 1501 of the Na-
 12 tional Defense Authorization Act for Fiscal Year 1997 (50
 13 U.S.C. 2632 note).

14 (b) *FISCAL YEAR 2012 COOPERATIVE THREAT REDUC-*
 15 *TION FUNDS DEFINED.*—As used in this title, the term “fis-
 16 cal year 2012 Cooperative Threat Reduction funds” means
 17 the funds appropriated pursuant to the authorization of ap-
 18 propriations in section 301 and made available by the
 19 funding table in section 4301 for Cooperative Threat Reduc-
 20 tion programs.

21 (c) *AVAILABILITY OF FUNDS.*—Funds appropriated
 22 pursuant to the authorization of appropriations in section
 23 301 and made available by the funding table in section
 24 4301 for Cooperative Threat Reduction programs shall be

1 *available for obligation for fiscal years 2012, 2013, and*
2 *2014.*

3 **SEC. 1302. FUNDING ALLOCATIONS.**

4 *(a) FUNDING FOR SPECIFIC PURPOSES.—Of the*
5 *\$508,219,000 authorized to be appropriated to the Depart-*
6 *ment of Defense for fiscal year 2012 in section 301 and*
7 *made available by the funding table in section 4301 for Co-*
8 *operative Threat Reduction programs, the following*
9 *amounts may be obligated for the purposes specified:*

10 *(1) For strategic offensive arms elimination,*
11 *\$63,221,000.*

12 *(2) For chemical weapons destruction,*
13 *\$9,804,000.*

14 *(3) For global nuclear security, \$121,143,000.*

15 *(4) For cooperative biological engagement,*
16 *\$259,470,000.*

17 *(5) For proliferation prevention, \$28,080,000.*

18 *(6) For threat reduction engagement, \$2,500,000.*

19 *(7) For other assessments/administrative sup-*
20 *port, \$24,001,000.*

21 *(b) REPORT ON OBLIGATION OR EXPENDITURE OF*
22 *FUNDS FOR OTHER PURPOSES.—No fiscal year 2012 Coop-*
23 *erative Threat Reduction funds may be obligated or ex-*
24 *pended for a purpose other than a purpose listed in para-*
25 *graphs (1) through (7) of subsection (a) until 15 days after*

1 *the date that the Secretary of Defense submits to Congress*
 2 *a report on the purpose for which the funds will be obligated*
 3 *or expended and the amount of funds to be obligated or ex-*
 4 *pended. Nothing in the preceding sentence shall be construed*
 5 *as authorizing the obligation or expenditure of fiscal year*
 6 *2012 Cooperative Threat Reduction funds for a purpose for*
 7 *which the obligation or expenditure of such funds is specifi-*
 8 *cally prohibited under this title or any other provision of*
 9 *law.*

10 (c) *LIMITED AUTHORITY TO VARY INDIVIDUAL*
 11 *AMOUNTS.—*

12 (1) *IN GENERAL.—Subject to paragraph (2), in*
 13 *any case in which the Secretary of Defense determines*
 14 *that it is necessary to do so in the national interest,*
 15 *the Secretary may obligate amounts appropriated for*
 16 *fiscal year 2012 for a purpose listed in paragraphs*
 17 *(1) through (7) of subsection (a) in excess of the spe-*
 18 *cific amount authorized for that purpose.*

19 (2) *NOTICE-AND-WAIT REQUIRED.—An obligation*
 20 *of funds for a purpose stated in paragraphs (1)*
 21 *through (7) of subsection (a) in excess of the specific*
 22 *amount authorized for such purpose may be made*
 23 *using the authority provided in paragraph (1) only*
 24 *after—*

1 (A) the Secretary submits to Congress noti-
 2 fication of the intent to do so together with a
 3 complete discussion of the justification for doing
 4 so; and

5 (B) 15 days have elapsed following the date
 6 of the notification.

7 **SEC. 1303. LIMITATION ON USE OF FUNDS FOR ESTABLISH-**
 8 **MENT OF CENTERS OF EXCELLENCE IN COUN-**
 9 **TRIES OUTSIDE OF THE FORMER SOVIET**
 10 **UNION.**

11 Not more than \$500,000 of the fiscal year 2012 Cooper-
 12 ative Threat Reduction funds may be obligated or expended
 13 to establish a center of excellence in a country that is not
 14 a state of the former Soviet Union until the date that is
 15 15 days after the date on which the Secretary of Defense
 16 submits to the congressional defense committees a report
 17 that includes the following:

18 (1) An identification of the country in which the
 19 center will be located.

20 (2) A description of the purpose for which the
 21 center will be established.

22 (3) The agreement under which the center will
 23 operate.

24 (4) A funding plan for the center, including—

(A) the amount of funds to be provided by the government of the country in which the center will be located; and

(B) the percentage of the total cost of establishing and operating the center the funds described in subparagraph (A) will cover.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2012 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4401.

SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.

Funds are hereby authorized to be appropriated for fiscal year 2012 for the National Defense Sealift Fund, as specified in the funding table in section 4401.

SEC. 1403. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2012 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4401.

1 **SEC. 1404. CHEMICAL AGENTS AND MUNITIONS DESTRUC-**
2 **TION, DEFENSE.**

3 (a) *AUTHORIZATION OF APPROPRIATIONS.—Funds are*
4 *hereby authorized to be appropriated for the Department*
5 *of Defense for fiscal year 2012 for expenses, not otherwise*
6 *provided for, for Chemical Agents and Munitions Destruc-*
7 *tion, Defense, as specified in the funding table in section*
8 *4401.*

9 (b) *USE.—Amounts authorized to be appropriated*
10 *under subsection (a) are authorized for—*

11 (1) *the destruction of lethal chemical agents and*
12 *munitions in accordance with section 1412 of the De-*
13 *partment of Defense Authorization Act, 1986 (50*
14 *U.S.C. 1521); and*

15 (2) *the destruction of chemical warfare materiel*
16 *of the United States that is not covered by section*
17 *1412 of such Act.*

18 **SEC. 1405. DRUG INTERDICTION AND COUNTER-DRUG AC-**
19 **TIVITIES, DEFENSE-WIDE.**

20 *Funds are hereby authorized to be appropriated for the*
21 *Department of Defense for fiscal year 2012 for expenses, not*
22 *otherwise provided for, for Drug Interdiction and Counter-*
23 *Drug Activities, Defense-wide, as specified in the funding*
24 *table in section 4401.*

1 **SEC. 1406. DEFENSE INSPECTOR GENERAL.**

2 *Funds are hereby authorized to be appropriated for the*
 3 *Department of Defense for fiscal year 2012 for expenses, not*
 4 *otherwise provided for, for the Office of the Inspector Gen-*
 5 *eral of the Department of Defense, as specified in the fund-*
 6 *ing table in section 4401.*

7 ***Subtitle B—National Defense***
 8 ***Stockpile***

9 **SEC. 1411. AUTHORIZED USES OF NATIONAL DEFENSE**
 10 **STOCKPILE FUNDS.**

11 *(a) OBLIGATION OF STOCKPILE FUNDS.—During fis-*
 12 *cal year 2012, the National Defense Stockpile Manager may*
 13 *obligate up to \$50,107,320 of the funds in the National De-*
 14 *fense Stockpile Transaction Fund established under sub-*
 15 *section (a) of section 9 of the Strategic and Critical Mate-*
 16 *rials Stock Piling Act (50 U.S.C. 98h) for the authorized*
 17 *uses of such funds under subsection (b)(2) of such section,*
 18 *including the disposal of hazardous materials that are envi-*
 19 *ronmentally sensitive.*

20 *(b) ADDITIONAL OBLIGATIONS.—The National Defense*
 21 *Stockpile Manager may obligate amounts in excess of the*
 22 *amount specified in subsection (a) if the National Defense*
 23 *Stockpile Manager notifies Congress that extraordinary or*
 24 *emergency conditions necessitate the additional obligations.*
 25 *The National Defense Stockpile Manager may make the ad-*
 26 *ditional obligations described in the notification after the*

1 *end of the 45-day period beginning on the date on which*
 2 *Congress receives the notification.*

3 (c) *LIMITATIONS.—The authorities provided by this*
 4 *section shall be subject to such limitations as may be pro-*
 5 *vided in appropriations Acts.*

6 **SEC. 1412. REVISION TO REQUIRED RECEIPT OBJECTIVES**
 7 **FOR PREVIOUSLY AUTHORIZED DISPOSALS**
 8 **FROM THE NATIONAL DEFENSE STOCKPILE.**

9 *Section 3402(b) of the National Defense Authorization*
 10 *Act for Fiscal Year 2000 (Public Law 106–65; 50 U.S.C.*
 11 *98d note), as most recently amended by section 1412 of the*
 12 *Ike Skelton National Defense Authorization Act for Fiscal*
 13 *Year 2011 (Public Law 111–383; 124 Stat. 4412), is further*
 14 *amended by striking “\$730,000,000 by the end of fiscal year*
 15 *2013” in paragraph (5) and inserting “\$830,000,000 by the*
 16 *end of fiscal year 2016”.*

17 ***Subtitle C—Armed Forces***
 18 ***Retirement Home***

19 **PART I—AUTHORIZATION OF APPROPRIATIONS**

20 **SEC. 1421. AUTHORIZATION OF APPROPRIATIONS.**

21 *There is hereby authorized to be appropriated for fiscal*
 22 *year 2012 from the Armed Forces Retirement Home Trust*
 23 *Fund the sum of \$67,700,000 for the operation of the Armed*
 24 *Forces Retirement Home.*

1 **PART II—ARMED FORCES RETIREMENT HOME**

2 **AUTHORITIES**

3 **SEC. 1422. AMENDMENT OF ARMED FORCES RETIREMENT**

4 **HOME ACT OF 1991.**

5 *Except as otherwise expressly provided, whenever in*
6 *this part an amendment or repeal is expressed in terms of*
7 *an amendment to, or a repeal of, a section or other provi-*
8 *sion, the reference shall be considered to be made to a section*
9 *or other provision of the Armed Forces Retirement Home*
10 *Act of 1991 (title XV of Public Law 101–510; 24 U.S.C.*
11 *401 et seq.).*

12 **SEC. 1423. ANNUAL VALIDATION OF MULTIYEAR ACCREDI-**

13 **TATION.**

14 *(a) IN GENERAL.—Section 1511(g) (24 U.S.C. 411(g))*
15 *is amended—*

16 *(1) by inserting “(1)” before “The Chief Oper-*
17 *ating Officer shall”; and*

18 *(2) by adding at the end the following new para-*
19 *graph:*

20 *“(2)(A) If the Chief Operating Officer secures accredi-*
21 *tation for a facility of the Retirement Home (or for any*
22 *aspect of a facility of the Retirement Home) that is effective*
23 *for a period of more than one year, for each year after the*
24 *first year for which such accreditation is in effect, the Chief*
25 *Operating Officer shall seek to obtain, from the organiza-*
26 *tion that awarded the accreditation, a validation of the ac-*

1 *creditation. The requirement in the preceding sentence shall*
 2 *not apply with respect to a facility of the Retirement Home*
 3 *for any year for which the Inspector General of the Depart-*
 4 *ment of Defense conducts an inspection of that facility*
 5 *under section 1518(b).*

6 “(B) *In carrying out subparagraph (A) with respect*
 7 *to validation of an accreditation, the Chief Operating Offi-*
 8 *cer may substitute another nationally recognized civilian*
 9 *accrediting organization if the organization that awarded*
 10 *the accreditation is not available.*”.

11 (b) *CONFORMING AMENDMENT.—The heading of such*
 12 *section is amended by inserting “AND ANNUAL VALIDA-*
 13 *TION” after “ACCREDITATION”.*

14 **SEC. 1424. CLARIFICATION OF DUTIES OF SENIOR MEDICAL**
 15 **ADVISOR.**

16 *Section 1513A(c) (24 U.S.C. 413a(c)) is amended—*
 17 *(1) in paragraph (3)—*

18 *(A) by striking “and inspect” after “Peri-*
 19 *odically visit”; and*

20 *(B) by inserting before the period the fol-*
 21 *lowing: “and review medical reports, inspections,*
 22 *and records audits to make sure appropriate fol-*
 23 *low-up has been made”; and*

24 *(2) by striking paragraphs (4) and (5).*

1 **SEC. 1425. REPLACEMENT OF LOCAL BOARDS OF TRUSTEES**
 2 **FOR EACH FACILITY WITH SINGLE ADVISORY**
 3 **COUNCIL.**

4 *(a) ESTABLISHMENT OF AFRH ADVISORY COUNCIL.—*
 5 *Section 1516 (24 U.S.C. 416) is amended to read as follows:*

6 **“SEC. 1516. ADVISORY COUNCIL.**

7 *“(a) ESTABLISHMENT.—The Retirement Home shall*
 8 *have an Advisory Council, to be known as the ‘Armed*
 9 *Forces Retirement Home Advisory Council’. The Advisory*
 10 *Council shall serve the interests of both facilities of the Re-*
 11 *tirement Home.*

12 *“(b) COMPOSITION; TERMS OF SERVICE.—(1) The Ad-*
 13 *visory Council shall consist of at least 11 members, each*
 14 *of whom shall be a full or part-time Federal employee and*
 15 *at least one of whom shall be from the Department of Vet-*
 16 *erans Affairs. Members of the Advisory Council shall be des-*
 17 *ignated by the Secretary of Defense, except that a member*
 18 *who is an employee of a department or agency outside of*
 19 *the Department of Defense shall be designated by the head*
 20 *of such department or agency in consultation with the Sec-*
 21 *retary of Defense.*

22 *“(2)(A) Except as provided in subparagraphs (B) and*
 23 *(C), the term of service of a member of the Advisory Council*
 24 *shall be two years. A member may be designated to serve*
 25 *one additional term.*

1 “(B) *Unless earlier terminated by the Secretary of De-*
2 *fense, a person may continue to serve as a member of the*
3 *Advisory Council after the expiration of the member’s term*
4 *until a successor is designated.*

5 “(C) *The Secretary of Defense may terminate the ap-*
6 *pointment of a member of the Advisory Council before the*
7 *expiration of the member’s term for any reason that the*
8 *Secretary determines appropriate.*

9 “(3) *The Secretary of Defense shall designate one mem-*
10 *ber of the Advisory Council to serve as the chair of the Advi-*
11 *sory Council.*

12 “(c) *DUTIES.—(1) The Advisory Council shall provide*
13 *to the Chief Operating Officer and the Administrator of*
14 *each facility such observations, advice, and recommenda-*
15 *tions regarding the Retirement Home as the Advisory Coun-*
16 *cil considers appropriate.*

17 “(2) *Not less often than annually, the Advisory Coun-*
18 *cil shall submit to the Secretary of Defense a report summa-*
19 *rizing its activities during the preceding year and pro-*
20 *viding such observations and recommendations with respect*
21 *to the Retirement Home as the Advisory Council considers*
22 *appropriate.*

23 “(3) *In carrying out its duties, the Advisory Council*
24 *shall provide for participation in its activities by a rep-*

1 *representative of the resident advisory committee of each facil-*
 2 *ity of the Retirement Home.”.*

3 (b) *CONFORMING AMENDMENTS.*—

4 (1) *DEFINITION.*—*Paragraph (2) of section 1502*
 5 *(24 U.S.C. 401) is amended to read as follows:*

6 “(2) *The term ‘Advisory Council’ means the*
 7 *Armed Forces Retirement Home Advisory Council es-*
 8 *tablished by section 1516.”.*

9 (2) *RESPONSIBILITIES AND DUTIES OF SENIOR*
 10 *MEDICAL ADVISOR.*—*Section 1513A(b) (24 U.S.C.*
 11 *413a(b)) is amended—*

12 (A) *in paragraph (1), by striking “and the*
 13 *Chief Operating Officer” and inserting “, the*
 14 *Chief Operating Officer, and the Advisory Coun-*
 15 *cil”; and*

16 (B) *in paragraph (2), by striking “to the*
 17 *Local Board” and all that follows and inserting*
 18 *“to the Advisory Council regarding all medical*
 19 *and medical administrative matters of each fa-*
 20 *cility of the Retirement Home.”.*

21 (3) *RESPONSIBILITIES OF CHIEF OPERATING OF-*
 22 *FICER.*—*Section 1515(c)(2) (24 U.S.C. 415(c)(2)) is*
 23 *amended by striking “, including the Local Boards of*
 24 *those facilities”.*

(4) *INSPECTION OF RETIREMENT HOME*.—Section 1518 (24 U.S.C. 418) is amended by striking “Local Board for the facility” each place it appears and inserting “Advisory Council”.

SEC. 1426. ADMINISTRATORS AND OMBUDSMEN OF FACILITIES.

(a) *LEADERSHIP OF FACILITIES OF THE RETIREMENT HOME*.—Section 1517 (24 U.S.C. 417) is amended—

(1) in subsection (a), by striking “a Director, a Deputy Director, and an Associate Director” and inserting “an Administrator and an Ombudsman”;

(2) in subsections (b) and (c), by striking “Director” each place it appears and inserting “Administrator”;

(3) by striking subsections (d) and (e) and redesignating subsections (f), (g), (h), and (i) as subsections (d), (e), (f), and (g), respectively;

(4) in subsection (d), as so redesignated, by striking “Associate Director” each place it appears and inserting “Ombudsman”;

(5) in subsection (e), as so redesignated—

(A) by striking “Associate Director” and inserting “Ombudsman”;

(B) by striking “Director and Deputy Director” and inserting “Administrator”; and

1 (C) by striking “Director may” and insert-
 2 ing “Administrator may”;

3 (6) in subsection (f), as so redesignated, by strik-
 4 ing “Director” each place it appears and inserting
 5 “Administrator”; and

6 (7) in subsection (g), as so redesignated—

7 (A) in paragraph (1), by striking “Direc-
 8 tors” and inserting “Administrators”; and

9 (B) in paragraph (2), by striking “a Direc-
 10 tor” and inserting “an Administrator”.

11 (b) CLERICAL AMENDMENTS.—Such section is further
 12 amended—

13 (1) in the headings of subsections (b) and (c), by
 14 striking “DIRECTOR” and inserting “ADMINIS-
 15 TRATOR”;

16 (2) in the headings of subsection (d) and (e), as
 17 redesignated by subsection (a)(3), by striking “ASSO-
 18 CIATE DIRECTOR” and inserting “OMBUDSMAN”; and

19 (3) in the heading of subsection (g), as so redesi-
 20 gnated, by striking “DIRECTORS” and inserting
 21 “ADMINISTRATORS”.

22 (c) CONFORMING AMENDMENTS.—

23 (1) The following provisions are amended by
 24 striking “Director” each place it appears and insert-
 25 ing “Administrator”: sections 1511(d)(2), 1512(c),

1 1514(a), 1518(b)(4), 1518(c), 1518(d)(2), 1520, 1522,
 2 and 1523(b) (24 U.S.C. 411(d)(2), 412(c), 414(a),
 3 418(c), 418(d)(2), 420, 422, 423(b)).

4 (2) Sections 1514(b) and 1520(c) (24 U.S.C.
 5 414(b), 420(c)) are amended by striking “Directors”
 6 and inserting “Administrators”.

7 **SEC. 1427. INSPECTION REQUIREMENTS.**

8 Section 1518 (24 U.S.C. 418) is amended—

9 (1) in subsection (b)—

10 (A) in paragraph (1)—

11 (i) by striking “In any year in which
 12 a facility of the Retirement Home is not in-
 13 spected by a nationally recognized civilian
 14 accrediting organization,” and inserting
 15 “Not less often than every three years,”;

16 (ii) by striking “of that facility” and
 17 inserting “of each facility of the Retirement
 18 Home”;

19 (iii) by inserting “long-term care,”
 20 after “assisted living,”; and

21 (iv) by striking “or council”; and

22 (B) in paragraph (3), by striking “or coun-
 23 cil”;

24 (2) in subsection (c)—

25 (A) by striking paragraph (2);

1 (B) by designating the second sentence as a
 2 new paragraph (2) and indenting such para-
 3 graph, as so designated, two ems from the left
 4 margin; and

5 (C) in such paragraph (2), as so des-
 6 ignated—

7 (i) by striking “45 days” and inserting
 8 “90 days”; and

9 (ii) by adding at the end the following
 10 new sentence: “The report shall include the
 11 plan of the Chief Operating Officer to ad-
 12 dress the recommendations and other mat-
 13 ters set forth in the report.”; and

14 (3) in subsection (e)(1)—

15 (A) by striking “45 days” and inserting
 16 “60 days”;

17 (B) by striking “Director of the facility con-
 18 cerned” and inserting “Chief Operating Officer”;
 19 and

20 (C) by striking “, the Chief Operating Offi-
 21 cer,” after “Secretary of Defense”.

22 **SEC. 1428. REPEAL OF OBSOLETE PROVISIONS.**

23 Part B, relating to transitional provisions for the
 24 Armed Forces Retirement Home Board and the Directors

1 *and Deputy Directors of the facilities of the Armed Forces*
 2 *Retirement Home, is repealed.*

3 **SEC. 1429. TECHNICAL, CONFORMING, AND CLERICAL**
 4 **AMENDMENTS.**

5 (a) *CORRECTION OF OBSOLETE REFERENCES TO RE-*
 6 *TIREMENT HOME BOARD.—*

7 (1) *ARMED FORCES RETIREMENT HOME ACT.—*
 8 *Section 1519(a)(2) (24 U.S.C. 419(a)(2)) is amended*
 9 *by striking “Retirement Home Board” and inserting*
 10 *“Chief Operating Officer”.*

11 (2) *TITLE 10, USC.—Section 2772(b) of title 10,*
 12 *United States Code, is amended by striking “Armed*
 13 *Forces Retirement Home Board” and inserting “Chief*
 14 *Operating Officer of the Armed Forces Retirement*
 15 *Home”.*

16 (b) *SECTION HEADINGS.—*

17 (1) *SECTION 1501.—The heading of section 1501*
 18 *is amended to read as follows:*

19 **“SEC. 1501. SHORT TITLE; TABLE OF CONTENTS.”.**

20 (2) *SECTION 1513.—The heading of section 1513*
 21 *is amended to read as follows:*

22 **“SEC. 1513. SERVICES PROVIDED TO RESIDENTS.”.**

23 (3) *SECTION 1513A.—The heading of section*
 24 *1513A is amended to read as follows:*

1 **“SEC. 1513A. OVERSIGHT OF HEALTH CARE PROVIDED TO**
 2 **RESIDENTS.”**

3 (4) *SECTION 1517.—The heading of section 1517*
 4 *is amended to read as follows:*

5 **“SEC. 1517. ADMINISTRATORS, OMBUDSMEN, AND STAFF OF**
 6 **FACILITIES.”**

7 (5) *SECTION 1518.—The heading of section 1518*
 8 *is amended to read as follows:*

9 **“SEC. 1518. PERIODIC INSPECTION OF RETIREMENT HOME**
 10 **FACILITIES BY DEPARTMENT OF DEFENSE IN-**
 11 **SPECTOR GENERAL AND OUTSIDE INSPEC-**
 12 **TORS.”**

13 (6) *PUNCTUATION.—The headings of sections*
 14 *1512 and 1520 are each amended by adding a period*
 15 *at the end.*

16 (c) *PART A HEADER.—The heading for part A is re-*
 17 *pealed.*

18 (d) *TABLE OF CONTENTS.—The table of contents in*
 19 *section 1501(b) is amended—*

20 (1) *by striking the item relating to the heading*
 21 *for part A;*

22 (2) *by striking the items relating to sections*
 23 *1513 and 1513A and inserting the following new*
 24 *items:*

“Sec. 1513. Services provided to residents.

“Sec. 1513A. Oversight of health care provided to residents.”;

1 (3) *by striking the items relating to sections*
 2 *1516, 1517, and 1518 and inserting the following new*
 3 *items:*

“Sec. 1516. Advisory Council.

“Sec. 1517. Administrators, Ombudsmen, and staff of facilities.

“Sec. 1518. Periodic inspection of Retirement Home facilities by Department of
 Defense Inspector General and outside inspectors.”; and

4 (4) *by striking the items relating to part B (in-*
 5 *cluding the items relating to sections 1531, 1532, and*
 6 *1533).*

7 ***Subtitle D—Other Matters***

8 ***SEC. 1431. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT*** 9 ***DEPARTMENT OF DEFENSE—DEPARTMENT OF*** 10 ***VETERANS AFFAIRS MEDICAL FACILITY DEM-*** 11 ***ONSTRATION FUND FOR CAPTAIN JAMES A.*** 12 ***LOVELL HEALTH CARE CENTER, ILLINOIS.***

13 (a) *AUTHORITY FOR TRANSFER OF FUNDS.—Funds*
 14 *authorized to be appropriated by section 1403 and available*
 15 *for Defense Health Program for operation and maintenance*
 16 *as specified in the funding table in section 4401 may be*
 17 *transferred by the Secretary of Defense to the Joint Depart-*
 18 *ment of Defense—Department of Veterans Affairs Medical*
 19 *Facility Demonstration Fund established by subsection*
 20 *(a)(1) of section 1704 of the National Defense Authorization*
 21 *Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat.*
 22 *2571). For purposes of subsection (a)(2) of such section*
 23 *1704, any funds so transferred shall be treated as amounts*

1 *authorized and appropriated for the Department of Defense*
 2 *specifically for such transfer.*

3 (b) *USE OF TRANSFERRED FUNDS.—For purposes of*
 4 *subsection (b) of such section 1704, facility operations for*
 5 *which funds transferred under subsection (a) may be used*
 6 *are operations of the Captain James A. Lovell Federal*
 7 *Health Care Center, consisting of the North Chicago Vet-*
 8 *erans Affairs Medical Center, the Navy Ambulatory Care*
 9 *Center, and supporting facilities designated as a combined*
 10 *Federal medical facility under an operational agreement*
 11 *pursuant to section 706 of the Duncan Hunter National*
 12 *Defense Authorization Act for Fiscal Year 2009 (Public*
 13 *Law 110–417; 122 Stat. 455).*

14 ***TITLE XV—AUTHORIZATION OF***
 15 ***APPROPRIATIONS FOR OVER-***
 16 ***SEAS CONTINGENCY OPER-***
 17 ***ATIONS***

18 ***Subtitle A—Authorization of***
 19 ***Appropriations***

20 ***SEC. 1501. PURPOSE.***

21 *The purpose of this subtitle is to authorize appropria-*
 22 *tions for the Department of Defense for fiscal year 2012*
 23 *to provide additional funds for overseas contingency oper-*
 24 *ations being carried out by the Armed Forces.*

1 **SEC. 1502. PROCUREMENT.**

2 *Funds are hereby authorized to be appropriated for fis-*
3 *cal year 2012 for procurement accounts for the Army, the*
4 *Navy and the Marine Corps, the Air Force, and Defense-*
5 *wide activities, as specified in the funding table in section*
6 *4102.*

7 **SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
8 **TION.**

9 *Funds are hereby authorized to be appropriated for fis-*
10 *cal year 2012 for the use of the Department of Defense for*
11 *research, development, test, and evaluation, as specified in*
12 *the funding table in section 4202.*

13 **SEC. 1504. OPERATION AND MAINTENANCE.**

14 *Funds are hereby authorized to be appropriated for fis-*
15 *cal year 2012 for the use of the Armed Forces and other*
16 *activities and agencies of the Department of Defense for ex-*
17 *penses, not otherwise provided for, for operation and main-*
18 *tenance, as specified in the funding table in section 4302.*

19 **SEC. 1505. MILITARY PERSONNEL.**

20 *Funds are hereby authorized to be appropriated for fis-*
21 *cal year 2012 for the Department of Defense for military*
22 *personnel in the amount of \$10,228,566,000.*

23 **SEC. 1506. WORKING CAPITAL FUNDS.**

24 *Funds are hereby authorized to be appropriated for fis-*
25 *cal year 2012 for the use of the Armed Forces and other*
26 *activities and agencies of the Department of Defense for*

1 *providing capital for working capital and revolving funds,*
2 *as specified in the funding table in section 4402.*

3 **SEC. 1507. DEFENSE HEALTH PROGRAM.**

4 *Funds are hereby authorized to be appropriated for the*
5 *Department of Defense for fiscal year 2012 for expenses, not*
6 *otherwise provided for, for the Defense Health Program, as*
7 *specified in the funding table in section 4402.*

8 **SEC. 1508. DRUG INTERDICTION AND COUNTER-DRUG AC-**
9 **TIVITIES, DEFENSE-WIDE.**

10 *Funds are hereby authorized to be appropriated for the*
11 *Department of Defense for fiscal year 2012 for expenses, not*
12 *otherwise provided for, for Drug Interdiction and Counter-*
13 *Drug Activities, Defense-wide, as specified in the funding*
14 *table in section 4402.*

15 **SEC. 1509. DEFENSE INSPECTOR GENERAL.**

16 *Funds are hereby authorized to be appropriated for the*
17 *Department of Defense for fiscal year 2012 for expenses, not*
18 *otherwise provided for, for the Office of the Inspector Gen-*
19 *eral of the Department of Defense, as specified in the fund-*
20 *ing table in section 4402.*

21 ***Subtitle B—Financial Matters***

22 **SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.**

23 *The amounts authorized to be appropriated by this*
24 *title are in addition to amounts otherwise authorized to be*
25 *appropriated by this Act.*

1 **SEC. 1522. SPECIAL TRANSFER AUTHORITY.**

2 *(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—*

3 *(1) AUTHORITY.—Upon determination by the*
4 *Secretary of Defense that such action is necessary in*
5 *the national interest, the Secretary may transfer*
6 *amounts of authorizations made available to the De-*
7 *partment of Defense in this title for fiscal year 2012*
8 *between any such authorizations for that fiscal year*
9 *(or any subdivisions thereof). Amounts of authoriza-*
10 *tions so transferred shall be merged with and be*
11 *available for the same purposes as the authorization*
12 *to which transferred.*

13 *(2) LIMITATION.—The total amount of author-*
14 *izations that the Secretary may transfer under the*
15 *authority of this subsection may not exceed*
16 *\$4,000,000,000.*

17 *(b) TERMS AND CONDITIONS.—Transfers under this*
18 *section shall be subject to the same terms and conditions*
19 *as transfers under section 1001.*

20 *(c) ADDITIONAL AUTHORITY.—The transfer authority*
21 *provided by this section is in addition to the transfer au-*
22 *thority provided under section 1001.*

Subtitle C—Other Matters

SEC. 1531. ONE-YEAR EXTENSION AND MODIFICATION OF AUTHORITY FOR TASK FORCE FOR BUSINESS AND STABILITY OPERATIONS IN AFGHANI- STAN.

(a) ENHANCEMENT OF AUTHORITY.—Subsection (a) of section 1535 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4426) is amended—

(1) in paragraph (3), by striking “may include projects” and all that follows and inserting “may include projects that facilitate private investment, mining sector development, industrial development, and other projects determined by the Secretary of Defense, with the concurrence of the Secretary of State, as strengthening stability or providing strategic support to the counterinsurgency campaign in Afghanistan.”;

(2) in paragraph (4), by striking “The” and inserting “During each of fiscal years 2011 and 2012, the”;

(3) by redesignating paragraphs (5), (6), and (7) as paragraphs (6), (7), and (8), respectively; and

(4) by inserting after paragraph (4) the following new paragraph (5):

1 “(5) *AVAILABILITY OF FUNDS FOR ACTIVITIES*
 2 *ACROSS FISCAL YEARS.*—Amounts available to carry
 3 out the authority in paragraph (1) shall be available
 4 for projects under that authority that begin in a fiscal
 5 year and end in the following fiscal year.”.

6 (b) *ONE-YEAR EXTENSION OF AUTHORITY.*—Para-
 7 graph (8) of such subsection, as redesignated by subsection
 8 (a)(3) of this section, is further amended to read as follows:

9 “(8) *EXPIRATION OF AUTHORITY.*—A project
 10 may not be commenced under the authority in para-
 11 graph (1) after September 30, 2012.”.

12 (c) *ANNUAL REPORTS.*—Paragraph (7) of such sub-
 13 section, as so redesignated, is further amended—

14 (1) in the matter preceding subparagraph (A),
 15 by striking “, 2011” and inserting “of each year fol-
 16 lowing a fiscal year in which the authority in para-
 17 graph (1) is exercised”; and

18 (2) in subparagraph (A), by striking “during
 19 fiscal year 2011” and inserting “during that fiscal
 20 year”.

21 (d) *AUTHORITY FOR ADDITIONAL REPRESENTATIVES*
 22 *ON TASK FORCE.*—Such section is further amended—

23 (1) by redesignating subsections (c) and (d) as
 24 subsections (d) and (e), respectively; and

1 (2) *by inserting after subsection (b) the following*
 2 *new subsection (c):*

3 “(c) *ADDITIONAL MEMBERS.—The members of the*
 4 *Task Force for Business and Stability Operations in Af-*
 5 *ghanistan may include the following:*

6 “(1) *A representative of the Department of State,*
 7 *designated by the Secretary of State.*

8 “(2) *A representative of the United States Agen-*
 9 *cy for International Development, designated by the*
 10 *Administrator of the United States Agency for Inter-*
 11 *national Development.”.*

12 **SEC. 1532. MODIFICATION OF AVAILABILITY OF FUNDS IN**
 13 **AFGHANISTAN SECURITY FORCES FUND.**

14 (a) *LIMITATIONS.—Funds available to the Department*
 15 *of Defense for the Afghanistan Security Forces Fund for fis-*
 16 *cal year 2012 shall be subject to the conditions contained*
 17 *in subsections (b) through (g) of section 1513 of the Na-*
 18 *tional Defense Authorization Act for Fiscal Year 2008 (Pub-*
 19 *lic Law 110–181; 122 Stat. 428), as amended by section*
 20 *1531(b) of the Ike Skelton National Defense Authorization*
 21 *Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat.*
 22 *4424).*

23 (b) *AVAILABILITY FOR LITERACY INSTRUCTION AND*
 24 *TRAINING.—Assistance provided utilizing funds in the Af-*
 25 *ghanistan Security Forces Fund may include literacy in-*

1 *struction and training to build the logistical, management,*
 2 *and administrative capacity of military and civilian per-*
 3 *sonnel of the Ministry of Defense and Ministry of Interior,*
 4 *including through instruction at training facilities of the*
 5 *North Atlantic Treaty Organization Training Mission in*
 6 *Afghanistan.*

7 **SEC. 1533. LIMITATION ON AVAILABILITY OF FUNDS FOR**
 8 **TRANS REGIONAL WEB INITIATIVE.**

9 *None of the amounts authorized to be appropriated by*
 10 *this Act may be obligated or expended on any program*
 11 *under the Trans Regional Web Initiative of the Department*
 12 *of Defense, or any similar initiative, until the Secretary*
 13 *of Defense certifies, in writing, to the Committees on Armed*
 14 *Services of the Senate and the House of Representatives that*
 15 *such program—*

- 16 *(1) appropriately defines its target audience;*
 17 *(2) is determined to be the most effective method*
 18 *to reach such target audience;*
 19 *(3) is the most cost-effective means of reaching*
 20 *such target audience; and*
 21 *(4) includes measurement mechanisms to ensure*
 22 *such target audience is being reached.*

1 **SEC. 1534. REPORT ON LESSONS LEARNED FROM DEPART-**
2 **MENT OF DEFENSE PARTICIPATION ON**
3 **INTERAGENCY TEAMS FOR COUNTERTER-**
4 **RORISM OPERATIONS IN AFGHANISTAN AND**
5 **IRAQ.**

6 (a) *REPORT REQUIRED.*—Not later than one year
7 after the date of the enactment of this Act, the Secretary
8 of Defense shall submit to the congressional defense commit-
9 tees a report on the lessons learned from Department of De-
10 fense participation on interagency teams for counterter-
11 rorism operations on Afghanistan and Iraq.

12 (b) *ELEMENTS.*—The report required by subsection (a)
13 shall include the following:

14 (1) *An assessment of the value of interagency*
15 *teams in counterterrorism operations.*

16 (2) *A description of the best practices of such*
17 *interagency teams.*

18 (3) *A description of efforts to codify the best*
19 *practices of interagency teams described under para-*
20 *graph (2) in military doctrine.*

21 (4) *An assessment whether the lessons learned*
22 *through Department of Defense participation on such*
23 *interagency teams is applicable to other interagency*
24 *teams in which Department personnel participate.*

25 (5) *An assessment of the feasibility and advis-*
26 *ability of adding a skill identifier to track Depart-*

1 *ment civilian and military personnel who have suc-*
 2 *cessfully supported, participated on, or led an inter-*
 3 *agency team.*

4 *(6) A description of the additional authorities, if*
 5 *any, needed to permit Department personnel to more*
 6 *effectively support, participate on, or lead an inter-*
 7 *agency team.*

8 ***TITLE XVI—NATIONAL GUARD***
 9 ***EMPOWERMENT***

10 ***SEC. 1601. SHORT TITLE.***

11 *This title may be cited as the “National Guard Em-*
 12 *powerment and State-National Defense Integration Act of*
 13 *2011”.*

14 ***SEC. 1602. REESTABLISHMENT OF POSITION OF VICE CHIEF***
 15 ***OF THE NATIONAL GUARD BUREAU AND TER-***
 16 ***MINATION OF POSITION OF DIRECTOR OF***
 17 ***THE JOINT STAFF OF THE NATIONAL GUARD***
 18 ***BUREAU.***

19 *(a) REESTABLISHMENT AND TERMINATION OF POSI-*
 20 *TIONS.—Section 10505 of title 10, United States Code, is*
 21 *amended to read as follows:*

22 ***“§ 10505. Vice Chief of the National Guard Bureau***

23 *“(a) APPOINTMENT.—(1) There is a Vice Chief of the*
 24 *National Guard Bureau, selected by the Secretary of De-*
 25 *fense from officers of the Army National Guard of the*

1 *United States or the Air National Guard of the United*
2 *States who—*

3 “(A) *are recommended for such appointment by*
4 *their respective Governors or, in the case of the Dis-*
5 *trict of Columbia, the commanding general of the Dis-*
6 *trict of Columbia National Guard;*

7 “(B) *have had at least 10 years of federally rec-*
8 *ognized service in an active status in the National*
9 *Guard; and*

10 “(C) *are in a grade above the grade of brigadier*
11 *general.*

12 “(2) *The Chief and Vice Chief of the National Guard*
13 *Bureau may not both be members of the Army or of the*
14 *Air Force.*

15 “(3)(A) *Except as provided in subparagraph (B), an*
16 *officer appointed as Vice Chief of the National Guard Bu-*
17 *reau serves for a term of four years, but may be removed*
18 *from office at any time for cause.*

19 “(B) *The term of the Vice Chief of the National Guard*
20 *Bureau shall end within a reasonable time (as determined*
21 *by the Secretary of Defense) following the appointment of*
22 *a Chief of the National Guard Bureau who is a member*
23 *of the same armed force as the Vice Chief.*

1 “(b) *DUTIES.*—*The Vice Chief of the National Guard*
 2 *Bureau performs such duties as may be prescribed by the*
 3 *Chief of the National Guard Bureau.*

4 “(c) *GRADE.*—*The Vice Chief of the National Guard*
 5 *Bureau shall be appointed to serve in the grade of lieuten-*
 6 *ant general.*

7 “(d) *FUNCTIONS AS ACTING CHIEF.*—*When there is a*
 8 *vacancy in the office of the Chief of the National Guard*
 9 *Bureau or in the absence or disability of the Chief, the Vice*
 10 *Chief of the National Guard Bureau acts as Chief and per-*
 11 *forms the duties of the Chief until a successor is appointed*
 12 *or the absence of disability ceases.”.*

13 (b) *CONFORMING AMENDMENTS.*—

14 (1) *Section 10502 of such title is amended by*
 15 *striking subsection (e).*

16 (2) *Section 10506(a)(1) of such title is amended*
 17 *by striking “and the Director of the Joint Staff of the*
 18 *National Guard Bureau” and inserting “and the Vice*
 19 *Chief of the National Guard Bureau”.*

20 (c) *CLERICAL AMENDMENTS.*—

21 (1) *HEADING AMENDMENT.*—*The heading of sec-*
 22 *tion 10502 of such title is amended to read as follows:*

1 **“§ 10502. Chief of the National Guard Bureau: ap-**
 2 **pointment; advisor on National Guard**
 3 **matters; grade”.**

4 (2) *TABLE OF SECTIONS.*—*The table of sections*
 5 *at the beginning of chapter 1011 of such title is*
 6 *amended—*

7 (A) *by striking the item relating to section*
 8 *10502 and inserting the following new item:*

“10502. Chief of the National Guard Bureau: appointment; advisor on National
Guard matters; grade.”;

9 *and*

10 (B) *by striking the item relating to section*
 11 *10505 and inserting the following new item:*

“10505. Vice Chief of the National Guard Bureau.”.

12 **SEC. 1603. MEMBERSHIP OF THE CHIEF OF THE NATIONAL**
 13 **GUARD BUREAU ON THE JOINT CHIEFS OF**
 14 **STAFF.**

15 (a) *MEMBERSHIP ON JOINT CHIEFS OF STAFF.*—*Sec-*
 16 *tion 151(a) of title 10, United States Code, is amended by*
 17 *adding at the end the following new paragraph:*

18 *“(7) The Chief of the National Guard Bureau.”.*

19 (b) *CONFORMING AMENDMENTS.*—*Section 10502 of*
 20 *such title, as amended by section 2(b)(1) of this Act, is fur-*
 21 *ther amended—*

22 (1) *by redesignating subsection (d) as subsection*
 23 *(e); and*

1 (2) *by inserting after subsection (c) the following*
 2 *new subsection (d):*

3 “(d) *MEMBER OF JOINT CHIEFS OF STAFF.—The*
 4 *Chief of the National Guard Bureau shall perform the du-*
 5 *ties prescribed for him or her as a member of the Joint*
 6 *Chiefs of Staff under section 151 of this title.”.*

7 **SEC. 1604. CONTINUATION AS A PERMANENT PROGRAM**
 8 **AND ENHANCEMENT OF ACTIVITIES OF TASK**
 9 **FORCE FOR EMERGENCY READINESS PILOT**
 10 **PROGRAM OF THE FEDERAL EMERGENCY**
 11 **MANAGEMENT AGENCY.**

12 (a) *CONTINUATION.—*

13 (1) *CONTINUATION AS PERMANENT PROGRAM.—*
 14 *The Administrator of the Federal Emergency Manage-*
 15 *ment Agency shall continue the Task Force for Emer-*
 16 *gency Readiness (TFER) pilot program of the Federal*
 17 *Emergency Management Agency as a permanent pro-*
 18 *gram of the Agency.*

19 (2) *LIMITATION ON TERMINATION.—The Admin-*
 20 *istrator may not terminate the Task Force for Emer-*
 21 *gency Readiness program, as so continued, until au-*
 22 *thorized or required to terminate the program by law.*

23 (b) *EXPANSION OF PROGRAM SCOPE.—As part of the*
 24 *continuation of the Task Force for Emergency Readiness*
 25 *program pursuant to subsection (a), the Administrator*

1 *shall carry out the program in at least five States in addi-*
2 *tion to the five States in which the program is carried out*
3 *as of the date of the enactment of this Act.*

4 (c) *ADDITIONAL FEMA ACTIVITIES.*—*As part of the*
5 *continuation of the Task Force for Emergency Readiness*
6 *program pursuant to subsection (a), the Administrator*
7 *shall—*

8 (1) *establish guidelines and standards to be used*
9 *by the States in strengthening the planning and plan-*
10 *ning capacities of the States with respect to responses*
11 *to catastrophic disaster emergencies; and*

12 (2) *develop a methodology for implementing the*
13 *Task Force for Emergency Readiness that includes*
14 *goals and standards for assessing the performance of*
15 *the Task Force.*

16 (d) *NATIONAL GUARD BUREAU ACTIVITIES.*—*As part*
17 *of the continuation of the Task Force for Emergency Read-*
18 *iness program pursuant to subsection (a), the Chief of the*
19 *National Guard Bureau shall—*

20 (1) *assist the Administrator in the establishment*
21 *of the guidelines and standards, implementation*
22 *methodology, and performance goals and standards*
23 *required by subsection (c);*

24 (2) *in coordination with the Administrator—*

1 (A) identify, using catastrophic disaster re-
 2 sponse plans for each State developed under the
 3 program, any gaps in State civilian and mili-
 4 tary response capabilities that Federal military
 5 capabilities are unprepared to fill; and

6 (B) notify the Secretary of Defense, the
 7 Commander of the United States Northern Com-
 8 mand, and the Commander of the United States
 9 Pacific Command of any gaps in capabilities
 10 identified under subparagraph (A); and

11 (3) acting through and in coordination with the
 12 Adjutants General of the States, assist the States in
 13 the development of State plans on responses to cata-
 14 strophic disaster emergencies.

15 (e) ANNUAL REPORTS.—The Administrator and the
 16 Chief of the National Guard Bureau shall jointly submit
 17 to the appropriate committees of Congress each year a re-
 18 port on activities under the Task Force for Emergency
 19 Readiness program during the preceding year. Each report
 20 shall include a description of the activities under the pro-
 21 gram during the preceding year and a current assessment
 22 of the effectiveness of the program in meeting its purposes.

23 (f) APPROPRIATE COMMITTEES OF CONGRESS DE-
 24 FINED.—In this section, the term “appropriate committees
 25 of Congress” means—

1 (1) *the Committee on Armed Services and the*
 2 *Committee on Homeland Security and Governmental*
 3 *Affairs of the Senate; and*

4 (2) *the Committee on Armed Services and the*
 5 *Committee on Homeland Security of the House of*
 6 *Representatives.*

7 **SEC. 1605. REPORT ON COMPARATIVE ANALYSIS OF COSTS**
 8 **OF COMPARABLE UNITS OF THE RESERVE**
 9 **COMPONENTS AND THE REGULAR COMPO-**
 10 **NENTS OF THE ARMED FORCES.**

11 (a) *REPORT REQUIRED.*—

12 (1) *IN GENERAL.*—Not later than 180 days after
 13 *the date of the enactment of this Act, the Secretary of*
 14 *Defense shall submit to the congressional defense com-*
 15 *mittees a report setting forth a comparative analysis*
 16 *of the costs of units of the regular components of the*
 17 *Armed Forces with the costs of similar units of the re-*
 18 *serve components of the Armed Forces. The analysis*
 19 *shall include a separate comparison of the costs of*
 20 *units in the aggregate and of the costs of units solely*
 21 *when on active duty.*

22 (2) *SIMILAR UNITS.*—For purposes of this sub-
 23 *section, units of the regular components and reserve*
 24 *components shall be treated as similar if such units*
 25 *have the same general structure, personnel, or func-*

1 *tion, or are substantially composed of personnel hav-*
2 *ing identical or similar military occupational spe-*
3 *cialties (MOS).*

4 *(b) ASSESSMENT OF INCREASED RESERVE COMPO-*
5 *NENT PRESENCE IN TOTAL FORCE STRUCTURE.—The Sec-*
6 *retary shall include in the report required by subsection (a)*
7 *an assessment of the advisability of increasing the number*
8 *of units and members of the reserve components of the*
9 *Armed Forces within the total force structure of the Armed*
10 *Forces. The assessment shall take into account the compara-*
11 *tive analysis conducted for purposes of subsection (a) and*
12 *such other matters as the Secretary considers appropriate*
13 *for purposes of the assessment.*

14 *(c) COMPTROLLER GENERAL REPORT.—Not later than*
15 *180 days after the date of the submittal of the report re-*
16 *quired by subsection (a), the Comptroller General of the*
17 *United States shall submit to the congressional defense com-*
18 *mittees a report setting forth a review of such report by*
19 *the Comptroller General. The report of the Comptroller Gen-*
20 *eral shall include an assessment of the comparative analysis*
21 *contained in the report required by subsection (a) and of*
22 *the assessment of the Secretary pursuant to subsection (b).*

1 **SEC. 1606. DISPLAY OF PROCUREMENT OF EQUIPMENT FOR**
 2 **THE RESERVE COMPONENTS OF THE ARMED**
 3 **FORCES UNDER ESTIMATED EXPENDITURES**
 4 **FOR PROCUREMENT IN FUTURE-YEARS DE-**
 5 **FENSE PROGRAMS.**

6 *Each future-years defense program submitted to Con-*
 7 *gress under section 221 of title 10, United States Code,*
 8 *shall, in setting forth estimated expenditures and item*
 9 *quantities for procurement for the Armed Forces for the fis-*
 10 *cal years covered by such program, display separately*
 11 *under such estimated expenditures and item quantities the*
 12 *estimated expenditures for each such fiscal year for equip-*
 13 *ment for each reserve component of the Armed Forces that*
 14 *will receive items in any fiscal year covered by such pro-*
 15 *gram.*

16 **SEC. 1607. ENHANCEMENT OF AUTHORITIES RELATING TO**
 17 **THE UNITED STATES NORTHERN COMMAND**
 18 **AND OTHER COMBATANT COMMANDS.**

19 *(a) COMMANDS RESPONSIBLE FOR SUPPORT TO CIVIL*
 20 *AUTHORITIES IN THE UNITED STATES.—The United States*
 21 *Northern Command and the United States Pacific Com-*
 22 *mand shall be the combatant commands of the Armed*
 23 *Forces that are principally responsible for the support of*
 24 *civil authorities in the United States by the Armed Forces.*

25 *(b) DISCHARGE OF RESPONSIBILITY.—In discharging*
 26 *the responsibility set forth in subsection (a), the Com-*

1 *mander of the United States Northern Command and the*
 2 *Commander of the United States Pacific Command shall*
 3 *each—*

4 *(1) in consultation with and acting through the*
 5 *Chief of the National Guard Bureau and the Joint*
 6 *Force Headquarters of the National Guard of the*
 7 *State or States concerned, assist the States in the em-*
 8 *ployment of the National Guard under State control,*
 9 *including National Guard operations conducted in*
 10 *State active duty or under title 32, United States*
 11 *Code; and*

12 *(2) facilitate the deployment of the Armed Forces*
 13 *on active duty under title 10, United States Code, as*
 14 *necessary to augment and support the National*
 15 *Guard in its support of civil authorities when Na-*
 16 *tional Guard operations are conducted under State*
 17 *control, whether in State active duty or under title*
 18 *32, United States Code.*

19 *(c) MEMORANDUM OF UNDERSTANDING.—*

20 *(1) MEMORANDUM REQUIRED.—Not later than*
 21 *180 days after the date of the enactment of this Act,*
 22 *the Commander of the United States Northern Com-*
 23 *mand, the Commander of the United States Pacific*
 24 *Command, and the Chief of the National Guard Bu-*
 25 *reau shall, with the approval of the Secretary of De-*

1 *fense, jointly enter into a memorandum of under-*
2 *standing setting forth the operational relationships,*
3 *and individual roles and responsibilities, during re-*
4 *sponses to domestic emergencies among the United*
5 *States Northern Command, the United States Pacific*
6 *Command, and the National Guard Bureau.*

7 (2) *MODIFICATION.*—*The Commander of the*
8 *United States Northern Command, the Commander of*
9 *the United States Pacific Command, and the Chief of*
10 *the National Guard Bureau may from time to time*
11 *modify the memorandum of understanding under this*
12 *subsection to address changes in circumstances and*
13 *for such other purposes as the Commander of the*
14 *United States Northern Command, the Commander of*
15 *the United States Pacific Command, and the Chief of*
16 *the National Guard Bureau jointly consider appro-*
17 *priate. Each such modification shall be subject to the*
18 *approval of the Secretary of Defense.*

19 (d) *AUTHORITY TO MODIFY ASSIGNMENT OF COM-*
20 *MAND RESPONSIBILITY.*—*Nothing in this section shall be*
21 *construed as altering or limiting the power of the President*
22 *or the Secretary of Defense to modify the Unified Command*
23 *Plan in order to assign all or part of the responsibility de-*
24 *scribed in subsection (a) to a combatant command other*

1 *than the United States Northern Command or the United*
 2 *States Pacific Command.*

3 (e) *REGULATIONS.—The Secretary of Defense shall*
 4 *prescribe regulations for purposes of aiding the expeditious*
 5 *implementation of the authorities and responsibilities in*
 6 *this section.*

7 **SEC. 1608. REQUIREMENTS RELATING TO NATIONAL GUARD**
 8 **OFFICERS IN CERTAIN COMMAND POSITIONS.**

9 (a) *COMMANDER OF ARMY NORTH COMMAND.—The of-*
 10 *ficer serving in the position of Commander, Army North*
 11 *Command, shall be an officer in the Army National Guard*
 12 *of the United States.*

13 (b) *COMMANDER OF AIR FORCE NORTH COMMAND.—*
 14 *The officer serving in the position of Commander, Air Force*
 15 *North Command, shall be an officer in the Air National*
 16 *Guard of the United States.*

17 (c) *SENSE OF CONGRESS.—It is the sense of Congress*
 18 *that, in assigning officers to the command positions speci-*
 19 *fied in subsections (a) and (b), the President should afford*
 20 *a preference in assigning officers in the Army National*
 21 *Guard of the United States or Air National Guard of the*
 22 *United States, as applicable, who have served as the adju-*
 23 *tant general of a State.*

1 **SEC. 1609. AVAILABILITY OF FUNDS UNDER STATE PART-**
 2 **nership Program for Additional Na-**
 3 **tional Guard Contacts on Matters**
 4 **Within the Core Competencies of the**
 5 **National Guard.**

6 *The Secretary of Defense shall, in consultation with*
 7 *the Secretary of State, modify the regulations prescribed*
 8 *pursuant to section 1210 of the National Defense Authoriza-*
 9 *tion Act for Fiscal Year 2010 (Public Law 111–84; 123*
 10 *Stat. 2517; 32 U.S.C. 107 note) to provide for the use of*
 11 *funds available pursuant to such regulations for contacts*
 12 *between members of the National Guard and civilian per-*
 13 *sonnel of foreign governments outside the ministry of de-*
 14 *fense on matters within the core competencies of the Na-*
 15 *tional Guard such as the following:*

- 16 (1) *Disaster response and mitigation.*
- 17 (2) *Defense support to civilian authorities.*
- 18 (3) *Consequence management and installation*
 19 *protection.*
- 20 (4) *Chemical, biological, radiological, or nuclear*
 21 *event (CBRNE) response.*
- 22 (5) *Border and port security and cooperation*
 23 *with civilian law enforcement.*
- 24 (6) *Search and rescue.*
- 25 (7) *Medical matters.*
- 26 (8) *Counterdrug and counternarcotics activities.*

1 (9) *Public affairs.*

2 (10) *Employer and family support of reserve*
3 *forces.*

4 (11) *Such other matters within the core com-*
5 *petencies of the National Guard and suitable for con-*
6 *tacts under the State Partnership Program as the*
7 *Secretary of Defense shall specify.*

8 ***DIVISION B—MILITARY CON-***
9 ***STRUCTION AUTHORIZA-***
10 ***TIONS***

11 ***SEC. 2001. SHORT TITLE.***

12 *This division may be cited as the “Military Construc-*
13 *tion Authorization Act for Fiscal Year 2012”.*

14 ***SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND***
15 ***AMOUNTS REQUIRED TO BE SPECIFIED BY***
16 ***LAW.***

17 (a) *EXPIRATION OF AUTHORIZATIONS AFTER THREE*
18 *YEARS.—Except as provided in subsection (b), all author-*
19 *izations contained in titles XXI through XXVII for military*
20 *construction projects, land acquisition, family housing*
21 *projects and facilities, and contributions to the North At-*
22 *lantic Treaty Organization Security Investment Program*
23 *(and authorizations of appropriations therefor) shall expire*
24 *on the later of—*

25 (1) *October 1, 2014; or*

1 (2) *the date of the enactment of an Act author-*
 2 *izing funds for military construction for fiscal year*
 3 *2015.*

4 (b) *EXCEPTION.*—*Subsection (a) shall not apply to au-*
 5 *thorizations for military construction projects, land acqui-*
 6 *sition, family housing projects and facilities, and contribu-*
 7 *tions to the North Atlantic Treaty Organization Security*
 8 *Investment Program (and authorizations of appropriations*
 9 *therefor), for which appropriated funds have been obligated*
 10 *before the later of—*

11 (1) *October 1, 2014; or*

12 (2) *the date of the enactment of an Act author-*
 13 *izing funds for fiscal year 2015 for military construc-*
 14 *tion projects, land acquisition, family housing*
 15 *projects and facilities, or contributions to the North*
 16 *Atlantic Treaty Organization Security Investment*
 17 *Program.*

18 **SEC. 2003. FUNDING TABLES.**

19 (a) *IN GENERAL.*—*The amounts authorized to be ap-*
 20 *propriated by sections 2104, 2204, 2304, 2403, 2411, 2502,*
 21 *and 2606 shall be available in the amounts specified in the*
 22 *funding table in section 4501.*

23 (b) *BASE CLOSURE AND REALIGNMENT ACTIVITIES.*—
 24 *The amounts authorized to be appropriated by section 2703*

1 shall be available in the amounts specified in the funding
 2 table in section 4501.

3 ***TITLE XXI—ARMY***

4 ***SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND*** 5 ***ACQUISITION PROJECTS.***

6 (a) *INSIDE THE UNITED STATES.*—Using amounts ap-
 7 propriated pursuant to the authorization of appropriations
 8 in section 2104(1), the Secretary of the Army may acquire
 9 real property and carry out military construction projects
 10 for the installations or locations inside the United States,
 11 and in the amounts, set forth in the following table:

Army: Inside the United States

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Alabama</i>	<i>Fort Rucker</i>	<i>\$11,600,000</i>
<i>Alaska</i>	<i>Fort Wainwright</i>	<i>\$114,000,000</i>
	<i>Joint Base Elmendorf-Richardson</i>	<i>\$103,600,000</i>
<i>California</i>	<i>Presidio of Monterey</i>	<i>\$3,000,000</i>
	<i>Fort Irwin</i>	<i>\$23,000,000</i>
<i>Colorado</i>	<i>Fort Carson</i>	<i>\$238,600,000</i>
<i>Georgia</i>	<i>Fort Benning</i>	<i>\$66,700,000</i>
	<i>Fort Gordon</i>	<i>\$1,450,000</i>
	<i>Fort Stewart</i>	<i>\$2,600,000</i>
<i>Hawaii</i>	<i>Fort Shafter</i>	<i>\$17,500,000</i>
	<i>Schofield Barracks</i>	<i>\$105,000,000</i>
<i>Kansas</i>	<i>Fort Riley</i>	<i>\$83,400,000</i>
	<i>Forbes Air Field</i>	<i>\$5,300,000</i>
<i>Kentucky</i>	<i>Fort Campbell</i>	<i>\$247,500,000</i>
	<i>Fort Knox</i>	<i>\$55,000,000</i>
<i>Louisiana</i>	<i>Fort Polk</i>	<i>\$70,100,000</i>
<i>Maryland</i>	<i>Aberdeen Proving Ground</i>	<i>\$78,500,000</i>
	<i>Fort Meade</i>	<i>\$79,000,000</i>
<i>Missouri</i>	<i>Fort Leonard Wood</i>	<i>\$49,000,000</i>
<i>New York</i>	<i>Fort Drum</i>	<i>\$13,300,000</i>
<i>North Carolina</i>	<i>Fort Bragg</i>	<i>\$186,000,000</i>
<i>Oklahoma</i>	<i>Fort Sill</i>	<i>\$184,600,000</i>
	<i>McAlester Army Ammunition Plant</i>	<i>\$8,000,000</i>
<i>South Carolina</i>	<i>Fort Jackson</i>	<i>\$63,900,000</i>
<i>Texas</i>	<i>Fort Bliss</i>	<i>\$110,900,000</i>
	<i>Fort Hood</i>	<i>\$132,000,000</i>
	<i>Joint Base San Antonio</i>	<i>\$10,400,000</i>
	<i>Red River Army Depot</i>	<i>\$44,000,000</i>
<i>Utah</i>	<i>Dugway Proving Ground</i>	<i>\$32,000,000</i>
<i>Virginia</i>	<i>Fort Belvoir</i>	<i>\$52,000,000</i>
	<i>Joint Base Langley Eustis</i>	<i>\$26,000,000</i>
<i>Washington</i>	<i>Joint Base Lewis McChord</i>	<i>\$296,300,000</i>

(b) *OUTSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(2), the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

Country	Installation or Location	Amount
<i>Afghanistan</i>	<i>Bagram Air Base</i>	<i>\$80,000,000</i>
<i>Germany</i>	<i>Grafenwoehr</i>	<i>\$22,500,000</i>
	<i>Landstuhl</i>	<i>\$63,000,000</i>
	<i>Oberdachstetten</i>	<i>\$12,200,000</i>
	<i>Kelley Barracks</i>	<i>\$12,200,000</i>
	<i>Vilseck</i>	<i>\$20,000,000</i>
<i>Korea</i>	<i>Camp Carroll</i>	<i>\$41,000,000</i>
	<i>Camp Henry</i>	<i>\$48,000,000</i>

SEC. 2102. FAMILY HOUSING.

(a) *CONSTRUCTION AND ACQUISITION.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(5)(A), the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Army: Family Housing

Country	Installation or Location	Units	Amount
<i>Germany</i>	<i>Baumholder</i>	<i>64</i>	<i>\$34,329,000</i>
	<i>Illesheim</i>	<i>80</i>	<i>\$41,000,000</i>
	<i>Vilseck</i>	<i>22</i>	<i>\$12,000,000</i>

(b) *PLANNING AND DESIGN.*—Using amounts appropriated pursuant to the authorization of appropriations in

1 *section 2104(5)(A), the Secretary of the Army may carry*
2 *out architectural and engineering services and construction*
3 *design activities with respect to the construction or im-*
4 *provement of family housing units in an amount not to*
5 *exceed \$7,897,000.*

6 **SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
7 **UNITS.**

8 *Subject to section 2825 of title 10, United States Code,*
9 *and using amounts appropriated pursuant to the author-*
10 *ization of appropriations in section 2104(5)(A), the Sec-*
11 *retary of the Army may improve existing military family*
12 *housing units in an amount not to exceed \$103,000,000.*

13 **SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

14 *Funds are hereby authorized to be appropriated for fis-*
15 *cal years beginning after September 30, 2011, for military*
16 *construction, land acquisition, and military family housing*
17 *functions of the Department of the Army in the total*
18 *amount of \$3,643,146,000, as follows:*

19 *(1) For military construction projects inside the*
20 *United States authorized by section 2101(a),*
21 *\$2,400,250,000.*

22 *(2) For military construction projects outside the*
23 *United States authorized by section 2101(b),*
24 *\$298,900,000.*

1 (3) *For unspecified minor military construction*
 2 *projects authorized by section 2805 of title 10, United*
 3 *States Code, \$20,000,000.*

4 (4) *For architectural and engineering services*
 5 *and construction design under section 2807 of title*
 6 *10, United States Code, \$195,241,000.*

7 (5) *For military family housing functions:*

8 (A) *For construction and acquisition, plan-*
 9 *ning and design, and improvement of military*
 10 *family housing and facilities, \$176,897,000.*

11 (B) *For support of military family housing*
 12 *(including the functions described in section*
 13 *2833 of title 10, United States Code),*
 14 *\$494,858,000.*

15 (6) *For the construction of increment 1 of an*
 16 *aviation complex, phase 3A at Fort Wainwright,*
 17 *Alaska, authorized by section 2101(a) of this Act,*
 18 *\$57,000,000.*

19 **SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT**
 20 **CERTAIN FISCAL YEAR 2009 PROJECT.**

21 *In the case of the authorization contained in the table*
 22 *in section 2101(a) of the Military Construction Authoriza-*
 23 *tion Act for Fiscal Year 2009 (division B of Public Law*
 24 *110–417; 122 Stat. 4658) for Fort Benning, Georgia, for*
 25 *construction of a Multipurpose Training Range at the in-*

1 stallation, the Secretary of the Army may construct up to
 2 1,802 square feet of loading dock consistent with the Army's
 3 construction guidelines for Multipurpose Training Ranges.

4 **SEC. 2106. MODIFICATION OF AUTHORITY TO CARRY OUT**
 5 **CERTAIN FISCAL YEAR 2010 PROJECT.**

6 *In the case of the authorization contained in the table*
 7 *in section 2101(a) of the Military Construction Authoriza-*
 8 *tion Act for Fiscal Year 2010 (division B of Public Law*
 9 *111–84; 123 Stat. 2629) for Joint Base Lewis-McChord,*
 10 *Washington, for construction of an access road adjoining*
 11 *McChord Air Force Base and Fort Lewis, the Secretary of*
 12 *the Army may construct a secure elevated roadway over the*
 13 *existing railroad and public road in lieu of an on-grade*
 14 *road and access control point.*

15 **SEC. 2107. MODIFICATION OF AUTHORITY TO CARRY OUT**
 16 **CERTAIN FISCAL YEAR 2011 PROJECTS.**

17 (a) *HAWAII.*—*In the case of the authorization con-*
 18 *tained in the table in section 2101(a) of the Military Con-*
 19 *struction Authorization Act for Fiscal Year 2011 (division*
 20 *B of Public Law 111–383; 124 Stat. 4437) for Schofield*
 21 *Barracks, Hawaii, for renovations of buildings 450 and*
 22 *452, the Secretary of the Army may renovate building 451*
 23 *in lieu of building 452.*

24 (b) *NEW YORK.*—*In the case of the authorization con-*
 25 *tained in the table in section 2101(a) of the Military Con-*

1 *struction Authorization Act for Fiscal Year 2011 (division*
 2 *B of Public Law 111–383; 124 Stat. 4437) for Fort Drum,*
 3 *New York, for construction of an Aircraft Maintenance*
 4 *Hangar at the installation, the Secretary of the Army may*
 5 *construct up to 39,049 square yards of parking apron con-*
 6 *sistent with the Army’s construction guidelines for Aircraft*
 7 *Maintenance Hangars and associated parking aprons.*

8 (c) *GERMANY.—In the case of the authorization con-*
 9 *tained in the table in section 2101(b) of the Military Con-*
 10 *struction Authorization Act for Fiscal Year 2011 (division*
 11 *B of Public Law 111–383; 124 Stat. 4438) for Wiesbaden*
 12 *Air Base, Germany, for construction of an Information*
 13 *Processing Center at the installation, the Secretary of the*
 14 *Army may construct up to 9,400 square yards of vehicle*
 15 *parking garage consistent with the Army’s construction*
 16 *guidelines for parking garages, in lieu of renovating 9,400*
 17 *square yards of parking area.*

18 **SEC. 2108. ADDITIONAL AUTHORITY TO CARRY OUT CER-**
 19 **TAIN FISCAL YEAR 2012 PROJECT.**

20 (a) *PROJECT AUTHORIZATION.—The Secretary of the*
 21 *Army may carry out a military construction project to con-*
 22 *struct a water treatment facility for Fort Irwin, California,*
 23 *in the amount of \$115,000,000.*

24 (b) *USE OF UNOBLIGATED PRIOR-YEAR ARMY MILI-*
 25 *TARY CONSTRUCTION FUNDS.—The Secretary may use*

1 *available, unobligated Army military construction funds*
 2 *appropriated for a fiscal year before fiscal year 2012 for*
 3 *the project described in subsection (a).*

4 (c) *CONGRESSIONAL NOTIFICATION.—The Secretary of*
 5 *the Army shall provide information in accordance with sec-*
 6 *tion 2851(c) of title 10, United States Code, regarding the*
 7 *project described in subsection (a). If it becomes necessary*
 8 *to exceed the estimated project cost, the Secretary shall uti-*
 9 *lize the authority provided by section 2853 of such title re-*
 10 *garding authorized cost and scope of work variations.*

11 **SEC. 2109. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 12 **FISCAL YEAR 2008 PROJECTS.**

13 (a) *EXTENSION.—Notwithstanding section 2002 of the*
 14 *Military Construction Authorization Act for Fiscal Year*
 15 *2008 (division B of Public Law 110–181; 122 Stat. 503),*
 16 *authorizations set forth in the table in subsection (b), as*
 17 *provided in section 2101 of that Act (122 Stat. 504), shall*
 18 *remain in effect until October 1, 2012, or the date of the*
 19 *enactment of an Act authorizing funds for military con-*
 20 *struction for fiscal year 2013, whichever is later.*

21 (b) *TABLE.—The table referred to in subsection (a) is*
 22 *as follows:*

Army: Extension of 2008 Project Authorizations

<i>State</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>Louisiana</i>	<i>Fort Polk</i>	<i>Child Care Facility</i>	<i>\$6,100,000</i>

Army: Extension of 2008 Project Authorizations—Continued

State	Installation or Location	Project	Amount
Missouri	Fort Leonard Wood	Multipurpose Machine Gun Range	\$4,150,000

1 **SEC. 2110. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
2 **FISCAL YEAR 2009 PROJECTS.**

3 (a) *EXTENSION.*—Notwithstanding section 2002 of the
4 *Military Construction Authorization Act for Fiscal Year*
5 *2009* (division B of Public Law 110–417; 122 Stat. 4658),
6 *authorizations set forth in the table in subsection (b), as*
7 *provided in section 2101 of that Act* (122 Stat. 504), *shall*
8 *remain in effect until October 1, 2012, or the date of the*
9 *enactment of an Act authorizing funds for military con-*
10 *struction for fiscal year 2013, whichever is later.*

11 (b) *TABLE.*—The table referred to in subsection (a) is
12 *as follows:*

Army: Extension of 2009 Project Authorizations

State/Country	Installation or Location	Project	Amount
Alabama	Anniston Army Depot	Lake Yard Interchange	\$1,400,000
Hawaii	Schofield Barracks	Brigade Complex	\$65,000,000
	Schofield Barracks	Battalion Complex	\$69,000,000
	Schofield Barracks	Battalion Complex	\$27,000,000
	Schofield Barracks	Infrastructure Expansion	\$76,000,000
New Jersey	Picatinny Arsenal	Ballistic Evaluation Facility Phase I	\$9,900,000
Virginia	Fort Eustis	Vehicle Paint Facility	\$3,900,000

1 **SEC. 2111. TECHNICAL AMENDMENTS TO CORRECT CER-**
 2 **TAIN PROJECT SPECIFICATIONS.**

3 *The table in section 3002 of the Ike Skelton National*
 4 *Defense Authorization Act for Fiscal Year 2011 (Public*
 5 *Law 111–383; 124 Stat. 4503) is amended—*

6 *(1) in the item for the Army relating to “Entry*
 7 *Control Point and Access Roads” that appears imme-*
 8 *diately below the item relating to “Vet Clinic & Ken-*
 9 *nel” at Bagram Air Force Base, by striking*
 10 *“Delaram Ii” in the State/Country and Installation*
 11 *column and inserting “Delaram II”; and*

12 *(2) in the item for the Army that appears imme-*
 13 *diately below the item relating to “Electrical Utility*
 14 *Systems, Ph.2” at the Shank installation, by striking*
 15 *“Expand Extended Cooperation Programme I and*
 16 *Extended Cooperation Programme 2” in the Project*
 17 *Title column and inserting “Expand Entry Control*
 18 *Point 1 and Entry Control Point 2”.*

19 **SEC. 2112. REDUCTION OF ARMY MILITARY CONSTRUCTION**
 20 **AUTHORIZATION.**

21 *Amounts previously authorized for military construc-*
 22 *tion, land acquisition, and military family housing func-*
 23 *tions of the Department of the Army for fiscal years prior*
 24 *to fiscal year 2012 are hereby reduced by \$100,000,000.*

1 **SEC. 2113. TOUR NORMALIZATION.**

2 *None of the funds authorized to be appropriated under*
 3 *this Act may be obligated or expended for tour normaliza-*
 4 *tion until—*

5 *(1) the Director of Cost Assessment and Program*
 6 *Evaluation conducts an analysis of alternatives to*
 7 *tour normalization that identifies alternative courses*
 8 *of action and their associated life cycle costs, poten-*
 9 *tial benefits, advantages, and disadvantages;*

10 *(2) the Secretary of the Army submits to the con-*
 11 *gressional defense committees a master plan for com-*
 12 *pleting all phases of tour normalization that includes*
 13 *a detailed description of all costs and a schedule for*
 14 *the construction of necessary facilities and infrastruc-*
 15 *ture; and*

16 *(3) legislation enacted after the date of the enact-*
 17 *ment of this Act authorizes the obligation of funds for*
 18 *such purpose.*

19 **TITLE XXII—NAVY**

20 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND**
 21 **ACQUISITION PROJECTS.**

22 *(a) INSIDE THE UNITED STATES.—Using amounts ap-*
 23 *propriated pursuant to the authorization of appropriations*
 24 *in section 2204(1), the Secretary of the Navy may acquire*
 25 *real property and carry out military construction projects*

- 1 *for the installations or locations inside the United States,*
2 *and in the amounts, set forth in the following table:*

Inside the United States

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Arizona</i>	<i>Marine Corps Air Station, Yuma</i>	<i>\$162,785,000</i>
<i>California</i>	<i>Marine Corps Base, Camp Pendleton</i>	<i>\$335,080,000</i>
	<i>Naval Base, Coronado</i>	<i>\$93,735,000</i>
	<i>Marine Corps Base, Twentynine Palms</i>	<i>\$67,109,000</i>
	<i>Marine Corps Logistics Base, Barstow</i>	<i>\$8,590,000</i>
	<i>Marine Corps Mountain Warfare Training Center, Bridgeport</i>	<i>\$16,138,000</i>
	<i>Naval Base Ventura County Point Mugu</i>	<i>\$15,377,000</i>
<i>Florida</i>	<i>Naval Air Station, Jacksonville</i>	<i>\$36,552,000</i>
	<i>Naval Station, Mayport</i>	<i>\$14,998,000</i>
	<i>Naval Air Station, Whiting Field (Eglin Air Force Base)</i>	<i>\$20,620,000</i>
<i>Georgia</i>	<i>Naval Submarine Base, Kings Bay</i>	<i>\$86,063,000</i>
<i>Hawaii</i>	<i>Marine Corps Base, Kaneohe Bay</i>	<i>\$57,704,000</i>
	<i>Pacific Missile Range Facility, Barking Sands</i>	<i>\$9,679,000</i>
	<i>Joint Base Pearl Harbor-Hickam</i>	<i>\$7,492,000</i>
<i>Illinois</i>	<i>Naval Station, Great Lakes</i>	<i>\$91,042,000</i>
<i>Maryland</i>	<i>Naval Support Facility, Indian Head</i>	<i>\$67,779,000</i>
	<i>Naval Air Station, Patuxent River</i>	<i>\$45,844,000</i>
<i>North Carolina</i>	<i>Marine Corps Base, Camp Lejeune</i>	<i>\$200,482,000</i>
	<i>Marine Corps Air Station, Cherry Point</i>	<i>\$17,760,000</i>
	<i>Marine Corps Air Station, New River</i>	<i>\$78,930,000</i>
<i>South Carolina</i>	<i>Marine Corps Air Station, Beaufort</i>	<i>\$21,096,000</i>
<i>Virginia</i>	<i>Naval Station, Norfolk</i>	<i>\$81,304,000</i>
	<i>Naval Support Activity, Norfolk</i>	<i>\$26,924,000</i>
	<i>Naval Ship Yard, Portsmouth</i>	<i>\$74,864,000</i>
	<i>Marine Corps Base, Quantico</i>	<i>\$183,690,000</i>
<i>Washington</i>	<i>Naval Base Kitsap, Bremerton (Puget Sound Ship Yard)</i>	<i>\$13,341,000</i>
	<i>Naval Base Kitsap, Bremerton (Bangor)</i>	<i>\$758,842,000</i>

- 3 *(b) OUTSIDE THE UNITED STATES.—Using amounts*
4 *appropriated pursuant to the authorization of appropria-*
5 *tions in section 2204(2), the Secretary of the Navy may*
6 *acquire real property and carry out military construction*
7 *projects for the installation or location outside the United*
8 *States, and in the amounts, set forth in the following table:*

Navy: Outside the United States

<i>Country</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Djibouti</i>	<i>Camp Lemonier</i>	<i>\$89,499,000</i>
<i>Diego Garcia</i>	<i>Naval Support Facility, Diego Garcia</i>	<i>\$35,444,000</i>

1 **SEC. 2202. FAMILY HOUSING.**

2 *Using amounts appropriated pursuant to the author-*
3 *ization of appropriations in section 2204(5)(A), the Sec-*
4 *retary of the Navy may carry out architectural and engi-*
5 *neering services and construction design activities with re-*
6 *spect to the construction or improvement of family housing*
7 *units in an amount not to exceed \$3,199,000.*

8 **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
9 **UNITS.**

10 *Subject to section 2825 of title 10, United States Code,*
11 *and using amounts appropriated pursuant to the author-*
12 *ization of appropriations in section 2204(5)(A), the Sec-*
13 *retary of the Navy may improve existing military family*
14 *housing units in an amount not to exceed \$97,773,000.*

15 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

16 *Funds are hereby authorized to be appropriated for fis-*
17 *cal years beginning after September 30, 2011, for military*
18 *construction, land acquisition, and military family housing*
19 *functions of the Department of the Navy in the total amount*
20 *of \$2,641,457,000, as follows:*

21 *(1) For military construction projects inside the*
22 *United States authorized by section 2201(a),*
23 *\$1,956,822,000.*

24 *(2) For military construction projects outside the*
25 *United States authorized by section 2201(b),*
26 *\$124,943,000.*

1 (3) *For unspecified minor military construction*
 2 *projects authorized by section 2805 of title 10, United*
 3 *States Code, \$21,495,000.*

4 (4) *For architectural and engineering services*
 5 *and construction design under section 2807 of title*
 6 *10, United States Code, \$69,362,000.*

7 (5) *For military family housing functions:*

8 (A) *For construction and acquisition, plan-*
 9 *ning and design, and improvement of military*
 10 *family housing and facilities, \$100,972,000.*

11 (B) *For support of military family housing*
 12 *(including functions described in section 2833 of*
 13 *title 10, United States Code), \$367,863,000.*

14 **SEC. 2205. EXTENSION OF AUTHORIZATION OF CERTAIN**
 15 **FISCAL YEAR 2008 PROJECT.**

16 (a) *EXTENSION.*—*Notwithstanding section 2002 of the*
 17 *Military Construction Authorization Act for Fiscal Year*
 18 *2008 (division B of Public Law 110–181; 122 Stat. 503),*
 19 *the authorization set forth in the table in subsection (b),*
 20 *as provided in section 2201(c) of that Act (122 Stat. 511)*
 21 *and extended by section 2206 of the Military Construction*
 22 *Authorization Act for Fiscal Year 2011 (division B of Pub-*
 23 *lic Law 111–383; 124 Stat. 4443), shall remain in effect*
 24 *until October 1, 2012, or the date of an Act authorizing*

1 *funds for military construction for fiscal year 2013, which-*
 2 *ever is later.*

3 (b) *TABLE.—The table referred to in subsection (a) is*
 4 *as follows:*

Navy: Extension of 2008 Project Authorization

<i>State/Country</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>Worldwide Unspecified</i>	<i>Various</i>	<i>Host Nation Infrastructure</i>	<i>\$2,700,000</i>

5 (c) *TECHNICAL AMENDMENT FOR CONSISTENCY IN*
 6 *PROJECT AUTHORIZATION DISPLAY.—The table in section*
 7 *2201(c) of the Military Construction Authorization Act for*
 8 *Fiscal Year 2008 (division B of Public Law 110–181; 122*
 9 *Stat. 511) is amended to read as follows:*

Navy: Worldwide Unspecified

<i>State/Country</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>Worldwide Unspecified</i>	<i>Various</i>	<i>Wharf Utilities Upgrade</i>	<i>\$8,900,000</i>
<i>Worldwide Unspecified</i>	<i>Various</i>	<i>Host Nation Infrastructure</i>	<i>\$2,700,000</i>

10 ***SEC. 2206. EXTENSION OF AUTHORIZATIONS OF CERTAIN***
 11 ***FISCAL YEAR 2009 PROJECTS.***

12 (a) *EXTENSION.—Notwithstanding section 2002 of the*
 13 *Military Construction Authorization Act for Fiscal Year*
 14 *2009 (division B of Public Law 110–417; 122 Stat. 4658),*
 15 *the authorization set forth in the table in subsection (b),*
 16 *as provided in section 2201 of that Act (122 Stat 4670),*
 17 *shall remain in effect until October 1, 2012, or the date*

1 of an Act authorizing funds for military construction for
 2 fiscal year 2013, whichever is later.

3 (b) *TABLE.—The table referred to in subsection (a) is*
 4 *as follows:*

Navy: Extension of 2009 Project Authorizations

<i>State/Country</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>California</i>	<i>Marine Corps Base, Camp Pendelton</i>	<i>Operations Assess Points, Red Beach</i>	<i>\$11,970,000</i>
	<i>Marine Corps Air Sta- tion, Miramar</i>	<i>Emergency Response Sta- tion</i>	<i>\$6,530,000</i>
<i>District of Co- lumbia</i>	<i>Washington Navy Yard</i>	<i>Child Development Center ..</i>	<i>\$9,340,000</i>

5 ***SEC. 2207. REDUCTION OF NAVY MILITARY CONSTRUCTION***
 6 ***AUTHORIZATION.***

7 *Amounts previously authorized for military construc-*
 8 *tion, land acquisition, and military family housing func-*
 9 *tions of the Department of the Navy for fiscal years prior*
 10 *to fiscal year 2012 are hereby reduced by \$25,000,000.*

11 ***SEC. 2208. GUAM REALIGNMENT.***

12 *None of the funds authorized to be appropriated under*
 13 *this title, or amounts provided by the Government of Japan*
 14 *for military construction activities on land under the juris-*
 15 *diction of the Department of Defense, may be obligated or*
 16 *expended to implement the realignment of United States*
 17 *Marine Corps forces from Okinawa to Guam as envisioned*
 18 *in the United States–Japan Roadmap for Realignment Im-*
 19 *plementation issued May 1, 2006, until—*

1 (1) *the Commandant of the Marine Corps pro-*
2 *vides the congressional defense committees the Com-*
3 *mandant's preferred force lay-down for the United*
4 *States Pacific Command Area of Responsibility;*

5 (2) *the Secretary of Defense submits to the con-*
6 *gressional defense committees a master plan for the*
7 *construction of facilities and infrastructure to execute*
8 *the Commandant's preferred force lay-down on Guam,*
9 *including a detailed description of costs and a sched-*
10 *ule for such construction;*

11 (3) *the Secretary of Defense certifies to the con-*
12 *gressional defense committees that tangible progress*
13 *has been made regarding the relocation of Marine*
14 *Corps Air Station Futenma; and*

15 (4) *a plan coordinated by all pertinent Federal*
16 *agencies is provided to the congressional defense com-*
17 *mittees detailing descriptions of work, costs, and a*
18 *schedule for completion of construction, improve-*
19 *ments, and repairs to the non-military utilities, fa-*
20 *cilities, and infrastructure on Guam affected by the*
21 *realignment of forces.*

TITLE XXIII—AIR FORCE

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) *INSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(1), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Alaska</i>	<i>Eielson Air Force Base</i>	<i>\$45,000,000</i>
	<i>Joint Base Elmendorf-Richardson</i> ..	<i>\$97,000,000</i>
<i>Arizona</i>	<i>Davis-Monthan Air Force Base</i>	<i>\$33,000,000</i>
	<i>Luke Air Force Base</i>	<i>\$24,000,000</i>
<i>California</i>	<i>Travis Air Force Base</i>	<i>\$22,000,000</i>
	<i>Vandenberg Air Force Base</i>	<i>\$14,200,000</i>
<i>Colorado</i>	<i>U.S. Air Force Academy</i>	<i>\$13,400,000</i>
<i>Delaware</i>	<i>Dover Air Force Base</i>	<i>\$2,800,000</i>
<i>Kansas</i>	<i>Fort Riley, Kansas</i>	<i>\$7,600,000</i>
<i>Louisiana</i>	<i>Barksdale Air Force Base</i>	<i>\$23,500,000</i>
<i>Missouri</i>	<i>Whiteman Air Force Base</i>	<i>\$4,800,000</i>
<i>Nebraska</i>	<i>Offutt Air Force Base</i>	<i>\$564,000,000</i>
<i>Nevada</i>	<i>Nellis Air Force Base</i>	<i>\$35,850,000</i>
<i>New Mexico</i>	<i>Cannon Air Force Base</i>	<i>\$22,598,000</i>
	<i>Holloman Air Force Base</i>	<i>\$29,200,000</i>
	<i>Kirtland Air Force Base</i>	<i>\$25,000,000</i>
<i>North Carolina</i>	<i>Pope Air Force Base</i>	<i>\$6,000,000</i>
<i>North Dakota</i>	<i>Minot Air Force Base</i>	<i>\$67,800,000</i>
<i>Texas</i>	<i>Joint Base San Antonio</i>	<i>\$110,000,000</i>
<i>Utah</i>	<i>Hill Air Force Base</i>	<i>\$16,500,000</i>
<i>Virginia</i>	<i>Joint Base Langley Eustis</i>	<i>\$50,000,000</i>
<i>Washington</i>	<i>Fairchild Air Force Base</i>	<i>\$27,600,000</i>

(b) *OUTSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(2), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
<i>Germany</i>	<i>Ramstein Air Base</i>	<i>\$34,697,000</i>
<i>Greenland</i>	<i>Thule Air Base</i>	<i>\$28,000,000</i>
<i>Guam</i>	<i>Joint Region Marianas</i>	<i>\$64,400,000</i>
<i>Italy</i>	<i>Naval Air Station, Signonella</i>	<i>\$15,000,000</i>
<i>Korea</i>	<i>Osan Air Base</i>	<i>\$23,000,000</i>

1 SEC. 2302. FAMILY HOUSING.

2 *Using amounts appropriated pursuant to the author-*
3 *ization of appropriations in section 2304(5)(A), the Sec-*
4 *retary of the Air Force may carry out architectural and*
5 *engineering services and construction design activities with*
6 *respect to the construction or improvement of family hous-*
7 *ing units in an amount not to exceed \$4,208,000.*

8 **SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
9 **UNITS.**

10 *Subject to section 2825 of title 10, United States Code,*
11 *and using amounts appropriated pursuant to the author-*
12 *ization of appropriations in section 2304(5)(A), the Sec-*
13 *retary of the Air Force may improve existing military fam-*
14 *ily housing units in an amount not to exceed \$80,596,000.*

15 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**
16 **FORCE.**

17 *Funds are hereby authorized to be appropriated for fis-*
18 *cal years beginning after September 30, 2011, for military*
19 *construction, land acquisition, and military family housing*
20 *functions of the Department of the Air Force in the total*
21 *amount of \$1,619,423,000, as follows:*

1 (1) *For military construction projects inside the*
2 *United States authorized by section 2301(a),*
3 *\$677,848,000.*

4 (2) *For military construction projects outside the*
5 *United States authorized by section 2301(b),*
6 *\$165,897,000.*

7 (3) *For unspecified minor military construction*
8 *projects authorized by section 2805 of title 10, United*
9 *States Code, \$20,000,000.*

10 (4) *For architectural and engineering services*
11 *and construction design under section 2807 of title*
12 *10, United States Code, \$67,913,000.*

13 (5) *For military family housing functions:*

14 (A) *For construction and acquisition, plan-*
15 *ning and design, and improvement of military*
16 *family housing and facilities, \$84,804,000.*

17 (B) *For support of military family housing*
18 *(including functions described in section 2833 of*
19 *title 10, United States Code), \$404,761,000.*

20 (6) *For the construction of increment 2 of the*
21 *Air Force Technical Applications Center at Patrick*
22 *Air Force Base, Florida, as authorized by section*
23 *2301(a) of the Military Construction Authorization*
24 *Act for Fiscal Year 2011 (division B of Public Law*
25 *111–383; 124 Stat. 4444), \$79,000,000.*

1 (7) *For the construction of increment 1 of a*
 2 *STRATCOM replacement facility at Offutt Air Force*
 3 *Base, Nebraska, authorized by section 2301(a) of this*
 4 *Act, \$120,000,000.*

5 **SEC. 2305. MODIFICATION OF AUTHORIZATION TO CARRY**
 6 **OUT CERTAIN FISCAL YEAR 2010 PROJECT.**

7 *In the case of the authorization contained in the table*
 8 *in section 2301(a) of the National Defense Authorization*
 9 *Act for Fiscal Year 2010 (Division B of Public Law 111–*
 10 *84; 123 Stat. 2636) for Hickam Air Force Base, Hawaii,*
 11 *for construction of a Ground Control Tower at the installa-*
 12 *tion, the Secretary of the Air Force may construct 43*
 13 *vertical meters (141 vertical feet) in lieu of 111 square me-*
 14 *ters (1,195 square feet), consistent with the Air Force’s con-*
 15 *struction guidelines for control towers, using amounts ap-*
 16 *propriated pursuant to authorizations of appropriations in*
 17 *prior years.*

18 **SEC. 2306. EXTENSION OF AUTHORIZATION OF CERTAIN**
 19 **FISCAL YEAR 2009 PROJECT.**

20 (a) *EXTENSION.*—*Notwithstanding section 2002 of the*
 21 *Military Construction Authorization Act for Fiscal Year*
 22 *2009 (division B of Public Law 110–417; 122 Stat. 4658),*
 23 *the authorization set forth in the table in subsection (b),*
 24 *as provided in section 2301(b) of that Act (122 Stat. 4680)*
 25 *shall remain in effect until October 1, 2012, or the date*

1 of the enactment of an Act authorizing funds for military
 2 construction for fiscal year 2013, whichever is later:

3 (b) *TABLE.*—The table referred to in subsection (a) is
 4 as follows:

Air Force: Extension of 2009 Project Authorizations

<i>State</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>Germany</i>	<i>Spangdahlem AB</i>	<i>Construct Child Development Center</i>	<i>\$11,400,000</i>

5 ***SEC. 2307. REDUCTION OF AIR FORCE MILITARY CONSTRUCTION AUTHORIZATION.***
 6

7 Amounts previously authorized for military construction,
 8 land acquisition, and military family housing functions of the
 9 Department of the Air Force for fiscal years prior to fiscal year
 10 2012 are hereby reduced by \$32,000,000.

11 ***TITLE XXIV—DEFENSE AGENCIES***
 12

13 ***Subtitle A—Defense Agency Authorizations***
 14

15 ***SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.***
 16

17 (a) *INSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the
 18 authorization of appropriations in section 2403(1), the Secretary of Defense may acquire
 19 real property and carry out military construction projects for the installations or
 20 locations inside the United States, and in the amounts, set forth in the following table:
 21
 22

Defense Agencies: Inside the United States

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Alabama</i>	<i>Redstone Arsenal</i>	<i>\$58,800,000</i>
<i>Alaska</i>	<i>Anchorage</i>	<i>\$18,400,000</i>
	<i>Eielson Air Force Base</i>	<i>\$14,800,000</i>
<i>Arizona</i>	<i>Davis-Monthan Air Force Base</i>	<i>\$23,000,000</i>
<i>California</i>	<i>Defense Distribution Depot Tracy</i>	<i>\$15,500,000</i>
	<i>Marine Corps Base, Camp Pendleton</i>	<i>\$12,141,000</i>
	<i>Naval Base, Coronado</i>	<i>\$42,000,000</i>
	<i>Naval Base, Coronado (San Clemente)</i>	<i>\$21,800,000</i>
<i>Colorado</i>	<i>Buckley Air Force Base</i>	<i>\$140,932,000</i>
<i>District of Columbia</i> ..	<i>Bolling Air Force Base</i>	<i>\$16,736,000</i>
<i>Florida</i>	<i>Eglin Air Force Base</i>	<i>\$61,100,000</i>
	<i>Macdill Air Force Base</i>	<i>\$15,200,000</i>
	<i>Naval Air Station, Whiting Field</i>	<i>\$3,800,000</i>
<i>Georgia</i>	<i>Fort Benning</i>	<i>\$37,205,000</i>
	<i>Fort Gordon</i>	<i>\$17,705,000</i>
	<i>Fort Stewart</i>	<i>\$72,300,000</i>
<i>Hawaii</i>	<i>Joint Base Pearl Harbor-Hickam</i>	<i>\$14,400,000</i>
<i>Illinois</i>	<i>Naval Station, Great Lakes</i>	<i>\$16,900,000</i>
<i>Kentucky</i>	<i>Fort Campbell</i>	<i>\$138,500,000</i>
	<i>Fort Knox</i>	<i>\$38,845,000</i>
<i>Louisiana</i>	<i>Barksdale Air Force Base</i>	<i>\$6,200,000</i>
<i>Maryland</i>	<i>Joint Base Andrews</i>	<i>\$265,700,000</i>
	<i>National Naval Medical Center, Bethesda</i>	<i>\$18,000,000</i>
<i>Massachusetts</i>	<i>Hanscom Air Force Base</i>	<i>\$34,040,000</i>
	<i>Westover Air Reserve Base</i>	<i>\$23,300,000</i>
<i>Mississippi</i>	<i>Columbus Air Force Base</i>	<i>\$2,600,000</i>
	<i>Construction Battalion Center, Gulfport</i>	<i>\$34,700,000</i>
<i>Missouri</i>	<i>Arnold</i>	<i>\$9,253,000</i>
<i>New Mexico</i>	<i>Cannon Air Force Base</i>	<i>\$132,997,000</i>
<i>New York</i>	<i>Fort Drum</i>	<i>\$20,400,000</i>
<i>North Carolina</i>	<i>Camp Lejeune</i>	<i>\$6,670,000</i>
	<i>Fort Bragg</i>	<i>\$206,274,000</i>
	<i>Marine Corps Air Station, New River</i>	<i>\$22,687,000</i>
	<i>Pope Air Force Base</i>	<i>\$5,400,000</i>
<i>Ohio</i>	<i>Defense Supply Center Columbus</i>	<i>\$10,000,000</i>
<i>Oklahoma</i>	<i>Altus Air Force Base</i>	<i>\$8,200,000</i>
<i>Pennsylvania</i>	<i>Defense Distribution Depot New Cumberland</i>	<i>\$17,500,000</i>
	<i>Defense Supply Center Philadelphia</i>	<i>\$8,000,000</i>
<i>South Carolina</i>	<i>Joint Base Charleston</i>	<i>\$24,868,000</i>
<i>Texas</i>	<i>Joint Base Antonio</i>	<i>\$194,300,000</i>
<i>Virginia</i>	<i>Charlottesville</i>	<i>\$10,805,000</i>
	<i>Joint Expeditionary Base Little Creek-Fort Story</i>	<i>\$37,000,000</i>
	<i>Marine Corps Base, Quantico</i>	<i>\$46,727,000</i>
	<i>Naval Air Station, Oceana (Dam Neck)</i>	<i>\$23,116,000</i>
	<i>Dahlgren</i>	<i>\$1,988,000</i>
	<i>Pentagon Reservation</i>	<i>\$8,742,000</i>
<i>Washington</i>	<i>Joint Base Lewis-McChord</i>	<i>\$35,000,000</i>
	<i>Naval Air Station, Whidbey Island</i>	<i>\$25,000,000</i>
<i>West Virginia</i>	<i>Camp Dawson</i>	<i>\$2,200,000</i>

1 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2403(2), the Secretary of Defense may ac-
4 quire real property and carry out military construction

1 *projects for the installations or locations outside the United*
 2 *States, and in the amounts, set forth in the following table:*

Defense Agencies: Outside the United States

<i>Country</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Germany</i>	<i>Ansbach</i>	<i>\$11,672,000</i>
	<i>Grafenwoehr</i>	<i>\$6,529,000</i>
	<i>Spangdahlem Air Base</i>	<i>\$129,043,000</i>
	<i>Stuttgart-Patch Barracks</i>	<i>\$2,434,000</i>
<i>Italy</i>	<i>Vicenza</i>	<i>\$41,864,000</i>
<i>Japan</i>	<i>Yokota Air Base</i>	<i>\$61,842,000</i>
<i>United Kingdom</i> ..	<i>Menwith Hill Station</i>	<i>\$68,601,000</i>
	<i>Royal Air Force Alconbury</i>	<i>\$35,030,000</i>

3 ***SEC. 2402. ENERGY CONSERVATION PROJECTS.***

4 *Using amounts appropriated pursuant to the author-*
 5 *ization of appropriations in section 2403(6), the Secretary*
 6 *of Defense may carry out energy conservation projects*
 7 *under chapter 173 of title 10, United States Code, in the*
 8 *amount of \$135,000,000.*

9 ***SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE***
 10 ***AGENCIES.***

11 *Funds are hereby authorized to be appropriated for fis-*
 12 *cal years beginning after September 30, 2011, for military*
 13 *construction, land acquisition, and military family housing*
 14 *functions of the Department of Defense (other than the mili-*
 15 *tary departments) in the total amount of \$3,212,498,000,*
 16 *as follows:*

17 *(1) For military construction projects inside the*
 18 *United States authorized by section 2401(a),*
 19 *\$1,476,499,000.*

1 (2) *For military construction projects outside the*
2 *United States authorized by section 2401(b),*
3 *\$357,004,000.*

4 (3) *For unspecified minor military construction*
5 *projects under section 2805 of title 10, United States*
6 *Code, \$32,964,000.*

7 (4) *For contingency construction projects of the*
8 *Secretary of Defense under section 2804 of title 10,*
9 *United States Code, \$10,000,000.*

10 (5) *For architectural and engineering services*
11 *and construction design under section 2807 of title*
12 *10, United States Code, \$399,602,000.*

13 (6) *For energy conservation projects under chap-*
14 *ter 173 of title 10, United States Code, \$135,000,000.*

15 (7) *For military family housing functions:*

16 (A) *For support of military family housing*
17 *(including functions described in section 2833 of*
18 *title 10, United States Code), \$50,723,000.*

19 (B) *For credits to the Department of De-*
20 *fense Family Housing Improvement Fund under*
21 *section 2883 of title 10, United States Code, and*
22 *the Homeowners Assistance Fund established*
23 *under section 1013 of the Demonstration Cities*
24 *and Metropolitan Development Act of 1966 (42*
25 *U.S.C. 3374), \$3,468,000.*

1 (8) *For the construction of increment 6 of the*
2 *Army Medical Research Institute of Infectious Dis-*
3 *eases Stage I at Fort Detrick, Maryland, authorized*
4 *by section 2401(a) of the Military Construction Au-*
5 *thorization Act for Fiscal Year 2007 (division B of*
6 *Public Law 109–364; 120 Stat. 2457), \$137,600,000.*

7 (9) *For the construction of increment 4 of re-*
8 *placement fuel storage facilities at Point Loma*
9 *Annex, California, authorized by section 2401(a) of*
10 *the Military Construction Authorization Act for Fis-*
11 *cal Year 2008 (division B of Public Law 110–181;*
12 *122 Stat. 521), as amended by section 2406 of the*
13 *Military Construction Authorization Act for Fiscal*
14 *Year 2010 (division B of Public Law 111–84; 123*
15 *Stat. 2646), \$27,000,000.*

16 (10) *For the construction of increment 4 of the*
17 *United States Army Medical Research Institute of*
18 *Chemical Defense replacement facility at Aberdeen*
19 *Proving Ground, Maryland, authorized by section*
20 *2401(a) of the Military Construction Authorization*
21 *Act for Fiscal Year 2009 (division B of Public Law*
22 *110–417; 122 Stat. 4689), \$22,850,000.*

23 (11) *For the construction of increment 3 of a Na-*
24 *tional Security Agency data center at Camp Wil-*
25 *liams, Utah, authorized as a Military Construction,*

1 *Defense-Wide project by title IX of the Supplemental*
2 *Appropriations Act, 2009 (Public Law 111–32; 123*
3 *Stat. 1888), \$123,201,000.*

4 *(12) For the construction of increment 3 of the*
5 *hospital at Fort Bliss, Texas, authorized by section*
6 *2401(a) of the Military Construction Authorization*
7 *Act for Fiscal Year 2010 (division B of Public Law*
8 *111–84; 123 Stat. 2642), \$109,400,000.*

9 *(13) For the construction of increment 1 of a*
10 *Mountainview operations facility at Buckley Air*
11 *Force Base, Colorado, authorized by section 2401(a)*
12 *of this Act, \$70,432,000.*

13 *(14) For the construction of increment 1 of an*
14 *ambulatory care center at Joint Base Andrews, Mary-*
15 *land, authorized by section 2401(a) of this Act,*
16 *\$121,500,000.*

17 *(15) For the construction of increment 1 of an*
18 *ambulatory care center, phase 3 at Fort Bliss, Texas,*
19 *authorized by section 2401(a) of this Act,*
20 *\$80,600,000.*

***Subtitle B—Chemical
Demilitarization Authorizations***

***SEC. 2411. AUTHORIZATION OF APPROPRIATIONS, CHEMICAL
DEMILITARIZATION CONSTRUCTION,
DEFENSE-WIDE.***

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2011, for military construction and land acquisition for chemical demilitarization in the total amount of \$75,312,000, as follows:

(1) For the construction of phase 13 of a chemical munitions demilitarization facility at Pueblo Chemical Activity, Colorado, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2775), as amended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 839), section 2407 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2698), and section 2413 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4697), \$15,338,000.

(2) For the construction of phase 12 of a munitions demilitarization facility at Blue Grass Army

1 *Depot, Kentucky, authorized by section 2401(a) of the*
 2 *Military Construction Authorization Act for Fiscal*
 3 *Year 2000 (division B of Public Law 106–65; 113*
 4 *Stat. 835), as amended by section 2405 of the Mili-*
 5 *tary Construction Authorization Act for Fiscal Year*
 6 *2002 (division B of Public Law 107–107; 115 Stat.*
 7 *1298), section 2405 of the Military Construction Au-*
 8 *thorization Act for Fiscal Year 2003 (division B of*
 9 *Public Law 107–314; 116 Stat. 2698), section 2414 of*
 10 *the Military Construction Authorization Act for Fis-*
 11 *cal Year 2009 (division B of Public Law 110–417;*
 12 *122 Stat. 4697), and section 2412 of the Military*
 13 *Construction Authorization Act for Fiscal Year 2011*
 14 *(division B Public Law 111–383; 124 Stat. 4450),*
 15 *\$59,974,000.*

16 **SEC. 2412. REDUCTION OF DEFENSE AGENCIES MILITARY**
 17 **CONSTRUCTION AUTHORIZATION.**

18 *Amounts previously authorized for military construc-*
 19 *tion, land acquisition, and military family housing func-*
 20 *tions of the Department of Defense (other than the military*
 21 *departments) for fiscal years prior to fiscal year 2012 are*
 22 *hereby reduced by \$131,000,000.*

1 **TITLE XXV—NORTH ATLANTIC**
 2 **TREATY ORGANIZATION SE-**
 3 **CURITY INVESTMENT PRO-**
 4 **GRAM**

5 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
 6 **ACQUISITION PROJECTS.**

7 *The Secretary of Defense may make contributions for*
 8 *the North Atlantic Treaty Organization Security Invest-*
 9 *ment Program as provided in section 2806 of title 10,*
 10 *United States Code, in an amount not to exceed the sum*
 11 *of the amount authorized to be appropriated for this pur-*
 12 *pose in section 2502 and the amount collected from the*
 13 *North Atlantic Treaty Organization as a result of construc-*
 14 *tion previously financed by the United States.*

15 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

16 *Funds are hereby authorized to be appropriated for fis-*
 17 *cal years beginning after September 30, 2011, for contribu-*
 18 *tions by the Secretary of Defense under section 2806 of title*
 19 *10, United States Code, for the share of the United States*
 20 *of the cost of projects for the North Atlantic Treaty Organi-*
 21 *zation Security Investment Program authorized by section*
 22 *2501, in the amount of \$240,611,000.*

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CON- STRUCTION AND LAND ACQUISITION PROJECTS.

(a) *INSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2606(1), the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard: Inside the United States

State	Location	Amount
Alabama	Fort McClellan	\$16,500,000
Arizona	Papago Military Reservation	\$17,800,000
Arkansas	Fort Chafee	\$3,500,000
California	Camp Roberts	\$38,160,000
	Camp San Luis Obispo	\$8,000,000
Colorado	Alamosa	\$6,400,000
	Aurora	\$3,600,000
	Fort Carson	\$43,000,000
District of Columbia	Anacostia	\$5,300,000
Florida	Camp Blanding	\$5,500,000
Georgia	Atlanta	\$11,000,000
	Hinesville	\$17,500,000
	Macon	\$14,500,000
Hawaii	Kalaheo	\$33,000,000
Illinois	Normal	\$10,000,000
Indiana	Camp Atterbury	\$81,900,000
	Indianapolis	\$25,700,000
Maine	Bangor	\$15,600,000
	Brunswick	\$23,000,000
Maryland	Dundalk	\$16,000,000
	La Plata	\$9,000,000
	Westminster	\$10,400,000
Massachusetts	Natick	\$9,000,000
Minnesota	Camp Ripley	\$8,400,000
Mississippi	Camp Shelby	\$64,600,000
Nebraska	Grand Island	\$22,000,000
	Mead	\$9,100,000
Nevada	Las Vegas	\$23,000,000
New Jersey	Lakehurst	\$49,000,000
New Mexico	Santa Fe	\$5,200,000
North Carolina	Greensboro	\$3,700,000
Oklahoma	Camp Gruber	\$13,361,000
Oregon	The Dalles	\$13,800,000
South Carolina	Allendale	\$4,300,000

Army National Guard: Inside the United States—Continued

State	Location	Amount
<i>Utah</i>	<i>Camp Williams</i>	\$6,500,000
<i>Virginia</i>	<i>Fort Pickett</i>	\$11,000,000
<i>West Virginia</i>	<i>Buckhannon</i>	\$10,000,000
<i>Wisconsin</i>	<i>Camp Williams</i>	\$7,000,000
<i>Wyoming</i>	<i>Cheyenne</i>	\$8,900,000

1 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2606(1), the Secretary of the Army may
4 acquire real property and carry out military construction
5 projects for the Army National Guard locations outside the
6 United States, and in the amounts, set forth in the following
7 table:

Army National Guard: Outside the United States

Country	Location	Amount
<i>Puerto Rico</i>	<i>Fort Buchanan</i>	\$57,000,000

8 **SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION**
9 **AND LAND ACQUISITION PROJECTS.**

10 Using amounts appropriated pursuant to the author-
11 ization of appropriations in section 2606(2), the Secretary
12 of the Army may acquire real property and carry out mili-
13 tary construction projects for the Army Reserve locations
14 inside the United States, and in the amounts, set forth in
15 the following table:

Army Reserve

State	Location	Amount
<i>California</i>	<i>Fort Hunter Liggett</i>	\$5,200,000
<i>Colorado</i>	<i>Fort Collins</i>	\$13,600,000
<i>Illinois</i>	<i>Homewood</i>	\$16,000,000
	<i>Rockford</i>	\$12,800,000
<i>Indiana</i>	<i>Fort Benjamin Harrison</i>	\$57,000,000

Army Reserve—Continued

State	Location	Amount
<i>Kansas</i>	<i>Kansas City</i>	<i>\$13,000,000</i>
<i>Massachusetts</i>	<i>Attleboro</i>	<i>\$22,000,000</i>
<i>Minnesota</i>	<i>Saint Joseph</i>	<i>\$11,800,000</i>
<i>Missouri</i>	<i>Weldon Springs</i>	<i>\$19,000,000</i>
<i>New York</i>	<i>Schenectady</i>	<i>\$20,000,000</i>
<i>North Carolina</i>	<i>Greensboro</i>	<i>\$19,000,000</i>
<i>South Carolina</i>	<i>Orangeburg</i>	<i>\$12,000,000</i>
<i>Wisconsin</i>	<i>Fort McCoy</i>	<i>\$27,300,000</i>

1 **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE**
2 **CORPS RESERVE CONSTRUCTION AND LAND**
3 **ACQUISITION PROJECTS.**

4 *Using amounts appropriated pursuant to the author-*
5 *ization of appropriations in section 2606(3), the Secretary*
6 *of the Navy may acquire real property and carry out mili-*
7 *tary construction projects for the Navy Reserve and Marine*
8 *Corps Reserve locations inside the United States, and in*
9 *the amounts, set forth in the following table:*

Navy Reserve and Marine Corps Reserve

State	Location	Amount
<i>Pennsylvania</i>	<i>Pittsburgh</i>	<i>\$13,759,000</i>
<i>Tennessee</i>	<i>Memphis</i>	<i>\$7,949,000</i>

10 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUC-**
11 **TION AND LAND ACQUISITION PROJECTS.**

12 *Using amounts appropriated pursuant to the author-*
13 *ization of appropriations in section 2606(4), the Secretary*
14 *of the Air Force may acquire real property and carry out*
15 *military construction projects for the Air National Guard*
16 *locations inside the United States, and in the amounts, set*
17 *forth in the following table:*

Air National Guard

<i>State</i>	<i>Location</i>	<i>Amount</i>
<i>California</i>	<i>Beale Air Force Base</i>	<i>\$6,100,000</i>
	<i>Moffett Field</i>	<i>\$26,000,000</i>
<i>Hawaii</i>	<i>Joint Base Pearl Harbor-Hickam</i>	<i>\$39,521,000</i>
<i>Indiana</i>	<i>Fort Wayne International Airport</i>	<i>\$4,000,000</i>
<i>Maryland</i>	<i>Martin State Airport</i>	<i>\$4,900,000</i>
<i>Massachusetts</i>	<i>Otis Air National Guard Base</i>	<i>\$7,800,000</i>
<i>Ohio</i>	<i>Springfield Beckley-Municipal Airport</i>	<i>\$6,700,000</i>

1 ***SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUC-***
2 ***TION AND LAND ACQUISITION PROJECTS.***

3 *Using amounts appropriated pursuant to the author-*
4 *ization of appropriations in section 2606(5), the Secretary*
5 *of the Air Force may acquire real property and carry out*
6 *military construction projects for the Air Force Reserve lo-*
7 *cations inside the United States, and in the amounts, set*
8 *forth in the following table:*

Air Force Reserve

<i>State</i>	<i>Location</i>	<i>Amount</i>
<i>California</i>	<i>March Air Force Base</i>	<i>\$16,393,000</i>
<i>South Carolina</i>	<i>Charleston Air Force Base</i>	<i>\$9,593,000</i>

9 ***SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NA-***
10 ***TIONAL GUARD AND RESERVE.***

11 *Funds are hereby authorized to be appropriated for fis-*
12 *cal years beginning after September 30, 2011, for the costs*
13 *of acquisition, architectural and engineering services, and*
14 *construction of facilities for the Guard and Reserve Forces,*
15 *and for contributions therefor, under chapter 1803 of title*
16 *10, United States Code (including the cost of acquisition*
17 *of land for those facilities), in the following amounts:*

1 (1) *For the Department of the Army, for the*
 2 *Army National Guard of the United States,*
 3 *\$773,592,000.*

4 (2) *For the Department of the Army, for the*
 5 *Army Reserve, \$280,549,000.*

6 (3) *For the Department of the Navy, for the*
 7 *Navy and Marine Corps Reserve, \$26,299,000.*

8 (4) *For the Department of the Air Force, for the*
 9 *Air National Guard of the United States,*
 10 *\$116,246,000.*

11 (5) *For the Department of the Air Force, for the*
 12 *Air Force Reserve, \$33,620,000.*

13 **SEC. 2607. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 14 **FISCAL YEAR 2008 PROJECTS.**

15 (a) *EXTENSION.*—*Notwithstanding section 2002 of the*
 16 *Military Construction Authorization Act for Fiscal Year*
 17 *2008 (division B of Public Law 110–181; 122 Stat. 503),*
 18 *the authorization set forth in the table in subsection (b),*
 19 *as provided in section 2601 and 2604 of that Act (122 Stat.*
 20 *527–528), shall remain in effect until October 1, 2012, or*
 21 *the date of the enactment of an Act authorizing funds for*
 22 *military construction for fiscal year 2013, whichever is*
 23 *later.*

24 (b) *TABLE.*—*The table referred to in subsection (a) is*
 25 *as follows:*

Army National Guard: Extension of 2008 Project Authorization

<i>State</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>Pennsylvania</i>	<i>Coatesville</i>	<i>Readiness Center</i>	<i>\$ 8,300,000</i>

1 **SEC. 2608. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
2 **FISCAL YEAR 2009 PROJECTS.**

3 (a) *EXTENSION.*—Notwithstanding section 2002 of the
4 *Military Construction Authorization Act for Fiscal Year*
5 *2009 (division B of Public Law 110–417; 122 Stat. 4658),*
6 *the authorization set forth in the tables in subsection (b),*
7 *as provided in sections 2601, 2602, and 2603 of that Act,*
8 *shall remain in effect until October 1, 2012, or the date*
9 *of the enactment of an Act authorizing funds for military*
10 *construction for fiscal year 2013, whichever is later.*

11 (b) *TABLES.*—The tables referred to in subsection (a)
12 *are as follows:*

Air National Guard: Extension of 2009 Project Authorizations

<i>State</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>Indiana</i>	<i>Camp Atterbury</i>	<i>Multipurpose Machine Gun Range</i>	<i>\$5,800,000</i>
<i>Nevada</i>	<i>Elko</i>	<i>Readiness Center</i>	<i>\$11,375,000</i>

Air National Guard: Extension of 2009 Project Authorization

<i>State</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>Mississippi</i>	<i>Gulfport-Biloxi International Airport</i>	<i>Relocate munitions storage complex</i>	<i>\$3,400,000</i>

Air Reserve: Extension of 2009 Project Authorization

<i>State</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>New York</i>	<i>Staten Island</i>	<i>Army Reserve Center</i>	<i>\$18,550,000</i>

***Navy Reserve and Marine Corps Reserve: Extension of 2009
Project Authorization***

<i>State</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>Delaware</i>	<i>Wilmington</i>	<i>Armed Forces Reserve Center</i>	<i>\$11,530,000</i>

1 *SEC. 2609. MODIFICATION OF AUTHORITY TO CARRY OUT*
2 *CERTAIN FISCAL YEAR 2009 PROJECT.*

3 *In the case of the authorization contained in the table*
4 *in section 2601(a) of the Military Construction Authoriza-*
5 *tion Act for Fiscal Year 2009 (division B of Public Law*
6 *110–417; 122 Stat. 4701) for Elko, Nevada, for construction*
7 *of an Army Reserve Center, the Secretary of the Army may*
8 *instead construct the Army Reserve Center at Carlin, Ne-*
9 *vada.*

10 *TITLE XXVII—BASE CLOSURE*
11 *AND REALIGNMENT ACTIVITIES*

12 *SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE*
13 *REALIGNMENT AND CLOSURE ACTIVITIES*
14 *FUNDED THROUGH DEPARTMENT OF DE-*
15 *FENSE BASE CLOSURE ACCOUNT 1990.*

16 *Funds are hereby authorized to be appropriated for fis-*
17 *cal years beginning after September 30, 2011, for base clo-*
18 *sure and realignment activities, including real property ac-*
19 *quisition and military construction projects, as authorized*
20 *by the Defense Base Closure and Realignment Act of 1990*
21 *(part A of title XXIX of Public Law 101–510; 10 U.S.C.*
22 *2687 note) and funded through the Department of Defense*

1 *Base Closure Account 1990 established by section 2906 of*
2 *such Act, in the total amount of \$323,543,000, as follows:*

3 (1) *For the Department of the Army,*
4 *\$70,716,000.*

5 (2) *For the Department of the Navy,*
6 *\$129,351,000.*

7 (3) *For the Department of the Air Force,*
8 *\$123,476,000.*

9 **SEC. 2702. AUTHORIZED BASE REALIGNMENT AND CLO-**
10 **SURE ACTIVITIES FUNDED THROUGH DE-**
11 **PARTMENT OF DEFENSE BASE CLOSURE AC-**
12 **COUNT 2005.**

13 *Using amounts appropriated pursuant to the author-*
14 *ization of appropriations in section 2703, the Secretary of*
15 *Defense may carry out base closure and realignment activi-*
16 *ties, including real property acquisition and military con-*
17 *struction projects, as authorized by the Defense Base Closure*
18 *and Realignment Act of 1990 (part A of title XXIX of Pub-*
19 *lic Law 101–510; 10 U.S.C. 2687 note) and funded through*
20 *the Department of Defense Base Closure Account 2005 es-*
21 *tablished by section 2906A of such Act, in the amount of*
22 *\$258,776,000.*

1 **SEC. 2703. AUTHORIZATION OF APPROPRIATIONS FOR BASE**
2 **REALIGNMENT AND CLOSURE ACTIVITIES**
3 **FUNDED THROUGH DEPARTMENT OF DE-**
4 **FENSE BASE CLOSURE ACCOUNT 2005.**

5 *Funds are hereby authorized to be appropriated for fis-*
6 *cal years beginning after September 30, 2011, for base clo-*
7 *sure and realignment activities, including real property ac-*
8 *quisition and military construction projects, as authorized*
9 *by the Defense Base Closure and Realignment Act of 1990*
10 *(part A of title XXIX of Public Law 101–510; 10 U.S.C.*
11 *2687 note) and funded through the Department of Defense*
12 *Base Closure Account 2005 established by section 2906A of*
13 *such Act, in the total amount of \$258,776,000 as follows:*

14 (1) *For the Department of the Army,*
15 *\$229,190,000.*

16 (2) *For the Department of the Navy,*
17 *\$25,829,000.*

18 (3) *For the Department of the Air Force,*
19 *\$1,966,000.*

20 (4) *For the Defense Agencies, \$1,791,000.*

1 **SEC. 2704. REDUCTION OF MILITARY CONSTRUCTION AU-**
 2 **THORIZATION FOR BASE REALIGNMENT AND**
 3 **CLOSURE ACTIVITIES AUTHORIZED**
 4 **THROUGH THE DEPARTMENT OF DEFENSE**
 5 **BASE CLOSURE ACCOUNT 1990.**

6 *Amounts previously authorized for base closure and re-*
 7 *alignment activities, including real property acquisition*
 8 *and military construction projects, as authorized by the De-*
 9 *fense Base Closure and Realignment Act of 1990 (part A*
 10 *of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note)*
 11 *and funded through the Department of Defense Base Closure*
 12 *Account 1990 established by section 2906 of such Act for*
 13 *fiscal years prior to fiscal year 2012 are hereby reduced*
 14 *by \$100,000,000.*

15 **TITLE XXVIII—MILITARY CON-**
 16 **STRUCTION GENERAL PROVI-**
 17 **SIONS**

18 **Subtitle A—Military Construction**
 19 **Program and Military Family**
 20 **Housing Changes**

21 **SEC. 2801. GENERAL MILITARY CONSTRUCTION TRANSFER**
 22 **AUTHORITY.**

23 *(a) AUTHORITY TO TRANSFER AUTHORIZATION OF*
 24 *APPROPRIATIONS.—*

25 *(1) AUTHORITY.—Upon a determination by the*
 26 *Secretary of a military department, or with respect*

1 to the Defense Agencies, the Secretary of Defense, that
2 such action is necessary in the national interest, the
3 Secretary concerned may transfer amounts of author-
4 ization of appropriations made available to that mili-
5 tary department or Defense Agency in this division
6 for fiscal year 2012 between any such authorization
7 of appropriations for that military department or De-
8 fense Agency for that fiscal year. Amounts of author-
9 ization of appropriations so transferred shall be
10 merged with and be available for the same purposes
11 as the authorization of appropriations to which
12 transferred.

13 (2) *AGGREGATE LIMIT.*—The aggregate amount
14 of authorizations that the Secretaries concerned may
15 transfer under the authority of this section may not
16 exceed \$400,000,000.

17 (b) *LIMITATION.*—The authority provided by this sec-
18 tion to transfer authorizations may only be used to fund
19 increases in the cost of military construction projects that
20 have been authorized by law.

21 (c) *EFFECT ON AUTHORIZATION AMOUNTS.*—A trans-
22 fer made from one account to another under the authority
23 of this section shall be deemed to increase the amount au-
24 thorized for appropriation for the account to which the

1 *amount is transferred by an amount equal to the amount*
 2 *transferred.*

3 (d) *NOTICE TO CONGRESS.—The Secretary concerned*
 4 *shall promptly notify the congressional defense committees*
 5 *of each transfer made by that Secretary under subsection*
 6 *(a).*

7 **SEC. 2802. EXTENSION OF TEMPORARY, LIMITED AUTHOR-**
 8 **ITY TO USE OPERATION AND MAINTENANCE**
 9 **FUNDS FOR CONSTRUCTION PROJECTS OUT-**
 10 **SIDE THE UNITED STATES.**

11 (a) *ONE-YEAR EXTENSION OF AUTHORITY.—Section*
 12 *2808 of the Military Construction Authorization Act for*
 13 *Fiscal Year 2004 (division B of Public Law 108–136; 117*
 14 *Stat. 1723), as most recently amended by section 2804 of*
 15 *the Military Construction Authorization Act for Fiscal Year*
 16 *2011 (division B of Public Law 111–383; 124 Stat. 4459),*
 17 *is amended—*

18 (1) *in subsection (c)(2), by striking “fiscal year*
 19 *2011” and inserting “fiscal year 2012”; and*

20 (2) *in subsection (h)—*

21 (A) *in paragraph (1), by striking “Sep-*
 22 *tember 30, 2011” and inserting “September 30,*
 23 *2012”; and*

24 (B) *in paragraph (2), by striking “fiscal*
 25 *year 2012” and inserting “fiscal year 2013”.*

1 (b) *MODIFICATION OF QUARTERLY REPORTING RE-*
 2 *QUIREMENT.*—*Subsection (g) of such section is amended—*

3 (1) *by striking “QUARTERLY REPORTS OR” in*
 4 *the subsection heading;*

5 (2) *by striking “the report for a fiscal-year quar-*
 6 *ter under subsection (d) or”;* and

7 (3) *by striking “report or”.*

8 (c) *TECHNICAL AMENDMENTS.*—*Subsections (a) and*
 9 *(i) of such section are amended by striking “Combined Task*
 10 *Force-Horn of Africa” each place it appears and inserting*
 11 *“Combined Joint Task Force-Horn of Africa”.*

12 **SEC. 2803. CLARIFICATION OF AUTHORITY TO USE THE**
 13 **PENTAGON RESERVATION MAINTENANCE RE-**
 14 **VOLVING FUND FOR MINOR CONSTRUCTION**
 15 **AND ALTERATION ACTIVITIES AT THE PEN-**
 16 **TAGON RESERVATION.**

17 *Section 2674(e)(4) of title 10, United States Code, is*
 18 *amended—*

19 (1) *by striking “The authority” and inserting*
 20 *“(A) Except as provided in subparagraph (B), the*
 21 *authority”;* and

22 (2) *by adding at the end the following new sub-*
 23 *paragraph:*

24 *“(B) The Secretary may use monies from the Fund*
 25 *to support construction or alteration activities at the Pen-*

1 tagon Reservation within the limits stated in section 2805
 2 of this title.”.

3 ***Subtitle B—Real Property and***
 4 ***Facilities Administration***

5 ***SEC. 2811. EXCHANGE OF PROPERTY AT MILITARY INSTAL-***
 6 ***LATIONS.***

7 (a) *EXCHANGE AUTHORITY*.—Section 2869 of title 10,
 8 *United States Code*, is amended—

9 (1) in the section heading, by striking “**Con-**
 10 **veyance of property at military installa-**
 11 **tions to limit encroachment**” and inserting
 12 **“Exchange of property at military instal-**
 13 **lations**”; and

14 (2) in subsection (a)—

15 (A) in the subsection heading, by striking
 16 “*CONVEYANCE AUTHORIZED; CONSIDERATION*”
 17 and inserting “*EXCHANGE AUTHORIZED*”; and

18 (B) in paragraph (1), by striking “to any
 19 person who agrees, in exchange for the real prop-
 20 erty, to carry out a land acquisition” and in-
 21 serting “to any eligible entity who agrees, in ex-
 22 change for the real property, to transfer to the
 23 United States all right, title, and interest of the
 24 entity in and to a parcel of real property, in-

1 *cluding any improvements thereon under their*
 2 *control, or to carry out a land acquisition”.*

3 **(b) EXTENSION OF AUTHORITY.**—*Such section is fur-*
 4 *ther amended—*

5 *(1) by striking subsection (f); and*

6 *(2) by redesignating subsections (g) and (h) as*
 7 *subsections (f) and (g), respectively.*

8 **(c) CLERICAL AMENDMENT.**—*The table of sections at*
 9 *the beginning of chapter 169 of such title is amended by*
 10 *striking the item relating to section 2869 and inserting the*
 11 *following new item:*

“2869. Exchange of property at military installations.”.

12 **SEC. 2812. CLARIFICATION OF AUTHORITY TO LIMIT EN-**
 13 **CROACHMENTS.**

14 **(a) INAPPLICABILITY OF CERTAIN CONTRACT RE-**
 15 **QUIREMENTS.**—*Subsection (c) of section 2684a of title 10,*
 16 *United States Code, is amended to read as follows:*

17 *“(c) INAPPLICABILITY OF CERTAIN CONTRACT RE-*
 18 *QUIREMENTS.—Notwithstanding chapter 63 of title 31, an*
 19 *agreement under this section that is a cooperative agree-*
 20 *ment or a grant may be used to acquire property or services*
 21 *for the direct benefit or use of the United States Govern-*
 22 *ment.”.*

23 **(b) ACQUISITION AND ACCEPTANCE OF PROPERTY AND**
 24 **INTERESTS.**—*Subsection (d) of such section is amended—*
 25 *(1) in paragraph (3)—*

1 (A) by inserting “, and the monitoring and
2 enforcement of any right, title, or interest in,”
3 after “resources on”;

4 (B) by inserting “and monitoring and en-
5 forcement” after “natural resource manage-
6 ment”; and

7 (C) by adding at the end the following:
8 “Any such payment by the United States—

9 “(A) may be paid in a lump sum and in-
10 clude an amount intended to cover the future
11 costs of natural resource management and moni-
12 toring and enforcement; and

13 “(B) shall be placed by the eligible entity in
14 an interest-bearing account, and any interest
15 shall be applied for the same purposes as the
16 principal.”; and

17 (2) in paragraph (5)—

18 (A) inserting “(A)” after “(5)”;

19 (B) by inserting after the first sentence the
20 following: “No such requirement need be included
21 in the agreement if the property or interest is
22 being transferred to a State, or the agreement re-
23 quires it to be subsequently transferred to a
24 State, and the Secretary concerned determines
25 that the laws and regulations applicable to the

1 *future use of such property or interest provide*
2 *adequate assurance that the property concerned*
3 *will be developed and used in a manner appro-*
4 *priate for purposes of this section.”; and*

5 *(C) by adding at the end the following new*
6 *subparagraph:*

7 *“(B) Notwithstanding subparagraph (A), if all or a*
8 *portion of the property or interest acquired under the agree-*
9 *ment is subsequently transferred to the United States and*
10 *administrative jurisdiction over the property is under a*
11 *Federal official other than a Secretary concerned, the Sec-*
12 *retary concerned and that Federal official shall enter into*
13 *a memorandum of agreement providing, to the satisfaction*
14 *of the Secretary concerned, for the management of the prop-*
15 *erty or interest concerned in a manner appropriate for pur-*
16 *poses of this section. Such memorandum of agreement shall*
17 *also provide that, should it be proposed that the property*
18 *or interest concerned be developed or used in a manner not*
19 *appropriate for purposes of this section, including declaring*
20 *the property to be excess to the agency’s needs or proposing*
21 *to exchange the property for other property, the Secretary*
22 *concerned may request that administrative jurisdiction over*
23 *the property be transferred to the Secretary concerned at*
24 *no cost, and, upon such a request being made, the adminis-*

1 *trative jurisdiction over the property shall be transferred*
 2 *accordingly.”.*

3 **SEC. 2813. DEPARTMENT OF DEFENSE CONSERVATION AND**
 4 **CULTURAL ACTIVITIES.**

5 *Section 2694(b)(2) of title 10, United States Code, is*
 6 *amended—*

7 *(1) in subparagraph (B), by inserting “and sus-*
 8 *tainability” after “safety”; and*

9 *(2) by adding at the end the following new sub-*
 10 *paragraph:*

11 *“(F) The implementation of ecosystem-wide land*
 12 *management plans—*

13 *“(i) for a single ecosystem that encompasses*
 14 *at least two non-contiguous military installa-*
 15 *tions, if those military installations are not all*
 16 *under the administrative jurisdiction of the same*
 17 *Secretary of a military department; and*

18 *“(ii) providing synergistic benefits unavail-*
 19 *able if the installations acted separately.”.*

20 ***Subtitle C—Land Conveyances***

21 **SEC. 2821. RELEASE OF REVERSIONARY INTEREST, CAMP**
 22 **JOSEPH T. ROBINSON, ARKANSAS.**

23 *Section 2852 of the Military Construction Authoriza-*
 24 *tion Act for Fiscal Year 2010 (division B of Public Law*
 25 *111–84; 123 Stat. 2685) is amended by striking “to be ac-*

1 *quired by the United States of America” and inserting “to*
 2 *be acquired by the Military Department of Arkansas”.*

3 **SEC. 2822. CLARIFICATION OF LAND CONVEYANCE AUTHOR-**
 4 **ITY, CAMP CAITLIN AND OHANA NUI AREAS,**
 5 **HAWAII.**

6 *Section 2856(a) of the Military Construction Author-*
 7 *ization Act for Fiscal Year 2010 (division B of Public Law*
 8 *111–84; 123 Stat. 2689) is amended by inserting before the*
 9 *period at the end the following: “, before the property or*
 10 *portion thereof is made available for transfer pursuant to*
 11 *the Hawaiian Home Lands Recovery Act (title II of Public*
 12 *Law 104–42; 109 Stat. 357), for use by any other Federal*
 13 *agency, or for disposal under applicable laws”.*

14 **SEC. 2823. LAND CONVEYANCE AND EXCHANGE, JOINT**
 15 **BASE ELMENDORF RICHARDSON, ALASKA.**

16 *(a) CONVEYANCES AUTHORIZED.—*

17 *(1) MUNICIPALITY OF ANCHORAGE.—The Sec-*
 18 *retary of the Air Force may, in consultation with the*
 19 *Secretary of the Interior, convey to the Municipality*
 20 *of Anchorage (in this section referred to as the “Mu-*
 21 *nicipality”) all right, title, and interest of the United*
 22 *States in and to all or any part of a parcel of real*
 23 *property, including any improvements thereon, con-*
 24 *sisting of approximately 220 acres at JBER situated*
 25 *to the west of and adjacent to the Anchorage Regional*

1 *Landfill in Anchorage, Alaska, for solid waste man-*
2 *agement purposes, including reclamation thereof, and*
3 *for alternative energy production, and other related*
4 *activities. This authority may not be exercised unless*
5 *and until the March 15, 1982, North Anchorage Land*
6 *Agreement is amended by the parties thereto to spe-*
7 *cifically permit the conveyance under this subpara-*
8 *graph.*

9 (2) *EKLUTNA, INC.—The Secretary of the Air*
10 *Force may, in consultation with the Secretary of the*
11 *Interior, upon terms mutually agreeable to the Sec-*
12 *retary of the Air Force and Eklutna, Inc., an Alaska*
13 *Native village corporation organized pursuant to the*
14 *Alaska Native Claims Settlement Act (43 U.S.C. 1601*
15 *et seq.) (in this section referred to as “Eklutna”), con-*
16 *vey to Eklutna all right, title, and interest of the*
17 *United States in and to all or any part of a parcel*
18 *of real property, including any improvements thereon,*
19 *consisting of approximately 130 acres situated on the*
20 *northeast corner of the Glenn Highway and Boniface*
21 *Parkway in Anchorage, Alaska, or such other prop-*
22 *erty as may be identified in consultation with the*
23 *Secretary of the Interior, for any use compatible with*
24 *JBER’s current and reasonably foreseeable mission as*
25 *determined by the Secretary of the Air Force.*

1 (3) *RIGHT TO WITHHOLD TRANSFER.*—*The Sec-*
 2 *retary may withhold transfer of any portion of the*
 3 *real property described in paragraphs (1) and (2)*
 4 *based on public interest or military mission require-*
 5 *ments.*

6 (b) *CONSIDERATION.*—

7 (1) *MUNICIPALITY PROPERTY.*—*As consideration*
 8 *for the conveyance under subsection (a)(1), the Sec-*
 9 *retary of the Air Force shall receive in-kind solid*
 10 *waste management services at the Anchorage Regional*
 11 *Landfill or such other consideration as determined*
 12 *satisfactory by the Secretary equal to at least fair*
 13 *market value of the property conveyed.*

14 (2) *EKLUTNA PROPERTY.*—*As consideration for*
 15 *the conveyance under subsection (a)(2), the Secretary*
 16 *of the Air Force is authorized to receive, upon terms*
 17 *mutually agreeable to the Secretary and Eklutna,*
 18 *such interests in the surface estate of real property*
 19 *owned by Eklutna and situated at the northeast*
 20 *boundary of JBER and other consideration as consid-*
 21 *ered satisfactory by the Secretary equal to at least*
 22 *fair market value of the property conveyed.*

23 (c) *PAYMENT OF COSTS OF CONVEYANCE.*—

24 (1) *PAYMENT REQUIRED.*—*The Secretary of the*
 25 *Air Force shall require the Municipality and Eklutna*

1 to reimburse the Secretary to cover costs (except costs
2 for environmental remediation of the property) to be
3 incurred by the Secretary, or to reimburse the Sec-
4 retary for costs incurred by the Secretary, to carry
5 out the conveyances under subsection (a), including
6 survey costs, costs for environmental documentation,
7 and any other administrative costs related to the con-
8 veyance.

9 (2) *TREATMENT OF AMOUNTS RECEIVED.*—

10 Amounts received as reimbursement under paragraph
11 (1) shall be credited to the fund or account that was
12 used to cover those costs incurred by the Secretary in
13 carrying out the conveyance. Amounts so credited
14 shall be merged with amounts in such fund or ac-
15 count, and shall be available for the same purposes,
16 and subject to the same conditions and limitations, as
17 amounts in such fund or account.

18 (d) *TREATMENT OF CASH CONSIDERATION RE-*

19 *CEIVED.*—Any cash payment received by the United States
20 as consideration for the conveyances under subsection (a)
21 shall be deposited in the special account in the Treasury
22 established under subsection (b) of section 572 of title 40,
23 United States Code, and shall be available in accordance
24 with paragraph (5)(B) of such subsection.

1 (e) *DESCRIPTION OF PROPERTY.*—*The exact acreage*
 2 *and legal description of the real property to be conveyed*
 3 *under subsection (a) shall be determined by surveys satis-*
 4 *factory to the Secretary.*

5 (f) *OTHER OR ADDITIONAL TERMS AND CONDI-*
 6 *TIONS.*—*The Secretary may require such additional terms*
 7 *and conditions in connection with the conveyances under*
 8 *subsection (a) as the Secretary considers appropriate to*
 9 *protect the interests of the United States.*

10 ***Subtitle D—Other Matters***

11 ***SEC. 2831. INVESTMENT PLAN FOR THE MODERNIZATION*** 12 ***OF PUBLIC SHIPYARDS UNDER JURISDICTION*** 13 ***OF DEPARTMENT OF THE NAVY.***

14 (a) *PLAN REQUIRED.*—*Not later than March 1, 2012,*
 15 *the Secretary of the Navy shall submit to the congressional*
 16 *defense committees a plan to address the facilities and in-*
 17 *frastructure requirements at each public shipyard under the*
 18 *jurisdiction of the Department of the Navy.*

19 (b) *CONTENT.*—*The report required under subsection*
 20 *(a) shall include the following elements:*

21 (1) *A description of the operations and support*
 22 *required at each shipyard under the control of the*
 23 *Secretary, including the location, year constructed,*
 24 *the classes of ships serviced, number of personnel as-*

1 *signed, and the average age of facilities at each loca-*
2 *tion.*

3 *(2) A review of all workload requirements in the*
4 *past 5 years, an assessment of the efficiency in the use*
5 *of existing facilities to meet the workload, and an es-*
6 *timate of the workload planned for each shipyard*
7 *through the current Future Years Defense plan.*

8 *(3) An assessment of the adequacy of each facil-*
9 *ity—*

10 *(A) to carry out efficient depot-level ship*
11 *maintenance with modern technology and equip-*
12 *ment;*

13 *(B) to ensure workplace safety;*

14 *(C) to support nuclear-related activities*
15 *(where applicable);*

16 *(D) to maintain the quality of life of the*
17 *workforce; and*

18 *(E) to meet the energy savings goals of the*
19 *Secretary of the Navy for military installations.*

20 *(4) An assessment of the existing condition of*
21 *each facility at each shipyard to include a review of*
22 *existing and projected deficiencies or inadequate con-*
23 *ditions at each facility, and whether any of the facili-*
24 *ties listed are temporary structures.*

(5) *A description and cost estimate for each project to improve, repair, renovate, or modernize facilities or infrastructure.*

(6) *A description of the facility improvements or new construction projects at each shipyard that would improve the efficiency of the facility's operations or generate energy savings based upon a business case analysis.*

(7) *An investment strategy planned for each shipyard to correct deficiencies identified in paragraph (4), including timelines to complete each project and cost estimates and timelines necessary to complete the projects identified in paragraph (6).*

(8) *A list of projects, costs, and timelines through the future years defense plan to meet the requirements of the minimum capital investment percentage required under section 2476 of title 10, United States Code.*

SEC. 2832. DATA SERVERS AND CENTERS.

(a) LIMITATIONS ON OBLIGATION OF FUNDS.—

(1) LIMITATIONS.—

(A) BEFORE PERFORMANCE PLAN.—During the period beginning on the date of the enactment of this Act and ending on May 1, 2012, a department, agency, or component of the Depart-

1 *ment of Defense may not obligate funds for a*
2 *data server, data server upgrade, data server*
3 *farm, or data center unless approved by the*
4 *Chief Information Officer of the Department of*
5 *Defense or the Chief Information Officer of a*
6 *component of the Department to whom the Chief*
7 *Information Officer of the Department has spe-*
8 *cifically delegated such approval authority.*

9 (B) *UNDER PERFORMANCE PLAN.—After*
10 *May 1, 2012, a department, agency, or compo-*
11 *nent of the Department may not obligate funds*
12 *for a data center, or any information systems*
13 *technology used therein, unless that obligation is*
14 *in accordance with the performance plan re-*
15 *quired by subsection (b) and is approved as de-*
16 *scribed in subparagraph (A).*

17 (2) *REQUIREMENTS FOR APPROVALS.—*

18 (A) *BEFORE PERFORMANCE PLAN.—An ap-*
19 *proval of the obligation of funds may not be*
20 *granted under paragraph (1)(A) unless the offi-*
21 *cial granting the approval determines, in writ-*
22 *ing, that existing resources of the agency, compo-*
23 *nent, or element concerned cannot affordably or*
24 *practically be used or modified to meet the re-*

1 *quirements to be met through the obligation of*
 2 *funds.*

3 *(B) UNDER PERFORMANCE PLAN.—An ap-*
 4 *proval of the obligation of funds may not be*
 5 *granted under paragraph (1)(B) unless the offi-*
 6 *cial granting the approval determines that—*

7 *(i) existing resources of the Depart-*
 8 *ment do not meet the operation require-*
 9 *ments to be met through the obligation of*
 10 *funds; and*

11 *(ii) the proposed obligation is in ac-*
 12 *cordance with the performance standards*
 13 *and measures established by the Chief Infor-*
 14 *mation Officer of the Department under*
 15 *subsection (b).*

16 *(3) REPORTS.—Not later than 30 days after the*
 17 *end of each calendar quarter, each Chief Information*
 18 *Officer of a component of the Department who grants*
 19 *an approval under paragraph (1) during such cal-*
 20 *endar quarter shall submit to the Chief Information*
 21 *Officer of the Department a report on the approval or*
 22 *approvals so granted during such calendar quarter.*

23 *(b) PERFORMANCE PLAN FOR REDUCTION OF RE-*
 24 *SOURCES REQUIRED FOR DATA SERVERS AND CENTERS.—*

25 *(1) COMPONENT PLANS.—*

1 (A) *IN GENERAL.*—Not later than January
2 15, 2012, the Secretaries of the military depart-
3 ments and the heads of the Defense Agencies shall
4 each submit to the Chief Information Officer of
5 the Department a plan for the department or
6 agency concerned to achieve the following:

7 (i) *A reduction in the square feet of*
8 *floor space devoted to information systems*
9 *technologies, attendant support technologies,*
10 *and operations within data centers.*

11 (ii) *A reduction in the use of all utili-*
12 *ties necessary to power and cool informa-*
13 *tion systems technologies and data centers.*

14 (iii) *An increase in multi-organiza-*
15 *tional utilization of data centers, informa-*
16 *tion systems technologies, and associated re-*
17 *sources.*

18 (iv) *A reduction in the investment for*
19 *capital infrastructure or equipment re-*
20 *quired to support data centers as measured*
21 *in cost per megawatt of data storage.*

22 (v) *A reduction in the number of com-*
23 *mercial and government developed applica-*
24 *tions running on data servers and within*
25 *data centers.*

1 (vi) *A reduction in the number of gov-*
2 *ernment and vendor provided full-time*
3 *equivalent personnel, and in the cost of*
4 *labor, associated with the operation of data*
5 *servers and data centers.*

6 (B) *SPECIFICATION OF REQUIRED ELE-*
7 *MENTS.—The Chief Information Officer of the*
8 *Department shall specify the particular perform-*
9 *ance standards and measures and implementa-*
10 *tion elements to be included in the plans sub-*
11 *mitted under this paragraph, including specific*
12 *goals and schedules for achieving the matters*
13 *specified in subparagraph (A).*

14 (2) *DEFENSE-WIDE PLAN.—*

15 (A) *IN GENERAL.—Not later than April 1,*
16 *2012, the Chief Information Officer of the De-*
17 *partment shall submit to the congressional de-*
18 *fense committees a performance plan for a reduc-*
19 *tion in the resources required for data centers*
20 *and information systems technologies Depart-*
21 *ment-wide. The plan shall be based upon and in-*
22 *corporate appropriate elements of the plans sub-*
23 *mitted under paragraph (1).*

1 (B) *ELEMENTS.*—*The performance plan re-*
2 *quired under this paragraph shall include the*
3 *following:*

4 (i) *A Department-wide performance*
5 *plan for achieving the matters specified in*
6 *paragraph (1)(A), including performance*
7 *standards and measures for data centers*
8 *and information systems technologies, goals*
9 *and schedules for achieving such matters,*
10 *and an estimate of cost savings anticipated*
11 *through implementation of the plan.*

12 (ii) *A Department-wide strategy for*
13 *each of the following:*

14 (I) *Desktop, laptop, and mobile*
15 *device virtualization.*

16 (II) *Transitioning to cloud com-*
17 *puting.*

18 (III) *Migration of Defense data*
19 *and government-provided services from*
20 *Department-owned and operated data*
21 *centers to cloud computing services*
22 *generally available within the private*
23 *sector that provide a better capability*
24 *at a lower cost with the same or great-*
25 *er degree of security.*

1 (IV) *Utilization of private sector-*
2 *managed security services for data cen-*
3 *ters and cloud computing services.*

4 (V) *A finite set of metrics to accu-*
5 *rately and transparently report on*
6 *data center infrastructure (space,*
7 *power and cooling): age, cost, capacity,*
8 *usage, energy efficiency and utiliza-*
9 *tion, accompanied with the aggregate*
10 *data for each data center site in use by*
11 *the Department in excess of 100 kilo-*
12 *watts of information technology power*
13 *demand.*

14 (VI) *Transitioning to just-in-time*
15 *delivery of Department-owned data*
16 *center infrastructure (space, power and*
17 *cooling) through use of modular data*
18 *center technology and integrated data*
19 *center infrastructure management soft-*
20 *ware.*

21 (3) *RESPONSIBILITY.—The Chief Information*
22 *Officer of the Department shall discharge the respon-*
23 *sibility for establishing performance standards and*
24 *measures for data centers and information systems*

1 technologies for purposes of this subsection. Such re-
 2 sponsibility may not be delegated.

3 (c) *EXCEPTION.*—*The Chief Information Officer of the*
 4 *Department and the Chief Information Officer of the Office*
 5 *of the Director of National Intelligence may jointly exempt*
 6 *from the applicability of this section such intelligence com-*
 7 *ponents of the Department of Defense (and the programs*
 8 *and activities thereof) that are funded through the National*
 9 *Intelligence Program (NIP) as the Chief Information Offi-*
 10 *cers consider appropriate.*

11 (d) *REPORTS ON COST SAVINGS.*—

12 (1) *IN GENERAL.*—*Not later than March 1 of*
 13 *each fiscal year, and ending in fiscal year 2016, the*
 14 *Chief Information Officer of the Department shall*
 15 *submit to the appropriate committees of Congress a*
 16 *report on the cost savings, cost reductions, cost*
 17 *avoidances, and performance gains achieved, and an-*
 18 *ticipated to be achieved, as of the date of such report*
 19 *as a result of activities undertaken under this section.*

20 (2) *APPROPRIATE COMMITTEES OF CONGRESS*
 21 *DEFINED.*—*In this subsection, the term “appropriate*
 22 *committees of Congress” means—*

23 (A) *the Committee on Armed Services, the*
 24 *Committee on Appropriations, and the Select*
 25 *Committee on Intelligence of the Senate; and*

1 (B) *the Committee on Armed Services, the*
 2 *Committee on Appropriations, and the Perma-*
 3 *nent Select Committee on Intelligence of the*
 4 *House of Representatives.*

5 **SEC. 2833. REDESIGNATION OF MIKE O'CALLAGHAN FED-**
 6 **ERAL HOSPITAL IN NEVADA AS MIKE**
 7 **O'CALLAGHAN FEDERAL MEDICAL CENTER.**

8 (a) *REDESIGNATION.*—Section 2867 of the Military
 9 *Construction Authorization Act for Fiscal Year 1997 (divi-*
 10 *sion B of Public Law 104–201; 110 Stat. 2806), as amended*
 11 *by section 8135(a) of the Department of Defense Appropria-*
 12 *tions Act, 1997 (section 101(b) of division A of the Omnibus*
 13 *Consolidated Appropriations Act, 1997 (Public Law 104–*
 14 *208; 110 Stat. 3009–118)), is further amended by striking*
 15 *“Mike O’Callaghan Federal Hospital” each place it appears*
 16 *and inserting “Mike O’Callaghan Federal Medical Center”.*

17 (b) *CONFORMING AMENDMENT.*—The heading of such
 18 *section 2867 is amended to read as follows:*

1 “SEC. 2867. MIKE O’CALLAGHAN FEDERAL MEDICAL CEN-
 2 TER.”.

3 **DIVISION C—DEPARTMENT OF**
 4 **ENERGY NATIONAL SECURITY**
 5 **AUTHORIZATIONS AND**
 6 **OTHER AUTHORIZATIONS**
 7 **TITLE XXXI—DEPARTMENT OF**
 8 **ENERGY NATIONAL SECURITY**
 9 **PROGRAMS**

10 ***Subtitle A—National Security***
 11 ***Programs Authorizations***

12 **SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRA-**
 13 **TION.**

14 (a) *AUTHORIZATION OF APPROPRIATIONS.—Funds are*
 15 *hereby authorized to be appropriated to the Department of*
 16 *Energy for fiscal year 2012 for the activities of the National*
 17 *Nuclear Security Administration in carrying out programs*
 18 *as specified in the funding table in section 4601.*

19 (b) *AUTHORIZATION OF NEW PLANT PROJECTS.—*
 20 *From funds referred to in subsection (a) that are available*
 21 *for carrying out plant projects, the Secretary of Energy*
 22 *may carry out the following new plant project for the Na-*
 23 *tional Nuclear Security Administration:*

24 *Project 12–D–301, Transuranic (TRU) Waste*
 25 *Facility, Los Alamos National Laboratory, Los Ala-*
 26 *mos, New Mexico, \$13,481,000.*

1 **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

2 *Funds are hereby authorized to be appropriated to the*
 3 *Department of Energy for fiscal year 2012 for defense envi-*
 4 *ronmental cleanup activities in carrying out programs as*
 5 *specified in the funding table in section 4601.*

6 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

7 *Funds are hereby authorized to be appropriated to the*
 8 *Department of Energy for fiscal year 2012 for other defense*
 9 *activities in carrying out programs as specified in the fund-*
 10 *ing table in section 4601.*

11 **Subtitle B—Program Authoriza-**
 12 **tions, Restrictions, and Limita-**
 13 **tions**

14 **SEC. 3111. REVIEW OF SECURITY VULNERABILITIES OF NA-**
 15 **TIONAL LABORATORY COMPUTERS.**

16 *(a) IN GENERAL.—Section 4508 of the Atomic Energy*
 17 *Defense Act (50 U.S.C. 2659) is amended to read as follows:*

18 **“SEC. 4508. REVIEW OF SECURITY VULNERABILITIES OF NA-**
 19 **TIONAL LABORATORY COMPUTERS.**

20 *“(a) IN GENERAL.—The Secretary of Energy shall—*

21 *“(1) not later than one year after the date of the*
 22 *enactment of the National Defense Authorization Act*
 23 *for Fiscal Year 2012, and annually thereafter, review*
 24 *the security vulnerabilities of the computers of each*
 25 *national laboratory; and*

1 “(2) if, in conducting a review under paragraph
 2 (1), the Secretary discovers a significant vulnerability
 3 in a national laboratory computer, promptly notify
 4 the congressional defense committees of the vulner-
 5 ability.

6 “(b) *ELEMENTS*.—A notification submitted under sub-
 7 section (a) with respect to a significant vulnerability of a
 8 national laboratory computer shall include the following:

9 “(1) A description of the vulnerability.

10 “(2) An assessment of the loss, if any, of classi-
 11 fied or unclassified data as a result of the vulner-
 12 ability.

13 “(3) An assessment of the harm to national secu-
 14 rity or individual privacy resulting from the loss, if
 15 any, of such data.

16 “(4) A description of the actions taken to address
 17 the vulnerability.

18 “(c) *NATIONAL LABORATORY DEFINED*.—In this sec-
 19 tion, the term ‘national laboratory’ has the meaning given
 20 that term in section 4502(g)(3).”.

21 (b) *CLERICAL AMENDMENT*.—The table of contents for
 22 the Atomic Energy Defense Act is amended by striking the
 23 item relating to section 4508 and inserting the following
 24 new item:

“Sec. 4508. Review of security vulnerabilities of national laboratory computers.”.

1 **SEC. 3112. REVIEW BY SECRETARY OF ENERGY AND SEC-**
 2 **RETARY OF DEFENSE OF COMPTROLLER GEN-**
 3 **ERAL ASSESSMENT OF BUDGET REQUESTS**
 4 **WITH RESPECT TO THE MODERNIZATION AND**
 5 **REFURBISHMENT OF THE NUCLEAR SECU-**
 6 **RITY COMPLEX.**

7 *Section 3255(a) of the National Nuclear Security Ad-*
 8 *ministration Act (50 U.S.C. 2455(a)) is amended by adding*
 9 *at the end the following new paragraph:*

10 “(3) *The Secretary of Energy shall, in consultation*
 11 *with the Secretary of Defense—*

12 “(A) *review the report submitted by the Comp-*
 13 *troller General under paragraph (2); and*

14 “(B) *not later than 30 days after receiving that*
 15 *report, submit to the congressional defense committees*
 16 *a report that includes—*

17 “(i) *the results of the review conducted*
 18 *under subparagraph (A);*

19 “(ii) *the views of the Secretary of Energy*
 20 *and the Secretary of Defense with respect to—*

21 “(I) *the findings of the Comptroller*
 22 *General in the report submitted under para-*
 23 *graph (2); and*

24 “(II) *whether the actual funding level*
 25 *for the fiscal year in which the report is*
 26 *submitted under this subparagraph is suffi-*

1 cient for the modernization of the nuclear
 2 security complex and the refurbishment of
 3 the nuclear weapons stockpile; and
 4 “(iii) a description of any measures the Ad-
 5 ministration plans to take in response to the
 6 findings of the Comptroller General.”.

7 **SEC. 3113. AIRCRAFT PROCUREMENT.**

8 Of the amounts authorized to be appropriated and
 9 made available for obligation under section 3101 for weap-
 10 ons activities for any fiscal year before fiscal year 2013,
 11 the Secretary of Energy may procure not more than one
 12 aircraft.

13 **SEC. 3114. LIMITATION ON USE OF FUNDS FOR ESTABLISH-**
 14 **MENT OF CENTERS OF EXCELLENCE IN COUN-**
 15 **TRIES OUTSIDE OF THE FORMER SOVIET**
 16 **UNION.**

17 Not more than \$500,000 of the funds authorized to be
 18 appropriated by section 3101 and made available by the
 19 funding table in section 4601 for defense nuclear non-
 20 proliferation activities may be obligated or expended to es-
 21 tablish a center of excellence in a country that is not a state
 22 of the former Soviet Union until the date that is 15 days
 23 after the date on which the Administrator for Nuclear Secu-
 24 rity submits to the congressional defense committees a re-
 25 port that includes the following:

1 (1) *An identification of the country in which the*
 2 *center will be located.*

3 (2) *A description of the purpose for which the*
 4 *center will be established.*

5 (3) *The agreement under which the center will*
 6 *operate.*

7 (4) *A funding plan for the center, including—*

8 (A) *the amount of funds to be provided by*
 9 *the government of the country in which the cen-*
 10 *ter will be located; and*

11 (B) *the percentage of the total cost of estab-*
 12 *lishing and operating the center the funds de-*
 13 *scribed in subparagraph (A) will cover.*

14 **SEC. 3115. RECOGNITION AND STATUS OF NATIONAL ATOM-**
 15 **IC TESTING MUSEUM.**

16 *Section 3137 of the National Defense Authorization*
 17 *Act for Fiscal Years 1992 and 1993 (42 U.S.C. 7142) is*
 18 *amended—*

19 (1) *in the section heading, by inserting “**AND***
 20 **NATIONAL ATOMIC TESTING MUSEUM”** *after*
 21 **“ATOMIC MUSEUM”**; *and*

22 (2) *by adding at the end the following new sub-*
 23 *section:*

24 “(d) **RECOGNITION AND STATUS OF NATIONAL ATOMIC**
 25 **TESTING MUSEUM.**—*The museum operated by the Nevada*

1 *Test Site Historical Foundation and located in Las Vegas,*
 2 *Nevada—*

3 “(1) *is recognized as the official atomic testing*
 4 *museum of the United States;*

5 “(2) *shall be known as the ‘National Atomic*
 6 *Testing Museum’; and*

7 “(3) *shall have the sole right throughout the*
 8 *United States and its possessions to have and use the*
 9 *name ‘National Atomic Testing Museum’.*”.

10 ***Subtitle C—Reports***

11 ***SEC. 3121. REPORT ON FEASIBILITY OF FEDERALIZING THE*** 12 ***SECURITY PROTECTIVE FORCES CONTRACT*** 13 ***GUARD WORKFORCE AT CERTAIN DEPART-*** 14 ***MENT OF ENERGY FACILITIES.***

15 (a) *IN GENERAL.*—Not later than one year after the
 16 *date of the enactment of this Act, the Secretary of Energy*
 17 *and the Administrator for Nuclear Security shall jointly*
 18 *submit to the congressional defense committees—*

19 (1) *a report on the feasibility of federalizing*
 20 *some or all of the security protective forces contract*
 21 *guard workforce at the facilities specified in sub-*
 22 *section (d); and*

23 (2) *the comments of the Comptroller General of*
 24 *the United States on that report required under sub-*
 25 *section (b).*

1 (b) *COMMENTS BY COMPTROLLER GENERAL.*—The
2 Secretary and the Administrator shall provide the draft text
3 of the report required by subsection (a)(1) to the Comp-
4 troller General of the United States for review and comment
5 before submitting the report to the congressional defense
6 committees.

7 (c) *ELEMENTS.*—The report required by subsection
8 (a)(1) shall include the following:

9 (1) *An evaluation of the feasibility of converting*
10 *the security protective forces contract workforce at the*
11 *facilities specified in subsection (d) into a force made*
12 *up, in whole or in part, of full-time Federal employ-*
13 *ees.*

14 (2) *An estimate of the immediate and projected*
15 *costs of any such conversion.*

16 (3) *An estimate of the immediate and projected*
17 *costs of maintaining guards under contract status*
18 *and of maintaining guards as full-time Federal em-*
19 *ployee.*

20 (4) *An assessment of the effects of any such con-*
21 *version on security, including an analysis of the ef-*
22 *fects of using a Federal security guard, a Federal po-*
23 *lice officer, or a Federal protective service officer in-*
24 *stead of a contract guard.*

1 (5) *An estimate of the hourly and annual costs*
2 *of—*

3 (A) *contract guards, including benefits and*
4 *overtime; and*

5 (B) *any comparably trained and equipped*
6 *Federal force with comparable physical and*
7 *other requirements.*

8 (6) *A comparison of similar conversions of large*
9 *groups of contract workers to full-time Federal em-*
10 *ployees and an assessment of the potential benefits*
11 *and challenges of such conversions.*

12 (7) *The views of the Secretary and the Adminis-*
13 *trator on the feasibility of—*

14 (A) *converting the security protective forces*
15 *contract workforce at the facilities specified in*
16 *subsection (d) into a force made up, in whole or*
17 *in part, of full-time Federal employees;*

18 (B) *maintaining the security protective*
19 *forces contract workforce in its current form; and*

20 (C) *instituting some or all of the changes*
21 *recommended in the Implementation Plan for the*
22 *29 Recommendations of the Protective Force Ca-*
23 *reer Options Study Group prepared pursuant to*
24 *the Report of the Committee on Appropriations*
25 *of the House of Representatives (House Report*

1 No. 111–230) accompanying the Department of
2 Defense Appropriations Act, 2010 (Public Law
3 111–118; 123 Stat. 3409).

4 (d) *FACILITIES SPECIFIED*.—The facilities specified in
5 this subsection are the following:

6 (1) *The Albuquerque National Nuclear Security*
7 *Administration Service Center, Albuquerque, New*
8 *Mexico.*

9 (2) *The Argonne National Laboratory and the*
10 *Argonne Site Office, Argonne, Illinois, and the Chi-*
11 *cago Service Center, Chicago, Illinois.*

12 (3) *The Brookhaven National Laboratory and*
13 *Brookhaven Site Office, Upton, New York.*

14 (4) *The Idaho National Laboratory and the*
15 *Idaho Site Office, Idaho Falls, Idaho.*

16 (5) *The Kansas City Plant and the Kansas City*
17 *Site Office, Kansas City, Missouri.*

18 (6) *The Lawrence Livermore National Labora-*
19 *tory and the Livermore Site Office, Livermore, Cali-*
20 *fornia.*

21 (7) *The Los Alamos National Laboratory and*
22 *the Los Alamos Site Office, Los Alamos, New Mexico.*

23 (8) *The National Energy Technology Laboratory.*

24 (9) *The Nevada Site Office and the Nevada Na-*
25 *tional Security Site, Nevada.*

1 (10) *The Oak Ridge National Laboratory, the*
2 *Oak Ridge Office of the Department of Energy, and*
3 *the East Tennessee Technology Park of the Depart-*
4 *ment of Energy, Oak Ridge, Tennessee.*

5 (11) *The Office of Secure Transportation of the*
6 *Department of Energy and associated field locations.*

7 (12) *The Pantex Plant and Pantex Site Office,*
8 *Amarillo, Texas.*

9 (13) *The Pittsburgh Naval Reactors Office, the*
10 *Bettis Atomic Power Laboratory, the Idaho Naval Re-*
11 *actors Facility, and the Knolls Atomic Power Labora-*
12 *tory.*

13 (14) *The Portsmouth Gaseous Diffusion Plant,*
14 *Piketon, Ohio, and the Paducah Gaseous Diffusion*
15 *Plant, Paducah, Kentucky.*

16 (15) *The Richland Operations Office and the*
17 *Hanford Site, Richland, Washington.*

18 (16) *The Sandia National Laboratories and the*
19 *Sandia Site Office, Albuquerque, New Mexico.*

20 (17) *The Savannah River Plant and the Savan-*
21 *nah River Site Office of the Office of Environmental*
22 *Management of the Department of Energy, Aiken,*
23 *South Carolina.*

24 (18) *The Savannah River National Laboratory,*
25 *Aiken, South Carolina.*

1 (19) *The National Savannah River Site Office*
 2 *and the Tritium Extraction Facility and Mixed*
 3 *Oxide Fuel Fabrication Facility of the National Nu-*
 4 *clear Security Administration, Aiken, South Caro-*
 5 *lina.*

6 (20) *The Strategic Petroleum Reserve Project Of-*
 7 *fice and the Strategic Petroleum Reserve Sites.*

8 (21) *The Waste Isolation Pilot Plant, Carlsbad,*
 9 *New Mexico.*

10 (22) *The Y-12 Site Office and the Y-12 National*
 11 *Security Complex of the National Nuclear Security*
 12 *Administration, Oak Ridge, Tennessee.*

13 **SEC. 3122. COMPTROLLER GENERAL STUDY ON OVERSIGHT**
 14 **OF DEPARTMENT OF ENERGY DEFENSE NU-**
 15 **CLEAR FACILITIES.**

16 (a) *IN GENERAL.*—*The Comptroller General of the*
 17 *United States shall conduct a study of the value of and the*
 18 *need for external regulation or external oversight of the safe-*
 19 *ty of nuclear operations and the design and construction*
 20 *of nuclear facilities at the Department of Energy defense*
 21 *nuclear facilities to protect the public health and safety.*

22 (b) *ELEMENTS.*—*The study required by subsection (a)*
 23 *shall include the following:*

24 (1) *An assessment of the value of and the need*
 25 *for external regulation or external oversight, or a*

1 *combination of both, of the safety of nuclear oper-*
 2 *ations and the design and construction of nuclear fa-*
 3 *cilities at the Department of Energy defense nuclear*
 4 *facilities.*

5 *(2) An assessment of the ability of existing regu-*
 6 *latory authorities to regulate safety at the Depart-*
 7 *ment of Energy defense nuclear facilities.*

8 *(3) An assessment of the ability of the Defense*
 9 *Nuclear Facilities Safety Board to regulate safety at*
 10 *the Department of Energy defense nuclear facilities.*

11 *(4) An assessment of the current functions of the*
 12 *Board and whether those functions should be modified*
 13 *or amended, including whether the Department of*
 14 *Energy should pay an oversight fee to the Board.*

15 *(5) An assessment of the relative advantages and*
 16 *disadvantages to the Department of Energy and the*
 17 *public of—*

18 *(A) continuing the oversight functions of the*
 19 *Board; or*

20 *(B) replacing the oversight functions of the*
 21 *Board with external regulation of some or all of*
 22 *the Department of Energy defense nuclear facili-*
 23 *ties.*

24 *(6) A list of all existing or planned Department*
 25 *of Energy defense nuclear facilities that are similar*

1 to facilities under the regulatory jurisdiction of the
2 Nuclear Regulatory Commission.

3 (7)(A) A list of each existing Department of En-
4 ergy defense nuclear facility or activity relating to
5 such a facility that the Comptroller General rec-
6 ommends should—

7 (i) remain within the oversight jurisdiction
8 of the Board for a period of time or indefinitely;
9 or

10 (ii) be transferred to the jurisdiction of an
11 outside regulatory authority; and

12 (B) the basis for the recommendations of the
13 Comptroller General.

14 (8) For any existing Department of Energy de-
15 fense nuclear facilities that the Comptroller General
16 recommends should be transferred to the jurisdiction
17 of an outside regulatory authority—

18 (A) the date by which that transfer should
19 occur and the period of time necessary for the
20 transfer; and

21 (B) whether the regulatory authority should
22 be an existing or new regulatory authority.

23 (9) A list of any proposed Department of Energy
24 defense nuclear facilities and a recommendation of the

1 *Comptroller General with respect to whether each such*
2 *facility—*

3 *(A) should come under the oversight juris-*
4 *isdiction of the Board or be transferred to the ju-*
5 *risdiction of an outside regulatory authority;*
6 *and*

7 *(B) if the Comptroller General recommends*
8 *that the facility be transferred to the jurisdiction*
9 *of any outside regulatory authority, whether the*
10 *regulatory authority should be an existing or*
11 *new regulatory authority.*

12 *(10) An assessment of the comparative advan-*
13 *tages and disadvantages to the Department of Energy*
14 *and to public health and safety of the transfer of some*
15 *or all of the Department of Energy defense nuclear fa-*
16 *cilities from the oversight jurisdiction of the Board to*
17 *the jurisdiction of an outside regulatory authority.*

18 *(11) An assessment of the comparative costs asso-*
19 *ciated with external oversight or external regulation*
20 *of safety at Department of Energy defense nuclear fa-*
21 *cilities.*

22 *(12) Any other recommendations of the Comp-*
23 *troller General with respect to external regulation or*
24 *oversight of safety at the Department of Energy.*

1 (c) *INTERIM REPORT*.—Not later than 180 days after
 2 the date of the enactment of this Act, the Comptroller Gen-
 3 eral shall submit to the congressional defense committees an
 4 interim report on the status of the study conducted under
 5 subsection (a).

6 (d) *FINAL REPORT*.—Not later than one year after the
 7 date of the enactment of this Act, the Comptroller General
 8 shall submit to the congressional defense committees, the
 9 Secretary of Energy, the Defense Nuclear Facilities Safety
 10 Board, and the Nuclear Regulatory Commission the final
 11 report of the Comptroller General that contains the findings
 12 and recommendations of the Comptroller General resulting
 13 from the study conducted under subsection (a).

14 (e) *COMMENTS ON REPORT*.—Not later than 180 days
 15 after receiving the final report from the Comptroller Gen-
 16 eral under subsection (d), the Secretary of Energy, the De-
 17 fense Nuclear Facilities Safety Board, and the Nuclear Reg-
 18 ulatory Commission shall submit to the congressional de-
 19 fense committees the comments of the Secretary, the Board,
 20 or the Commission (as the case may be) on the report.

21 (f) *DEPARTMENT OF ENERGY DEFENSE NUCLEAR FA-*
 22 *CILITY DEFINED*.—In this section, the term “Department
 23 of Energy defense nuclear facility” has the meaning given
 24 that term in section 318 of the Atomic Energy Act of 1954
 25 (42 U.S.C. 2286g).

1 **SEC. 3123. PLAN TO COMPLETE THE GLOBAL INITIATIVES**
 2 **FOR PROLIFERATION PREVENTION PROGRAM**
 3 **IN THE RUSSIAN FEDERATION.**

4 *At or about the same time that the budget of the Presi-*
 5 *dent for fiscal year 2013 is submitted to Congress under*
 6 *section 1105(a) of title 31, United States Code, the Admin-*
 7 *istrator for Nuclear Security shall submit to Congress a*
 8 *plan to complete the Global Initiatives for Proliferation*
 9 *Prevention program in the Russian Federation by the end*
 10 *of calendar year 2013.*

11 **TITLE XXXII—DEFENSE NU-**
 12 **CLEAR FACILITIES SAFETY**
 13 **BOARD**

14 **SEC. 3201. AUTHORIZATION.**

15 *There are authorized to be appropriated for fiscal year*
 16 *2012, \$33,317,000 for the operation of the Defense Nuclear*
 17 *Facilities Safety Board under chapter 21 of the Atomic En-*
 18 *ergy Act of 1954 (42 U.S.C. 2286 et seq).*

19 **SEC. 3202. AUTHORITY OF THE DEFENSE NUCLEAR FACILI-**
 20 **TIES SAFETY BOARD TO REVIEW THE FACIL-**
 21 **ITY DESIGN AND CONSTRUCTION OF CON-**
 22 **STRUCTION PROJECT 10-D-904 OF THE NA-**
 23 **TIONAL NUCLEAR SECURITY ADMINISTRA-**
 24 **TION.**

25 *Notwithstanding section 318(1)(A) of the Atomic En-*
 26 *ergy Act of 1954 (42 U.S.C. 2286g(1)(A)), the Defense Nu-*

1 *clear Facilities Safety Board shall exercise the authority of*
 2 *the Board under section 312(a)(4) of that Act (42 U.S.C.*
 3 *2286a(a)(4)) to review the design of, and review and mon-*
 4 *itor construction with respect to, Construction Project 10–*
 5 *D–904 of the National Nuclear Security Administration.*

6 ***TITLE XXXIII—MARITIME*** 7 ***ADMINISTRATION***

8 ***SEC. 3301. MARITIME ADMINISTRATION.***

9 *Section 109 of title 49, United States Code, is amended*
 10 *to read as follows:*

11 ***“§ 109. Maritime Administration***

12 *“(a) ORGANIZATION.—The Maritime Administration*
 13 *is an administration in the Department of Transportation.*

14 *“(b) MARITIME ADMINISTRATOR.—The head of the*
 15 *Maritime Administration is the Maritime Administrator,*
 16 *who is appointed by the President by and with the advice*
 17 *and consent of the Senate. The Administrator shall report*
 18 *directly to the Secretary of Transportation and carry out*
 19 *the duties prescribed by the Secretary.*

20 *“(c) DEPUTY MARITIME ADMINISTRATOR.—The Mari-*
 21 *time Administration shall have a Deputy Maritime Admin-*
 22 *istrator, who is appointed in the competitive service by the*
 23 *Secretary, after consultation with the Administrator. The*
 24 *Deputy Administrator shall carry out the duties prescribed*
 25 *by the Administrator. The Deputy Administrator shall be*

1 *Acting Administrator during the absence or disability of*
 2 *the Administrator and, unless the Secretary designates an-*
 3 *other individual, during a vacancy in the office of Adminis-*
 4 *trator.*

5 “(d) *DUTIES AND POWERS VESTED IN SECRETARY.—*
 6 *All duties and powers of the Maritime Administration are*
 7 *vested in the Secretary.*

8 “(e) *REGIONAL OFFICES.—The Maritime Administra-*
 9 *tion shall have regional offices for the Atlantic, Gulf, Great*
 10 *Lakes, and Pacific port ranges, and may have other re-*
 11 *gional offices as necessary. The Secretary shall appoint a*
 12 *qualified individual as Director of each regional office. The*
 13 *Secretary shall carry out appropriate activities and pro-*
 14 *grams of the Maritime Administration through the regional*
 15 *offices.*

16 “(f) *INTERAGENCY AND INDUSTRY RELATIONS.—The*
 17 *Secretary shall establish and maintain liaison with other*
 18 *agencies, and with representative trade organizations*
 19 *throughout the United States, concerned with the transpor-*
 20 *tation of commodities by water in the export and import*
 21 *foreign commerce of the United States, for the purpose of*
 22 *securing preference to vessels of the United States for the*
 23 *transportation of those commodities.*

24 “(g) *DETAILING OFFICERS FROM ARMED FORCES.—*
 25 *To assist the Secretary in carrying out duties and powers*

1 *relating to the Maritime Administration, not more than*
 2 *five officers of the armed forces may be detailed to the Sec-*
 3 *retary at any one time, in addition to details authorized*
 4 *by any other law. During the period of a detail, the Sec-*
 5 *retary shall pay the officer an amount that, when added*
 6 *to the officer's pay and allowances as an officer in the*
 7 *armed forces, makes the officer's total pay and allowances*
 8 *equal to the amount that would be paid to an individual*
 9 *performing work the Secretary considers to be of similar*
 10 *importance, difficulty, and responsibility as that performed*
 11 *by the officer during the detail.*

12 “(h) *CONTRACTS, COOPERATIVE AGREEMENTS, AND*
 13 *AUDITS.—*

14 “(1) *CONTRACTS AND COOPERATIVE AGREE-*
 15 *MENTS.—In the same manner that a private corpora-*
 16 *tion may make a contract within the scope of its au-*
 17 *thority under its charter, the Secretary may make*
 18 *contracts and cooperative agreements for the United*
 19 *States Government and disburse amounts to—*

20 “(A) *carry out the Secretary's duties and*
 21 *powers under this section, subtitle V of title 46,*
 22 *and all other Maritime Administration pro-*
 23 *grams; and*

24 “(B) *protect, preserve, and improve collat-*
 25 *eral held by the Secretary to secure indebtedness.*

1 “(2) *AUDITS.*—*The financial transactions of the*
 2 *Secretary under paragraph (1) shall be audited by the*
 3 *Comptroller General. The Comptroller General shall*
 4 *allow credit for an expenditure shown to be necessary*
 5 *because of the nature of the business activities author-*
 6 *ized by this section or subtitle V of title 46. At least*
 7 *once a year, the Comptroller General shall report to*
 8 *Congress any departure by the Secretary from this*
 9 *section or subtitle V of title 46.*

10 “(i) *GRANT ADMINISTRATIVE EXPENSES.*—*Except as*
 11 *otherwise provided by law, the administrative and related*
 12 *expenses for the administration of any grant programs by*
 13 *the Maritime Administrator may not exceed 3 percent.*

14 “(j) *AUTHORIZATION OF APPROPRIATIONS.*—

15 “(1) *IN GENERAL.*—*Except as otherwise provided*
 16 *in this subsection, there are authorized to be appro-*
 17 *priated such amounts as may be necessary to carry*
 18 *out the duties and powers of the Secretary relating to*
 19 *the Maritime Administration.*

20 “(2) *LIMITATIONS.*—*Only those amounts specifi-*
 21 *cally authorized by law may be appropriated for the*
 22 *use of the Maritime Administration for—*

23 “(A) *acquisition, construction, or recon-*
 24 *struction of vessels;*

1 “(B) construction-differential subsidies inci-
2 dent to the construction, reconstruction, or recon-
3 ditioning of vessels;

4 “(C) costs of national defense features;

5 “(D) payments of obligations incurred for
6 operating-differential subsidies;

7 “(E) expenses necessary for research and de-
8 velopment activities, including reimbursement of
9 the Vessel Operations Revolving Fund for losses
10 resulting from expenses of experimental vessel op-
11 erations;

12 “(F) the Vessel Operations Revolving Fund;

13 “(G) National Defense Reserve Fleet ex-
14 penses;

15 “(H) expenses necessary to carry out part B
16 of subtitle V of title 46; and

17 “(I) other operations and training expenses
18 related to the development of waterborne trans-
19 portation systems, the use of waterborne trans-
20 portation systems, and general administration.

21 “(3) TRAINING VESSELS.—Amounts may not be
22 appropriated for the purchase or construction of
23 training vessels for State maritime academies unless
24 the Secretary has approved a plan for sharing train-
25 ing vessels between State maritime academies.”.

1 ***DIVISION D—FUNDING TABLES***

2 ***SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TA-***
3 ***BLES.***

4 *(a) IN GENERAL.—Whenever a funding table in this*
5 *division specifies a dollar amount authorized for a project,*
6 *program, or activity, the obligation and expenditure of the*
7 *specified dollar amount for the project, program, or activity*
8 *is hereby authorized, subject to the availability of appro-*
9 *priations.*

10 *(b) MERIT-BASED DECISIONS.—Decisions by agency*
11 *heads to commit, obligate, or expend funds with or to a*
12 *specific entity on the basis of a dollar amount authorized*
13 *pursuant to subsection (a) shall be based on authorized,*
14 *transparent, statutory criteria, or merit-based selection pro-*
15 *cedures in accordance with the requirements of sections*
16 *2304(k) and 2374 of title 10, United States Code, and other*
17 *applicable provisions of law.*

18 *(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING*
19 *AUTHORITY.—An amount specified in the funding tables in*
20 *this division may be transferred or reprogrammed under*
21 *a transfer or reprogramming authority provided by another*
22 *provision of this Act or by other law. The transfer or re-*
23 *programming of an amount specified in such funding tables*
24 *shall not count against a ceiling on such transfers or*
25 *reprogrammings under section 1001 of this Act or any other*

1 *provision of law, unless such transfer or reprogramming*
2 *would move funds between appropriation accounts.*

3 (d) *ORAL AND WRITTEN COMMUNICATIONS.—No oral*
4 *or written communication concerning any amount specified*
5 *in the funding tables in this division shall supercede the*
6 *requirements of this section.*

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2012 Request	Senate Authorized
AIRCRAFT PROCUREMENT, ARMY			
1	UTILITY F/W AIRCRAFT	14,572	14,572
2	C-12 CARGO AIRPLANE	0	0
3	AERIAL COMMON SENSOR (ACS) (MIP)	539,574	0
	Terminate EMARRS		[−539,574]
4	MQ-1 UAV	658,798	0
	Transfer to OCO		[−658,798]
5	RQ-11 (RAVEN)	70,762	58,862
	Army offered program reduction		[−11,900]
6	BCT UNMANNED AERIAL VEH (UAVS) INCR 1	0	0
7	HELICOPTER, LIGHT UTILITY (LUH)	250,415	250,415
8	AH-64 BLOCK II/WRA	0	0
9	AH-64 APACHE BLOCK IIIA REMAN	572,155	395,155
	Army offered program reduction		[−177,000]
9	AH-64 APACHE BLOCK IIIA REMAN	−161,150	−161,150
10	AH-64 APACHE BLOCK IIIA REMAN	192,764	192,764
11	AH-64 APACHE BLOCK IIIB NEW BUILD	104,263	104,263
12	UH-60 BLACKHAWK M MODEL (MYP)	1,426,198	1,418,198
	Unjustified program management growth		[−8,000]
12	UH-60 BLACKHAWK M MODEL (MYP)	−100,532	−100,532
13	UH-60 BLACKHAWK M MODEL (MYP)	199,781	199,781
14	CH-47 HELICOPTER	1,363,116	1,297,116
	Army requested transfer to APA Line 15 for correct execution		[−66,000]
14	CH-47 HELICOPTER	−57,756	−57,756
15	CH-47 HELICOPTER	54,956	120,956
	Army requested transfer from APA Line 14 for correct execution		[66,000]
16	HELICOPTER NEW TRAINING	0	0
17	KIOWA WARRIOR UPGRADE (OH-58 D)/WRA	0	0
18	C12 AIRCRAFT MODS	0	0
19	MQ-1 PAYLOAD—UAS	136,183	0
	Administration recommendation		[−29,000]
	Transfer to OCO		[−107,183]
20	MQ-1 WEAPONIZATION—UAS	0	0
21	GUARDRAIL MODS (MIP)	27,575	27,575
22	MULTI SENSOR ABN RECON (MIP)	8,362	8,362
23	AH-64 MODS	331,230	331,230
23	AH-64 MODS	0	0
24	CH-47 CARGO HELICOPTER MODS (MYP)	79,712	57,012
	Cargo and ballistic protection contract delays		[−22,700]
24	CH-47 CARGO HELICOPTER MODS (MYP)	0	0
25	UTILITY/CARGO AIRPLANE MODS	22,107	12,107
	Contract delays		[−10,000]
26	AIRCRAFT LONG RANGE MODS	0	0
27	UTILITY HELICOPTER MODS	80,745	74,745
	Contract delays		[−6,000]
28	KIOWA WARRIOR	162,052	162,052
29	AIRBORNE AVIONICS	0	0
30	NETWORK AND MISSION PLAN	138,832	136,432
	Aviation Data Exploitation Capability ahead of need		[−2,400]
31	COMMS, NAV SURVEILLANCE	132,855	117,855
	JTRS Integration ahead of need		[−15,000]
32	GATM ROLLUP	105,519	105,519
33	RQ-7 UAV MODS	126,239	76,239
	Administration recommendation		[−50,000]
34	SPARE PARTS (AIR)	0	0
35	AIRCRAFT SURVIVABILITY EQUIPMENT	35,993	35,993
36	SURVIVABILITY CM	0	0
37	CMWS	162,811	104,251
	Production and installation contract delays		[−58,560]
38	AVIONICS SUPPORT EQUIPMENT	4,840	4,840
39	COMMON GROUND EQUIPMENT	176,212	95,417
	Army offered program reduction		[−19,100]
	Aviation Light Utility Mobile Maintenance (ALUMMC) no longer required		[−3,287]
	Aviation Sets, Kits, Outfits, Tools contract delay		[−58,408]
40	AIRCREW INTEGRATED SYSTEMS	82,883	62,746
	Air Soldier System early to need		[−20,137]
41	AIR TRAFFIC CONTROL	114,844	102,444
	Army offered program reduction		[−12,400]
42	INDUSTRIAL FACILITIES	1,593	1,593

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
43	LAUNCHER, 2.75 ROCKET	2,878	2,878
44	AIRBORNE COMMUNICATIONS	0	0
	TOTAL, AIRCRAFT PROCUREMENT, ARMY	7,061,381	5,251,934
	MISSILE PROCUREMENT, ARMY		
1	PATRIOT SYSTEM SUMMARY	662,231	662,231
2	MSE MISSILE	74,953	74,953
3	SURFACE-LAUNCHED AMRAAM SYSTEM SUMMARY:	0	0
3	SURFACE-LAUNCHED AMRAAM SYSTEM SUMMARY:	0	0
4	HELLFIRE SYS SUMMARY	1,410	1,410
5	JAVELIN (AWS-M) SYSTEM SUMMARY	160,767	140,767
	Army offered program reduction		[-20,000]
6	TOW 2 SYSTEM SUMMARY	84,108	81,108
	Unit cost efficiencies		[-3,000]
6	TOW 2 SYSTEM SUMMARY	-22,432	-22,432
7	TOW 2 SYSTEM SUMMARY	19,886	19,886
8	BCT NON LINE OF SIGHT LAUNCH SYSTEM—INCREM	0	0
9	GUIDED MLRS ROCKET (GMLRS)	314,167	164,167
	Program reduction		[-150,000]
10	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	18,175	18,175
11	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS)	31,674	20,674
	Army offered program reduction		[-11,000]
12	PATRIOT MODS	66,925	66,925
13	STINGER MODS	14,495	-5
	Transfer at Army request to RDTE Army PE 23801A		[-14,500]
14	ITAS/TOW MODS	13,577	13,577
15	MLRS MODS	8,236	8,236
16	HIMARS MODIFICATIONS	11,670	11,670
17	HELLFIRE MODIFICATIONS	0	0
18	SPARES AND REPAIR PARTS	8,700	8,700
19	AIR DEFENSE TARGETS	3,674	3,674
20	ITEMS LESS THAN \$5.0M (MISSILES)	1,459	1,459
21	PRODUCTION BASE SUPPORT	5,043	5,043
	TOTAL, MISSILE PROCUREMENT, ARMY	1,478,718	1,280,218
	PROCUREMENT OF W&TCV, ARMY		
1	STRYKER VEHICLE	632,994	606,894
	Prior year unobligated funds available		[-26,100]
2	FUTURE COMBAT SYSTEMS: (FCS)	0	0
2	FUTURE COMBAT SYSTEMS: (FCS)	0	0
3	FCS SPIN OUTS	0	0
3	FCS SPIN OUTS	0	0
4	FCS SPIN OUTS	0	0
5	STRYKER (MOD)	52,797	51,497
	Excess program management		[-1,300]
6	FIST VEHICLE (MOD)	43,962	35,162
	Funding ahead of need		[-8,800]
7	BRADLEY PROGRAM (MOD)	250,710	250,710
8	HOWITZER, MED SP FT 155MM M109A6 (MOD)	46,876	46,876
9	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	10,452	6,452
	Excess contractor engineering		[-4,000]
10	ASSAULT BREACHER VEHICLE	99,904	95,904
	Unjustified growth in matrix support and engineering change proposals		[-4,000]
11	M88 FOV MODS	32,483	32,483
12	JOINT ASSAULT BRIDGE	0	0
13	M1 ABRAMS TANK (MOD)	160,578	131,178
	Unjustified technical support costs		[-29,400]
14	ABRAMS UPGRADE PROGRAM	181,329	421,329
	Program increase to add 49 tanks to bridge production gap		[240,000]
15	PRODUCTION BASE SUPPORT (TCV-WTCV)	1,073	1,073
16	HOWITZER, LIGHT, TOWED, 105MM, M119	0	0
17	INTEGRATED AIR BURST WEAPON SYSTEM FAMILY	16,046	0
	Transfer at Army's request to RDTE, Army PE 64601A		[-16,046]
18	M240 MEDIUM MACHINE GUN (7.62MM)	0	0
19	MACHINE GUN, CAL .50 M2 ROLL	65,102	0
	Transfer at Army request to WTCV line 34		[-34,000]
	Transfer to OCO		[-31,102]
20	LIGHTWEIGHT .50 CALIBER MACHINE GUN	28,796	13,931
	Transfer at Army request to RDTE Army PE 64601A		[-1,700]
	Army revised lower quantity		[-13,165]
21	M249 SAW MACHINE GUN (5.56MM)	0	0
22	MK-19 GRENADE MACHINE GUN (40MM)	0	0
23	MORTAR SYSTEMS	12,477	10,177
	Excess production engineering		[-2,300]
24	M107, CAL. 50, SNIPER RIFLE	0	0
25	XM320 GRENADE LAUNCHER MODULE (GLM)	12,055	12,055

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
26	M110 SEMI-AUTOMATIC SNIPER SYSTEM (SASS)	0	0
27	M4 CARBINE	35,015	35,015
28	SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS)	6,707	4,207
	Army offered program reduction		[-2,500]
29	COMMON REMOTELY OPERATED WEAPONS STATION (CRO)	0	0
30	HANDGUN	0	0
31	HOWITZER LT WT 155MM (T)	13,066	0
	Transfer to OCO		[-13,066]
32	MK-19 GRENADE MACHINE GUN MODS	0	0
33	M4 CARBINE MODS	25,092	25,092
34	M2 50 CAL MACHINE GUN MODS	14,856	0
	Transfer at Army request from WTCV line 19		[34,000]
	Transfer to OCO		[-48,856]
35	M249 SAW MACHINE GUN MODS	8,480	8,480
36	M240 MEDIUM MACHINE GUN MODS	15,718	15,718
37	SNIPER RIFLES MODIFICATIONS	1,994	1,994
38	M119 MODIFICATIONS	38,701	38,701
39	M16 RIFLE MODS	3,476	3,476
40	M14 7.62 RIFLE MODS	0	0
41	MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV)	2,973	2,973
42	ITEMS LESS THAN \$5.0M (WOCV-WTCV)	0	0
43	PRODUCTION BASE SUPPORT (WOCV-WTCV)	10,080	10,080
44	INDUSTRIAL PREPAREDNESS	424	424
45	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)	2,453	2,453
46	SPARES AND REPAIR PARTS (WTCV)	106,843	106,843
	TOTAL, PROCUREMENT OF W&TCV, ARMY	1,933,512	1,971,177
	PROCUREMENT OF AMMUNITION, ARMY		
1	CTG, 5.56MM, ALL TYPES	210,758	210,758
2	CTG, 7.62MM, ALL TYPES	83,730	83,730
3	CTG, 7.62MM, 4 BALL M80 FS, 1 DIM TRCR M276,	0	0
4	CTG, HANDGUN, ALL TYPES	9,064	7,064
	Funding ahead of need.		[-2,000]
5	CTG, .50 CAL, ALL TYPES	131,775	131,775
6	CTG, 20MM, ALL TYPES	0	0
7	CTG, 25MM, ALL TYPES	14,894	10,594
	Army offered reduction.		[-4,300]
8	OBJECTIVE FAMILY OF WEAPONS AMMUNITION, ALL T	3,399	0
	Funding ahead of need.		[-3,399]
9	CTG, 30MM, ALL TYPES	118,966	105,966
	Program growth adjustment.		[-13,000]
10	CTG, 40MM, ALL TYPES	84,799	34,799
	Army offered reduction.		[-50,000]
11	CTG, CAL .300 WIN MAG, MK 248 MOD 0 (7.62X67M)	0	0
12	60MM MORTAR, ALL TYPES	31,287	31,287
13	81MM MORTAR, ALL TYPES	12,187	12,187
14	120MM MORTAR, ALL TYPES	108,416	98,416
	Army offered reduction.		[-10,000]
15	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	105,704	105,205
	Unjustified request.		[-499]
16	CTG, TANK, 120MM, ALL TYPES	0	0
17	ARTILLERY CARTRIDGES, 75MM AND 105MM, ALL TYP	103,227	103,227
18	CTG, ARTY, 105MM: ALL TYPES	0	0
19	ARTILLERY PROJECTILE, 155MM, ALL TYPES	32,887	32,887
20	PROJ 155MM EXTENDED RANGE XM982	69,074	48,074
	Program restructure.		[-21,000]
21	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	48,205	46,705
	Pricing adjustment.		[-1,500]
22	ARTILLERY FUZES, ALL TYPES	0	0
23	MINES & CLEARING CHARGES, ALL TYPES	2,518	2,518
24	MINE, CLEARING CHARGE, ALL TYPES	0	0
25	SPIDER NETWORK MUNITIONS, ALL TYPES	43,123	15,423
	Full rate production delay.		[-27,700]
26	SCORPION, INTELLIGENT MUNITIONS SYSTEM, ALL	0	0
27	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	19,254	17,854
	Excess production engineering.		[-1,400]
28	ROCKET, HYDRA 70, ALL TYPES	127,265	127,265
29	DEMOLITION MUNITIONS, ALL TYPES	53,685	53,685
30	GRENADES, ALL TYPES	42,558	40,558
	Grenade Rifle Entry Munition—Army offered reduction.		[-2,000]
31	SIGNALS, ALL TYPES	26,173	26,173
32	SIMULATORS, ALL TYPES	14,108	6,108
	Army offered reduction—M115A2 Simulators		[-4,000]
	Army offered reduction—M116A1 Simulators		[-4,000]
33	ALL OTHER (AMMO)	50	50
34	AMMO COMPONENTS, ALL TYPES	18,296	18,296
35	NON-LETHAL AMMUNITION, ALL TYPES	14,864	14,864

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<i>Line</i>	<i>Item</i>	<i>FY 2012 Request</i>	<i>Senate Authorized</i>
36	CAD/PAD ALL TYPES	5,449	5,449
37	ITEMS LESS THAN \$5 MILLION	11,009	11,009
38	AMMUNITION PECULIAR EQUIPMENT	24,200	24,200
39	FIRST DESTINATION TRANSPORTATION (AMMO)	13,711	13,711
40	CLOSEOUT LIABILITIES	103	103
41	PROVISION OF INDUSTRIAL FACILITIES	199,841	199,841
42	LAYAWAY OF INDUSTRIAL FACILITIES	9,451	9,451
43	MAINTENANCE OF INACTIVE FACILITIES	5,533	1,533
	Army offered reduction.		[-4,000]
44	CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL	189,789	177,789
	Contract award delay.		[-12,000]
45	ARMS INITIATIVE	3,273	3,273
	TOTAL, PROCUREMENT OF AMMUNITION, ARMY	1,992,625	1,831,827
	OTHER PROCUREMENT, ARMY		
1	TACTICAL TRAILERS/DOLLY SETS	0	0
2	SEMITRAILERS, FLATBED:	13,496	596
	Early to need		[-12,900]
3	SEMITRAILERS, TANKERS	0	0
4	HI MOB MULTI-PURP WILD VEH (HMMWV)	0	0
5	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	432,936	422,936
	Unjustified program management cost growth		[-10,000]
6	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	21,930	21,930
7	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	627,294	555,294
	Army offered program reduction		[-72,000]
8	PLS ESP	251,667	251,667
9	ARMORED SECURITY VEHICLES (ASV)	0	0
10	MINE PROTECTION VEHICLE FAMILY	56,671	0
	Army offered program reduction		[-48,000]
	Transfer to OCO		[-8,671]
11	FAMILY OF MINE RESISTANT AMBUSH PROTEC (MRAP)	0	0
12	TRUCK, TRACTOR, LINE HAUL, M915/M916	1,461	0
	Prior year unobligated funds available		[-1,461]
13	HVY EZPANDED MOBILE TACTICAL TRUCK EXT SERV	156,747	156,747
14	HMMWV RECAPITALIZATION PROGRAM	161,631	4,313
	Funding provided in approved prior year reprogramming action		[-157,318]
15	TACTICAL WHEELED VEHICLE PROTECTION KITS	39,908	0
	Transfer to OCO		[-39,908]
16	MODIFICATION OF IN SVC EQUIP	362,672	344,772
	HMMWV installation early to need		[-3,900]
	Excessive program support costs		[-14,000]
17	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	142,862	0
	Excessive program support costs		[-15,000]
	Transfer to OCO		[-127,862]
18	ITEMS LESS THAN \$5.0M (TAC VEH)	0	0
19	TOWING DEVICE-FIFTH WHEEL	0	0
20	AMC CRITICAL ITEMS, OPA1	20,156	0
	Unjustified request		[-20,156]
21	HEAVY ARMORED SEDAN	1,161	1,161
22	PASSENGER CARRYING VEHICLES	3,222	3,222
23	NONTACTICAL VEHICLES, OTHER	19,869	19,869
24	JOINT COMBAT IDENTIFICATION MARKING SYSTEM	9,984	9,984
25	WIN-T—GROUND FORCES TACTICAL NETWORK	974,186	865,186
	Increment 2 contract delay		[-109,000]
26	JCSE EQUIPMENT (USREDCOM)	4,826	4,826
28	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	123,859	123,859
29	SHF TERM	8,910	8,910
30	SAT TERM, EMUT (SPACE)	0	0
31	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	29,568	25,168
	Army offered program reduction		[-4,400]
32	SMART-T (SPACE)	49,704	49,704
33	SCAMP (SPACE)	2,415	2,415
34	GLOBAL BRDCST SVC—GBS	73,374	64,774
	Excessive unit cost growth		[-8,600]
35	MOD OF IN-SVC EQUIP (TAC SAT)	31,799	31,799
36	MOD-IN-SERVICE PROFILER	969	969
37	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	18,788	18,788
38	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)	3,994	3,994
39	JOINT TACTICAL RADIO SYSTEM	775,832	206,087
	Ground Mobile Radio program restructure		[-153,833]
	Airborne, Maritime, Fixed Station program delay		[-108,000]
	Manpack radio program delay		[-256,912]
	Army requested transfer to RDTE Navy line 100		[-51,000]
40	RADIO TERMINAL SET, MIDS LVT(2)	8,336	8,336
41	SINCGARS FAMILY	4,992	500
	Prior year unobligated funds available		[-4,492]
42	AMC CRITICAL ITEMS—OPA2	0	0

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Line	Item	FY 2012 Request	Senate Authorized
43	TRACTOR DESK	10,827	10,827
44	COMMS-ELEC EQUIP FIELDING	0	0
45	SPIDER APLA REMOTE CONTROL UNIT	36,224	14,024
	Program delay		[-22,200]
46	IMS REMOTE CONTROL UNIT	0	0
47	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS	1,843	1,843
48	COMBAT SURVIVOR EVADER LOCATOR (CSEL)	0	0
49	GUNSHOT DETECTION SYSTEM (GDS)	3,939	3,939
50	RADIO, IMPROVED HF (COTS) FAMILY	38,535	29,435
	Army offered program reduction		[-9,100]
51	MEDICAL COMM FOR CBT CASUALTY CARE (MC4)	26,232	26,232
53	CI AUTOMATION ARCHITECTURE	1,547	1,547
54	RESERVE CA/MISO GPF EQUIPMENT	28,266	28,266
55	TSEC—ARMY KEY MGT SYS (AKMS)	12,541	11,441
	Army offered program reduction		[-1,100]
56	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	39,349	39,349
57	TERRESTRIAL TRANSMISSION	2,232	2,232
58	BASE SUPPORT COMMUNICATIONS	37,780	37,780
59	WW TECH CON IMP PROG (WWTCIP)	12,805	12,805
60	INFORMATION SYSTEMS	187,227	131,227
	Prior year unobligated funds available		[-56,000]
61	DEFENSE MESSAGE SYSTEM (DMS)	4,393	4,393
62	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM(.....	310,761	310,761
63	PENTAGON INFORMATION MGT AND TELECOM	4,992	4,992
66	JTT/CIBS-M	4,657	4,657
67	PROPHET GROUND	72,041	72,041
68	DIGITAL TOPOGRAPHIC SPT SYS (DTSS)	0	0
69	DRUG INTERDICTION PROGRAM (DIP) (TIARA)	0	0
70	DCGS-A (MIP)	144,548	0
	unjustified growth		[-20,000]
	Transfer to OCO		[-124,548]
71	JOINT TACTICAL GROUND STATION (JTGS)	1,199	1,199
72	TROJAN (MIP)	32,707	32,707
73	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	9,163	9,163
74	CI HUMINT AUTO REPRTING AND COLL(CHARCS) (MIP)	3,493	3,493
75	ITEMS LESS THAN \$5.0M (MIP)	802	802
76	LIGHTWEIGHT COUNTER MORTAR RADAR	33,810	0
	Requirement met with prior year funds		[-33,810]
77	CREW	24,104	0
	Requirement met with prior year funds		[-24,104]
78	BCT UNATTENDED GROUND SENSOR	0	0
79	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITES	0	0
80	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	1,252	1,252
81	CI MODERNIZATION	1,332	1,332
82	FAAD GBS	7,958	7,958
83	SENTINEL MODS	41,657	41,657
84	SENSE THROUGH THE WALL (STTW)	47,498	47,498
85	NIGHT VISION DEVICES	156,204	151,704
	Army offered program reduction		[-4,500]
86	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM	102,334	102,334
87	NIGHT VISION, THERMAL WPN SIGHT	186,859	143,059
	Army offered program reduction		[-43,800]
88	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	10,227	8,027
	Army offered program reduction		[-2,200]
89	RADIATION MONITORING SYSTEMS	0	0
90	COUNTER-ROCKET, ARTILLERY & MORTAR (C-RAM)	15,774	0
	Transfer to OCO		[-15,774]
91	BASE EXPEDITIONARY TARGETING AND SURV SYS	0	0
92	GREEN LASER INTERDICTION SYSTEM	25,356	0
	Army offered program reduction		[-6,300]
	Transfer to OCO		[-19,056]
93	ARTILLERY ACCURACY EQUIP	0	0
94	ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE	0	0
95	PROFILER	3,312	3,312
96	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	3,005	3,005
97	FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCB2)	0	0
98	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	69,514	20,014
	Army offered program reduction		[-49,500]
99	LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER	58,042	58,042
100	COMPUTER BALLISTICS: LHMBC XM32	0	0
101	MORTAR FIRE CONTROL SYSTEM	21,022	21,022
102	COUNTERFIRE RADARS	227,629	170,529
	Army offered program reduction		[-57,100]
103	ENHANCED SENSOR & MONITORING SYSTEM	2,226	2,226
104	TACTICAL OPERATIONS CENTERS	54,907	54,907
105	FIRE SUPPORT C2 FAMILY	54,223	37,423
	Army offered program reduction		[-16,800]
106	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM (BC	12,454	7,754

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Line	Item	FY 2012 Request	Senate Authorized
	Army offered program reduction		[-4,700]
107	FAAD C2	5,030	5,030
108	AIR & MSL DEFENSE PLANNING & CONTROL SYS	62,710	54,910
	Army offered program reduction		[-7,800]
109	KNIGHT FAMILY	51,488	32,202
	Program growth adjustment		[-19,286]
110	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	1,807	1,807
111	AUTOMATIC IDENTIFICATION TECHNOLOGY	28,924	19,524
	Army offered program reduction		[-9,400]
112	TC AIMS II	0	0
113	TACTICAL INTERNET MANAGER	0	0
114	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	0	0
115	MANEUVER CONTROL SYSTEM (MCS)	34,031	34,031
116	SINGLE ARMY LOGISTICS ENTERPRISE (SALE)	210,312	124,026
	Army requested transfer to RDTE Army line 177		[-9,251]
	Army requested transfer to OMA Budget Activity 04		[-60,240]
	Army requested transfer to OPA line 119		[-1,795]
	Army identified excess		[-15,000]
117	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	19,113	19,113
118	MOUNTED BATTLE COMMAND ON THE MOVE (MBCOTM)	0	0
119	GENERAL FUND ENTERPRISE BUSINESS SYSTEM	23,664	25,459
	Army requested transfer from OPA line 116		[1,795]
120	ARMY TRAINING MODERNIZATION	11,192	11,192
121	AUTOMATED DATA PROCESSING EQUIP	220,250	174,772
	Prior year unobligated funds available		[-45,478]
122	CSS COMMUNICATIONS	39,310	39,310
123	RESERVE COMPONENT AUTOMATION SYS (RCAS)	41,248	41,248
124	ITEMS LESS THAN \$5.0M (A/V)	10,437	10,437
125	ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT)	7,480	4,395
	Excessive design engineering costs		[-3,085]
126	PRODUCTION BASE SUPPORT (C-E)	571	571
127	BCT NETWORK	0	0
127A	CLASSIFIED PROGRAMS	4,273	4,273
128	PROTECTIVE SYSTEMS	0	0
129	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	8,636	5,213
	Acoustic hailing device contract delay		[-3,423]
130	BASE DEFENSE SYSTEMS (BDS)	41,204	0
	Transfer to OCO		[-41,204]
131	CBRN SOLDIER PROTECTION	10,700	10,700
132	SMOKE & OBSCURANT FAMILY; SOF (NON AAO ITEM)	362	362
133	TACTICAL BRIDGING	77,428	77,428
134	TACTICAL BRIDGE, FLOAT-RIBBON	49,154	45,454
	Excessive program support cost growth		[-3,700]
135	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST	39,263	39,263
136	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)	20,678	20,678
137	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)	30,297	0
	M160 incremental funding		[-8,000]
	Transfer to OCO		[-22,297]
138	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	17,626	17,626
139	REMOTE DEMOLITION SYSTEMS	14,672	14,672
140	< \$5M, COUNTERMINE EQUIPMENT	7,352	7,352
141	AERIAL DETECTION	0	0
142	HEATERS AND ECU'S	10,109	10,109
143	LAUNDRIES, SHOWERS AND LATRINES	0	0
144	SOLDIER ENHANCEMENT	9,591	9,591
145	LIGHTWEIGHT MAINTENANCE ENCLOSURE (LME)	0	0
146	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	8,509	8,509
147	GROUND SOLDIER SYSTEM	184,072	4,000
	Army requested transfer to RDTE Army line 119		[-7,600]
	Program delay		[-172,472]
148	MOUNTED SOLDIER SYSTEM	43,419	19
	Army offered program reduction		[-43,400]
149	FORCE PROVIDER	0	0
150	FIELD FEEDING EQUIPMENT	26,860	26,860
151	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	68,392	55,392
	Army offered program reduction		[-13,000]
152	MOBILE INTEGRATED REMAINS COLLECTION SYSTEM:	7,384	7,384
153	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	54,190	54,190
154	ITEMS LESS THAN \$5M (ENG SPT)	12,482	12,482
155	QUALITY SURVEILLANCE EQUIPMENT	0	0
156	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	75,457	75,457
157	WATER PURIFICATION SYSTEMS	0	0
158	COMBAT SUPPORT MEDICAL	53,450	53,450
159	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	16,572	16,572
160	ITEMS LESS THAN \$5.0M (MAINT EQ)	3,852	3,852
161	GRADER, ROAD MTZD, Hvy, 6X4 (CCE)	2,201	2,201
162	SKID STEER LOADER (SSL) FAMILY OF SYSTEM	8,584	3,984
	Excessive unit cost and program support cost growth		[-4,600]

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Line	Item	FY 2012 Request	Senate Authorized
163	SCRAPERS, EARTHMOVING	21,031	21,031
164	MISSION MODULES—ENGINEERING	43,432	43,432
165	COMPACTOR	2,859	0
	Army offered program reduction		[−2,859]
166	LOADERS	0	0
167	HYDRAULIC EXCAVATOR	0	0
168	TRACTOR, FULL TRACKED	59,534	50,434
	Unjustified program support cost growth		[−9,100]
169	PLANT, ASPHALT MIXING	8,314	614
	Prior year unobligated funds available		[−7,700]
170	HIGH MOBILITY ENGINEER EXCAVATOR TYPE—FOS	18,974	18,974
171	ENHANCED RAPID AIRFIELD CONSTRUCTION CAPA	15,833	0
	Unexecutable acquisition strategy		[−15,833]
172	CONST EQUIP ESP	9,771	9,771
173	ITEMS LESS THAN \$5.0M (CONST EQUIP)	12,654	12,654
174	JOINT HIGH SPEED VESSEL (JHSV)	223,845	223,845
175	HARBORMASTER COMMAND AND CONTROL CENTER (HCCC)	0	0
176	ITEMS LESS THAN \$5.0M (FLOAT/RAIL)	10,175	10,175
177	GENERATORS AND ASSOCIATED EQUIP	31,897	31,897
178	ROUGH TERRAIN CONTAINER HANDLER (RTCH)	0	0
179	FAMILY OF FORKLIFTS	10,944	10,944
180	ALL TERRAIN LIFTING ARMY SYSTEM	21,859	21,859
181	COMBAT TRAINING CENTERS SUPPORT	133,178	47,878
	Army offered program reduction		[−85,300]
182	TRAINING DEVICES, NONSYSTEM	168,392	168,392
183	CLOSE COMBAT TACTICAL TRAINER	17,760	13,290
	Prior year unobligated funds available		[−4,470]
184	AVIATION COMBINED ARMS TACTICAL TRAINER	9,413	9,413
185	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	0	0
186	CALIBRATION SETS EQUIPMENT	13,618	13,618
187	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	49,437	36,937
	Prior year unobligated funds available		[−12,500]
188	TEST EQUIPMENT MODERNIZATION (TEMOD)	30,451	30,451
189	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	4,923	4,923
190	PHYSICAL SECURITY SYSTEMS (OPA3)	69,316	19,606
	Prior year unobligated funds available		[−49,710]
191	BASE LEVEL COMMON EQUIPMENT	1,591	1,591
192	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	72,271	72,271
193	PRODUCTION BASE SUPPORT (OTH)	2,325	2,325
194	SPECIAL EQUIPMENT FOR USER TESTING	17,411	17,411
195	AMC CRITICAL ITEMS OPA3	34,500	34,500
196	TRACTOR YARD	3,740	3,740
197	BCT UNMANNED GROUND VEHICLE	24,805	0
	Program adjustment		[−24,805]
198	BCT TRAINING/LOGISTICS/MANAGEMENT	149,308	26,008
	Program cancellation		[−123,300]
199	BCT TRAINING/LOGISTICS/MANAGEMENT INC 2	57,103	3
	Program cancellation		[−57,100]
200	BCT UNMANNED GROUND VEHICLE INC 2	11,924	24
	Program cancellation		[−11,900]
201	INITIAL SPARES—C&E	21,647	21,647
TOTAL, OTHER PROCUREMENT, ARMY		9,682,592	7,050,774
JOINT IMPR EXPLOSIVE DEV DEFEAT FUND			
1	ATTACK THE NETWORK	0	0
2	DEFEAT THE DEVICE	0	0
3	TRAIN THE FORCE	0	0
4	OPERATIONS	220,634	0
	Transfer to OCO: JIEDDO Operations		[−220,634]
TOTAL, JOINT IMPR EXPLOSIVE DEV DEFEAT FUND		220,634	0
AIRCRAFT PROCUREMENT, NAVY			
1	EA-18G	1,134,445	1,127,445
	Reduce Engineering Change Orders (ECO) to fiscal year 2010 levels		[−7,000]
1	EA-18G	−55,081	−55,081
2	EA-18G	28,119	28,119
3	F/A-18E/F (FIGHTER) HORNET	2,369,047	1,774,347
	Funded in H. R. 1473		[−495,000]
	ECO excess		[−21,000]
	Government furnished equipment engine cost growth		[−10,700]
	Multi-year procurement savings		[−68,000]
3	F/A-18E/F (FIGHTER) HORNET	−2,295	−2,295
4	F/A-18E/F (FIGHTER) HORNET	64,962	63,262
	Airframe termination liability growth		[−1,700]
5	JOINT STRIKE FIGHTER CV	1,722,991	1,722,991
5	JOINT STRIKE FIGHTER CV	−219,895	−219,895

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
6	JOINT STRIKE FIGHTER CV	217,666	217,666
7	JSF STOVL	1,428,259	1,428,259
7	JSF STOVL	-286,326	-286,326
8	JSF STOVL	117,229	117,229
9	V-22 (MEDIUM LIFT)	2,365,561	2,365,561
9	V-22 (MEDIUM LIFT)	-140,744	-151,244
	Reduce ECO		[-10,500]
10	V-22 (MEDIUM LIFT)	84,008	84,008
11	UH-1Y/AH-1Z	769,666	733,666
	Unjustified support increase		[-30,000]
	Reduce ECO		[-6,000]
11	UH-1Y/AH-1Z	-69,360	-69,360
12	UH-1Y/AH-1Z	68,310	68,310
13	MH-60S (MYP)	479,001	479,001
13	MH-60S (MYP)	-70,080	-70,080
14	MH-60S (MYP)	74,040	74,040
15	MH-60R	953,031	948,831
	Reduce ECO		[-4,200]
15	MH-60R	-162,006	-162,006
16	MH-60R	209,431	209,431
17	P-8A POSEIDON	2,185,004	2,185,004
17	P-8A POSEIDON	-166,153	-166,153
18	P-8A POSEIDON	256,594	256,594
19	E-2D ADV HAWKEYE	1,033,511	1,013,511
	Excess funding reserve		[-20,000]
19	E-2D ADV HAWKEYE	-118,619	-118,619
20	E-2D ADV HAWKEYE	157,942	157,942
21	C-40A	0	0
22	JPATS	266,906	256,906
	Excess ECO		[-10,000]
23	HC-130J	0	0
24	KC-130J	87,288	87,288
24	KC-130J	0	0
25	RQ-7 UAV	0	0
26	MQ-8 UAV	191,986	191,986
27	STUASLO UAV	12,772	0
	Low rate initial production contract award slip		[-12,772]
28	OTHER SUPPORT AIRCRAFT	0	0
29	EA-6 SERIES	27,734	27,734
30	AEA SYSTEMS	34,065	31,765
	Air launched decoy jammer		[-2,300]
31	AV-8 SERIES	30,762	30,762
32	F-18 SERIES	499,597	445,597
	Integrated Logistics Support excess to need		[-20,900]
	Digital Communications System reduce quantities		[-14,000]
	Other support growth		[-12,800]
	Net Centric Operations reduce A kits		[-6,300]
33	H-46 SERIES	27,112	24,612
	Unjustified Request		[-2,500]
34	AH-1W SERIES	15,828	15,828
35	H-53 SERIES	62,820	61,820
	DIRCM Other support excess		[-1,000]
36	SH-60 SERIES	83,394	83,394
37	H-1 SERIES	11,012	8,412
	Obsolescence install unjustified growth		[-2,600]
38	EP-3 SERIES	83,181	83,181
39	P-3 SERIES	171,466	169,766
	Other support growth		[-1,700]
40	E-2 SERIES	29,215	29,215
41	TRAINER A/C SERIES	22,090	18,790
	Training equipment growth		[-3,300]
42	C-2A	16,302	16,302
43	C-130 SERIES	27,139	27,139
44	FEWSG	2,773	1,773
	Other support growth		[-1,000]
45	CARGO/TRANSPORT A/C SERIES	16,463	16,463
46	E-6 SERIES	165,253	130,653
	Service life extension program install early to need		[-7,800]
	Block I install cost savings		[-1,200]
	Block II FAB-T non-recurring engineering early to need		[-5,200]
	Block Recapture program delay		[-20,400]
47	EXECUTIVE HELICOPTERS SERIES	58,011	82,011
	Navy requested transfer from RDT&E, Navy line 98, for VH-3/VH-60 sustainment.		[24,000]
48	SPECIAL PROJECT AIRCRAFT	12,248	11,048
	Install equipment nonrecurring unjustified growth		[-1,200]
49	T-45 SERIES	57,779	45,179
	Correction of Deficiencies contract support growth		[-6,600]

SEC. 4101. PROCUREMENT
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Line	Item	FY 2012 Request	Senate Authorized
	Avionics Obsolescence contract support growth		[-6,000]
50	POWER PLANT CHANGES	21,847	21,847
51	JPATS SERIES	1,524	524
	Unobligated balances		[-1,000]
52	AVIATION LIFE SUPPORT MODS	1,069	1,069
53	COMMON ECM EQUIPMENT	92,072	89,272
	DIRCM A kit savings		[-2,800]
54	COMMON AVIONICS CHANGES	147,093	138,293
	CNS/ATM Other support growth		[-8,800]
55	COMMON DEFENSIVE WEAPON SYSTEM	0	0
56	ID SYSTEMS	37,330	32,030
	Other support growth		[-5,300]
57	P-8 SERIES	2,930	0
	P-8 modifications ahead of need		[-2,930]
58	MAGTF EW FOR AVIATION	489	489
59	RQ-7 SERIES	11,419	11,419
60	V-22 (TILT/ROTOR ACFT) OSPREY	60,264	55,764
	Deficiencies modifications other support growth		[-2,500]
	Reliability modifications other support growth		[-2,000]
61	SPARES AND REPAIR PARTS	1,331,961	1,171,994
	FA-18E/F initial spares cost growth		[-23,967]
	F-35 initial spares execution		[-100,000]
	P-8A initial spares execution		[-36,000]
62	COMMON GROUND EQUIPMENT	351,685	363,685
	Transfer from PE 64273N (RDN 98) for VH-60 trainer		[12,000]
63	AIRCRAFT INDUSTRIAL FACILITIES	22,358	22,358
64	WAR CONSUMABLES	27,300	0
	Transfer to OCO		[-27,300]
65	OTHER PRODUCTION CHARGES	10,124	10,124
66	SPECIAL SUPPORT EQUIPMENT	24,395	21,395
	Unjustified support increase		[-3,000]
67	FIRST DESTINATION TRANSPORTATION	1,719	1,719
68	CANCELLED ACCOUNT ADJUSTMENTS	0	0
	TOTAL, AIRCRAFT PROCUREMENT, NAVY	18,587,033	17,593,764
	WEAPONS PROCUREMENT, NAVY		
1	TRIDENT II MODS	1,309,102	1,309,102
2	MISSILE INDUSTRIAL FACILITIES	3,492	3,492
3	TOMAHAWK	303,306	303,306
4	AMRAAM	188,494	119,494
	Production Backlog		[-69,000]
5	SIDEWINDER	47,098	47,098
6	JSOW	137,722	137,722
7	STANDARD MISSILE	420,324	362,278
	Unit Cost efficiencies		[-58,046]
8	RAM	66,197	66,197
9	HELLFIRE	22,703	22,703
10	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	0	0
11	AERIAL TARGETS	46,359	46,359
12	OTHER MISSILE SUPPORT	3,561	3,561
13	ESSM	48,486	48,486
14	HARM MODS	73,061	73,061
15	STANDARD MISSILES MODS	0	0
16	WEAPONS INDUSTRIAL FACILITIES	1,979	1,979
17	FLEET SATELLITE COMM FOLLOW-ON	238,215	33,215
	Booster for SV4 early to need		[-205,000]
17	FLEET SATELLITE COMM FOLLOW-ON	0	0
18	FLEET SATELLITE COMM FOLLOW-ON	0	0
19	ORDNANCE SUPPORT EQUIPMENT	52,255	52,255
20	ASW TARGETS	31,803	31,803
21	MK-54 TORPEDO MODS	78,045	78,045
22	MK-48 TORPEDO ADCAP MODS	42,493	42,493
23	QUICKSTRIKE MINE	5,770	5,770
24	TORPEDO SUPPORT EQUIPMENT	43,003	43,003
25	ASW RANGE SUPPORT	9,219	9,219
26	FIRST DESTINATION TRANSPORTATION	3,553	3,553
27	SMALL ARMS AND WEAPONS	15,037	15,037
28	CIWS MODS	37,550	37,550
29	COAST GUARD WEAPONS	17,525	17,525
30	GUN MOUNT MODS	43,957	43,957
31	LCS MODULE WEAPONS	0	0
32	CRUISER MODERNIZATION WEAPONS	50,013	50,013
33	AIRBORNE MINE NEUTRALIZATION SYSTEMS	12,203	12,203
34	CANCELLED ACCOUNT ADJUSTMENTS	0	0
35	SPARES AND REPAIR PARTS	55,953	55,953
	TOTAL, WEAPONS PROCUREMENT, NAVY	3,408,478	3,076,432

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2012 Request</i>	<i>Senate Authorized</i>
PROCUREMENT OF AMMO, NAVY & MC			
1	GENERAL PURPOSE BOMBS	64,766	63,666
	BLU-109 cost growth.		[-1,100]
2	JDAM	0	0
3	AIRBORNE ROCKETS, ALL TYPES	38,264	37,264
	Support funding carryover.		[-1,000]
4	MACHINE GUN AMMUNITION	17,788	17,788
5	PRACTICE BOMBS	35,289	35,289
6	CARTRIDGES & CART ACTUATED DEVICES	49,416	49,416
7	AIR EXPENDABLE COUNTERMEASURES	60,677	60,677
8	JATOS	2,766	2,766
9	5 INCH/54 GUN AMMUNITION	19,006	10,901
	Excess prior year multi-option fuze support funding.		[-7,105]
	Support funding carryover.		[-1,000]
10	INTERMEDIATE CALIBER GUN AMMUNITION	19,320	1,112
	MK295 cartridge contract delay.		[-18,208]
11	OTHER SHIP GUN AMMUNITION	21,938	19,018
	Production engineering growth.		[-2,920]
12	SMALL ARMS & LANDING PARTY AMMO	51,819	46,039
	Production engineering growth.		[-1,200]
	A131 complete rounds cost growth.		[-2,500]
	A576 LAP kit cost growth.		[-2,080]
13	PYROTECHNIC AND DEMOLITION	10,199	10,199
14	AMMUNITION LESS THAN \$5 MILLION	4,107	4,107
15	SMALL ARMS AMMUNITION	58,812	58,812
16	LINEAR CHARGES, ALL TYPES	21,434	17,660
	M913 LAP kit contract delay.		[-3,774]
17	40 MM, ALL TYPES	84,864	72,864
	Program execution—USMC offered reduction.		[-12,000]
18	60MM, ALL TYPES	937	937
19	81MM, ALL TYPES	26,324	18,100
	M913 LAP kit contract delay.		[-8,224]
20	120MM, ALL TYPES	9,387	7,387
	Program execution—USMC offered reduction.		[-2,000]
21	CTG 25MM, ALL TYPES	3,889	3,889
22	GRENADES, ALL TYPES	13,452	13,452
23	ROCKETS, ALL TYPES	15,556	15,556
24	ARTILLERY, ALL TYPES	42,526	42,526
25	DEMOLITION MUNITIONS, ALL TYPES	22,786	1,786
	Program execution—USMC offered reduction.		[-21,000]
26	FUZE, ALL TYPES	9,266	9,266
27	NON LETHALS	2,927	2,927
28	AMMO MODERNIZATION	8,557	8,557
29	ITEMS LESS THAN \$5 MILLION	3,880	3,880
	TOTAL, PROCUREMENT OF AMMO, NAVY & MC	719,952	635,841
SHIPBUILDING & CONVERSION, NAVY			
1	CARRIER REPLACEMENT PROGRAM	0	0
2	CARRIER REPLACEMENT PROGRAM	554,798	554,798
3	VIRGINIA CLASS SUBMARINE	5,142,765	5,142,765
3	VIRGINIA CLASS SUBMARINE	-1,910,550	-1,910,550
4	VIRGINIA CLASS SUBMARINE	1,524,761	1,524,761
5	CVN REFUELING OVERHAULS	0	0
6	CVN REFUELING OVERHAULS	529,632	529,632
7	SSBN ERO	0	0
8	DDG 1000	453,727	453,727
9	DDG-51	2,028,693	2,028,693
9	DDG-51	-47,984	-47,984
10	DDG-51	100,723	100,723
11	LITTORAL COMBAT SHIP	1,921,386	1,921,386
11	LITTORAL COMBAT SHIP	-119,293	-119,293
12	LITTORAL COMBAT SHIP	0	0
13	LPD-17	2,031,430	2,031,430
13	LPD-17	-183,986	-183,986
14	LPD-17	0	0
15	LHA REPLACEMENT	2,018,691	2,018,691
16	LHA REPLACEMENT	0	0
17	JOINT HIGH SPEED VESSEL	185,106	185,106
18	OCEANOGRAPHIC SHIPS	89,000	89,000
19	MOORED TRAINING SHIP	155,200	155,200
20	OUTFITTING	292,871	292,871
21	SERVICE CRAFT	3,863	3,863
22	LCAC SLEP	84,076	84,076
23	COMPLETION OF PY SHIPBUILDING PROGRAMS	73,992	73,992
	TOTAL, SHIPBUILDING & CONVERSION, NAVY	14,928,921	14,928,921

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2012 Request</i>	<i>Senate Authorized</i>
OTHER PROCUREMENT, NAVY			
1	LM-2500 GAS TURBINE	13,794	13,794
2	ALLISON 501K GAS TURBINE	8,643	8,643
3	OTHER NAVIGATION EQUIPMENT	22,982	22,982
4	SUB PERISCOPES & IMAGING EQUIP	60,860	60,860
5	DDG MOD	119,522	119,522
6	FIREFIGHTING EQUIPMENT	17,637	17,637
7	COMMAND AND CONTROL SWITCHBOARD	3,049	3,049
8	POLLUTION CONTROL EQUIPMENT	22,266	22,266
9	SUBMARINE SUPPORT EQUIPMENT	15,892	15,892
10	VIRGINIA CLASS SUPPORT EQUIPMENT	100,693	100,693
11	SUBMARINE BATTERIES	42,296	42,296
12	STRATEGIC PLATFORM SUPPORT EQUIP	25,228	25,228
13	DSSP EQUIPMENT	2,600	2,600
14	CG MODERNIZATION	590,349	585,349
	Shore Site Upgrades--Excessive Growth		[-5,000]
15	LCAC	0	0
16	UNDERWATER EOD PROGRAMS	18,499	18,499
17	ITEMS LESS THAN \$5 MILLION	113,809	99,470
	LCS Waterjet Impellers--No Longer Required		[-10,859]
	Auto Voltage Regulators--Ahead of Need		[-3,480]
18	CHEMICAL WARFARE DETECTORS	5,508	5,508
19	SUBMARINE LIFE SUPPORT SYSTEM	13,397	13,397
20	REACTOR POWER UNITS	436,838	436,838
21	REACTOR COMPONENTS	271,600	271,600
22	DIVING AND SALVAGE EQUIPMENT	11,244	11,244
23	STANDARD BOATS	39,793	39,793
24	OTHER SHIPS TRAINING EQUIPMENT	29,913	29,913
25	OPERATING FORCES IPE	54,642	54,642
26	NUCLEAR ALTERATIONS	144,175	144,175
27	LCS MODULES	79,583	68,163
	AN/AQS-20A--Contract Delay		[-8,920]
	Production Support--Excess to Need		[-2,500]
28	LSD MIDLIFE	143,483	143,483
29	RADAR SUPPORT	18,818	18,818
30	SPQ-9B RADAR	24,613	24,613
31	AN/SQQ-89 SURF ASW COMBAT SYSTEM	73,829	73,829
32	SSN ACOUSTICS	212,913	212,913
33	UNDERSEA WARFARE SUPPORT EQUIPMENT	29,686	29,686
34	SONAR SWITCHES AND TRANSDUCERS	13,537	13,537
35	ELECTRONIC WARFARE MILDEC	18,141	18,141
36	SUBMARINE ACOUSTIC WARFARE SYSTEM	20,554	20,554
37	SSTD	2,257	2,257
38	FIXED SURVEILLANCE SYSTEM	60,141	60,141
39	SURTASS	29,247	27,047
	Integrated Common Processor (ICP) Procurement--Ahead of Need		[-2,200]
40	MARITIME PATROL AND RECONNAISSANCE FORCE	13,453	13,453
41	AN/SLQ-32	43,096	39,902
	Block 1B3 Units--No Longer Required		[-3,194]
42	SHIPBOARD IW EXPLOIT	103,645	100,745
	Paragon Systems--Change to Procurement Strategy		[-2,900]
43	AUTOMATED IDENTIFICATION SYSTEM (AIS)	1,364	1,364
44	SUBMARINE SUPPORT EQUIPMENT PROG	100,793	100,793
45	COOPERATIVE ENGAGEMENT CAPABILITY	23,332	17,032
	PAAA Backfit Installation Funding--No Longer Required		[-2,000]
	Signal Data Processors Backfits--Ahead of Need		[-2,000]
	Signal Data Processors Backfits [AN/USG-2A]--Ahead of Need		[-2,300]
46	TRUSTED INFORMATION SYSTEM (TIS)	426	426
47	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	33,017	33,017
48	ATDLS	942	942
49	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	7,896	7,896
50	MINESWEEPING SYSTEM REPLACEMENT	27,868	27,868
51	SHALLOW WATER MCM	1,048	1,048
52	NAVSTAR GPS RECEIVERS (SPACE)	9,926	9,926
53	AMERICAN FORCES RADIO AND TV SERVICE	4,370	4,370
54	STRATEGIC PLATFORM SUPPORT EQUIP	4,143	4,143
55	OTHER TRAINING EQUIPMENT	45,989	45,989
56	MATCALS	8,136	8,136
57	SHIPBOARD AIR TRAFFIC CONTROL	7,394	7,394
58	AUTOMATIC CARRIER LANDING SYSTEM	18,518	18,518
59	NATIONAL AIR SPACE SYSTEM	26,054	26,054
60	FLEET AIR TRAFFIC CONTROL SYSTEMS	7,213	7,213
61	LANDING SYSTEMS	7,138	7,138
62	ID SYSTEMS	33,170	31,470
	Mark XII Mode 5--Ahead of Need		[-1,700]
63	NAVAL MISSION PLANNING SYSTEMS	8,941	8,941
64	DEPLOYABLE JOINT COMMAND AND CONT	8,994	8,994

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Line	Item	FY 2012 Request	Senate Authorized
65	MARITIME INTERGRATED BROADCAST SYSTEM	13,529	13,529
66	TACTICAL/MOBILE C4I SYSTEMS	12,776	10,876
	Tactical/Mobile C4I Systems Increment 2.1 Ahead of Need		[-1,900]
67	DCGS-N	11,301	11,301
68	CANES	195,141	105,541
	Transfer to Ship Communications Automation (OPN 76) per USN request		[-77,600]
	Transfer to PE 33138N (RDN 201) per USN request		[-12,000]
69	RADLAC	6,201	6,201
70	CANES-INTELL	75,084	75,084
71	GPETE	6,010	6,010
72	INTEG COMBAT SYSTEM TEST FACILITY	4,441	4,441
73	EMI CONTROL INSTRUMENTATION	4,741	4,741
74	ITEMS LESS THAN \$5 MILLION	51,716	51,716
75	SHIPBOARD TACTICAL COMMUNICATIONS	26,197	1,494
	JTRS AMF--Program Delay		[-24,703]
76	SHIP COMMUNICATIONS AUTOMATION	177,510	255,110
	Transfer from CANES (OPN 68) pe USN request		[77,600]
77	MARITIME DOMAIN AWARENESS (MDA)	24,022	24,022
78	COMMUNICATIONS ITEMS UNDER \$5M	33,644	27,544
	HMS Radios--Contract Delays		[-3,300]
	BFTN--Installations Ahead of Need		[-2,800]
79	SUBMARINE BROADCAST SUPPORT	10,357	10,357
80	SUBMARINE COMMUNICATION EQUIPMENT	75,447	75,447
81	SATELLITE COMMUNICATIONS SYSTEMS	25,522	25,522
82	NAVY MULTIBAND TERMINAL (NMT)	109,022	94,022
	Revised Pricing		[-15,000]
83	JCS COMMUNICATIONS EQUIPMENT	2,186	2,186
84	ELECTRICAL POWER SYSTEMS	1,329	1,329
85	NAVAL SHORE COMMUNICATIONS	2,418	2,418
86	INFO SYSTEMS SECURITY PROGRAM (ISSP)	119,857	114,257
	EKMS Afloat--KMI Ahead of Need		[-1,000]
	VACM Program Delay		[-4,600]
87	CRYPTOLOGIC COMMUNICATIONS EQUIP	14,820	14,820
88	COAST GUARD EQUIPMENT	6,848	6,848
89	OTHER DRUG INTERDICTION SUPPORT	2,290	2,290
90	SONOBUOYS--ALL TYPES	96,314	84,464
	AN/SSQ-125--Ahead of Need		[-11,850]
91	WEAPONS RANGE SUPPORT EQUIPMENT	40,697	40,697
92	EXPEDITIONARY AIRFIELDS	8,561	8,561
93	AIRCRAFT REARMING EQUIPMENT	8,941	8,941
94	AIRCRAFT LAUNCH & RECOVERY EQUIPMENT	19,777	19,777
95	METEOROLOGICAL EQUIPMENT	22,003	22,003
96	DCRS/DPL	1,595	1,595
97	AVIATION LIFE SUPPORT	66,031	66,031
98	AIRBORNE MINE COUNTERMEASURES	49,668	42,765
	AN/AQS-20A--Contract Delay		[-6,903]
99	LAMPS MK III SHIPBOARD EQUIPMENT	18,471	18,471
100	PORTABLE ELECTRONIC MAINTENANCE AIDS	7,875	7,875
101	OTHER AVIATION SUPPORT EQUIPMENT	12,553	12,553
102	NAVAL FIRES CONTROL SYSTEM	2,049	2,049
103	GUN FIRE CONTROL EQUIPMENT	4,488	4,488
104	NATO SEASPARROW	8,926	8,926
105	RAM GMLS	4,321	4,321
106	SHIP SELF DEFENSE SYSTEM	60,700	54,381
	SSDS COTS Conversion Kits Ahead of Need		[-6,319]
107	AEGIS SUPPORT EQUIPMENT	43,148	43,148
108	TOMAHAWK SUPPORT EQUIPMENT	72,861	72,861
109	VERTICAL LAUNCH SYSTEMS	732	732
110	MARITIME INTEGRATED PLANNING SYSTEM-MIPS	4,823	4,823
111	STRATEGIC MISSILE SYSTEMS EQUIP	187,807	187,807
112	SSN COMBAT CONTROL SYSTEMS	81,596	81,596
113	SUBMARINE ASW SUPPORT EQUIPMENT	5,241	5,241
114	SURFACE ASW SUPPORT EQUIPMENT	5,816	5,816
115	ASW RANGE SUPPORT EQUIPMENT	7,842	7,842
116	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	98,847	98,847
117	ITEMS LESS THAN \$5 MILLION	4,073	4,073
118	ANTI-SHIP MISSILE DECOY SYSTEM	32,716	32,716
119	SURFACE TRAINING DEVICE MODS	5,814	5,814
120	SUBMARINE TRAINING DEVICE MODS	36,777	36,777
121	PASSENGER CARRYING VEHICLES	6,271	3,771
	Unjustified Growth		[-2,500]
122	GENERAL PURPOSE TRUCKS	3,202	2,202
	Unjustified Growth		[-1,000]
123	CONSTRUCTION & MAINTENANCE EQUIP	9,850	6,850
	Contract Delays		[-3,000]
124	FIRE FIGHTING EQUIPMENT	14,315	14,315
125	TACTICAL VEHICLES	16,502	16,502
126	AMPHIBIOUS EQUIPMENT	3,235	3,235

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Line	Item	FY 2012 Request	Senate Authorized
127	POLLUTION CONTROL EQUIPMENT	7,175	7,175
128	ITEMS UNDER \$5 MILLION	20,727	10,727
	Contract Delays		[-10,000]
129	PHYSICAL SECURITY VEHICLES	1,142	1,142
130	MATERIALS HANDLING EQUIPMENT	14,972	9,972
	Contract Delays		[-5,000]
131	OTHER SUPPLY SUPPORT EQUIPMENT	4,453	4,453
132	FIRST DESTINATION TRANSPORTATION	6,416	6,416
133	SPECIAL PURPOSE SUPPLY SYSTEMS	51,894	51,894
134	TRAINING SUPPORT EQUIPMENT	16,353	16,353
135	COMMAND SUPPORT EQUIPMENT	28,693	27,693
	SPAWAR-Excess to Need		[-1,000]
136	EDUCATION SUPPORT EQUIPMENT	2,197	2,197
137	MEDICAL SUPPORT EQUIPMENT	7,175	4,175
	Unjustified Growth		[-3,000]
138	NAVAL MIP SUPPORT EQUIPMENT	1,457	1,457
140	OPERATING FORCES SUPPORT EQUIPMENT	15,330	15,330
141	CAISR EQUIPMENT	136	136
142	ENVIRONMENTAL SUPPORT EQUIPMENT	18,639	18,639
143	PHYSICAL SECURITY EQUIPMENT	177,240	177,240
144	ENTERPRISE INFORMATION TECHNOLOGY	143,022	143,022
147	JUDGMENT FUND REIMBURSEMENT	0	0
148	CANCELLED ACCOUNT ADJUSTMENTS	0	0
148A	CLASSIFIED PROGRAMS	14,402	14,402
149	SPARES AND REPAIR PARTS	208,384	208,384
	TOTAL, OTHER PROCUREMENT, NAVY	6,285,451	6,122,523
	PROCUREMENT, MARINE CORPS		
1	AAV7A1 PIP	9,894	9,894
2	LAV PIP	147,051	147,051
3	EXPEDITIONARY FIRE SUPPORT SYSTEM	11,961	11,961
4	155MM LIGHTWEIGHT TOWED HOWITZER	5,552	5,552
5	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	14,695	14,695
6	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	14,868	14,868
7	MODIFICATION KITS	53,932	53,932
8	WEAPONS ENHANCEMENT PROGRAM	13,795	13,795
9	GROUND BASED AIR DEFENSE	12,287	12,287
10	JAVELIN	0	0
11	FOLLOW ON TO SMAW	46,563	46,563
12	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)	19,606	19,606
13	MODIFICATION KITS	4,140	4,140
14	UNIT OPERATIONS CENTER	16,755	16,755
15	REPAIR AND TEST EQUIPMENT	24,071	24,071
16	COMBAT SUPPORT SYSTEM	25,461	25,461
17	MODIFICATION KITS	0	0
18	ITEMS UNDER \$5 MILLION (COMM & ELEC)	5,926	5,926
19	AIR OPERATIONS C2 SYSTEMS	44,152	44,152
20	RADAR SYSTEMS	40,352	40,352
21	FIRE SUPPORT SYSTEM	8,793	4,470
	Excess to need		[-4,323]
22	INTELLIGENCE SUPPORT EQUIPMENT	64,276	32,276
	Marine Corps recommendation		[-32,000]
24	RQ-11 UAV	2,104	2,104
25	DCGS-MC	10,789	10,789
28	NIGHT VISION EQUIPMENT	6,847	6,847
29	COMMON COMPUTER RESOURCES	218,869	196,869
	Marine Corps recommendation		[-22,000]
30	COMMAND POST SYSTEMS	84,856	84,856
31	RADIO SYSTEMS	89,479	79,770
	Equipment upgrade for CBNIRF (UFR)		[1,000]
	Marine Corps recommendation		[-10,709]
32	COMM SWITCHING & CONTROL SYSTEMS	16,598	16,598
33	COMM & ELEC INFRASTRUCTURE SUPPORT	47,505	47,505
33A	CLASSIFIED PROGRAMS	1,606	1,606
34	COMMERCIAL PASSENGER VEHICLES	894	894
35	COMMERCIAL CARGO VEHICLES	14,231	14,231
36	5/4T TRUCK HMMWV (MYP)	0	0
37	MOTOR TRANSPORT MODIFICATIONS	8,389	8,389
38	MEDIUM TACTICAL VEHICLE REPLACEMENT	5,833	5,833
39	LOGISTICS VEHICLE SYSTEM REP	972	972
40	FAMILY OF TACTICAL TRAILERS	21,848	21,848
41	TRAILERS	0	0
42	ITEMS LESS THAN \$5 MILLION	4,503	4,503
43	ENVIRONMENTAL CONTROL EQUIP ASSORT	2,599	2,599
44	BULK LIQUID EQUIPMENT	16,255	16,255
45	TACTICAL FUEL SYSTEMS	26,853	26,853
46	POWER EQUIPMENT ASSORTED	27,247	27,247

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
47	AMPHIBIOUS SUPPORT EQUIPMENT	5,533	5,533
48	EOD SYSTEMS	61,753	29,753
	<i>Marine Corps recommendation</i>		[-32,000]
49	PHYSICAL SECURITY EQUIPMENT	16,627	16,627
50	GARRISON MOBILE ENGINEER EQUIPMENT (GMEE)	10,827	10,827
51	MATERIAL HANDLING EQUIP	37,055	37,055
52	FIRST DESTINATION TRANSPORTATION	1,462	1,462
53	FIELD MEDICAL EQUIPMENT	24,079	24,079
54	TRAINING DEVICES	10,277	10,277
55	CONTAINER FAMILY	3,123	3,123
56	FAMILY OF CONSTRUCTION EQUIPMENT	18,137	18,137
57	FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV)	0	0
58	BRIDGE BOATS	0	0
59	RAPID DEPLOYABLE KITCHEN	5,026	5,026
60	ITEMS LESS THAN \$5 MILLION	5,206	5,206
61	SPARES AND REPAIR PARTS	90	90
	TOTAL, PROCUREMENT, MARINE CORPS	1,391,602	1,291,570
	AIRCRAFT PROCUREMENT, AIR FORCE		
1	F-35	3,597,615	3,597,615
1	F-35	-257,000	-257,000
2	F-35	323,477	323,477
3	F-22A	104,118	104,118
3	F-22A	0	0
4	C-17A (MYP)	0	0
5	C-130J	120,879	120,879
5	C-130J	-48,000	-48,000
6	C-130J	0	0
7	HC-130J	342,899	342,899
7	HC-130J	-10,000	-10,000
8	HC-130J	0	0
9	MC-130J	642,466	642,466
9	MC-130J	-60,000	-60,000
10	MC-130J	0	0
11	HC/MC-130 RECAP	0	0
11	HC/MC-130 RECAP	0	0
12	HC/MC-130 RECAP	0	0
13	C-27J	479,896	479,896
14	LIGHT MOBILITY AIRCRAFT	0	0
15	USAF POWERED FLIGHT PROGRAM	1,060	1,060
16	T-6	0	0
17	COMMON VERTICAL LIFT SUPPORT	59,232	59,232
17	COMMON VERTICAL LIFT SUPPORT	-6,432	-6,432
18	COMMON VERTICAL LIFT SUPPORT	0	0
19	V22 OSPREY	362,407	362,407
19	V22 OSPREY	-22,542	-22,542
20	V22 OSPREY	20,000	20,000
21	C-12 A	0	0
22	C-40	0	0
23	CIVIL AIR PATROL A/C	2,190	2,190
24	HH-60M	104,711	34,811
	<i>Combat losses funded in FY11</i>		[-69,900]
25	LIGHT ATTACK ARMED RECON ACFT	158,549	0
	<i>Defer production pending R&D completion</i>		[-158,549]
26	RQ-11	0	0
27	STUASLO	0	0
28	ITERIM GATEWAY	0	0
29	TARGET DRONES	64,268	64,268
30	C-37A	77,842	77,842
31	RQ-4	414,164	414,164
31	RQ-4	-90,200	-90,200
32	RQ-4	71,500	71,500
33	MC 130 IN BA 04	108,470	108,470
34	MQ-9	813,092	0
	<i>ASIP 2C early to need</i>		[-29,500]
	<i>Transfer to OCO</i>		[-783,592]
35	B-2A	41,315	41,315
35	B-2A	0	0
36	B-1B	198,007	198,007
37	B-52	93,897	93,897
38	A-10	153,128	7,328
	<i>Program reduction--Wing replacement program</i>		[-145,800]
39	F-15	222,386	208,386
	<i>Early to need--Mode 5 IFF</i>		[-14,000]
40	F-16	73,346	56,746
	<i>Mode 5 procurement ahead of need</i>		[-16,600]
41	F-22A	232,032	232,032

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
42	F-35 MODIFICATIONS	0	0
43	C-5	178,641	178,641
43	C-5	-166,900	-166,900
44	C-5	0	0
45	C-5M	851,859	851,859
46	C-5M	112,200	112,200
47	C-9C	9	9
48	C-17A	202,179	202,179
49	C-21	328	328
50	C-32A	12,157	1,757
	Program reduction--SLC38-A		[-10,400]
51	C-37A	21,986	486
	Program reduction--SLC38-A		[-21,500]
52	C-130 AMP	235,635	208,135
	Early to need--kit installs		[-27,500]
53	GLIDER MODS	123	123
54	T-6	15,086	15,086
55	T-1	238	238
56	T-38	31,032	31,032
57	KC-10A (ATCA)	27,220	9,820
	Early to need--CNS/ATM		[-17,400]
58	C-12	1,777	1,777
59	MC-12W	16,767	16,767
60	C-30 MODS	241	241
61	VC-25A MOD	387	387
62	C-40	206	206
63	C-130	45,876	45,876
64	C-130 INTEL	3,593	3,593
65	C-130J MODS	38,174	38,174
66	C-135	62,210	62,210
67	COMPASS CALL MODS	256,624	256,624
68	RC-135	162,211	162,211
69	E-3	135,031	135,031
70	E-4	57,829	57,829
71	E-8	29,058	29,058
72	H-1	5,280	5,280
73	H-60	34,371	88,971
	Transfer from PE 65299F (RDAF 81) per USAF request		[54,600]
74	RQ-4 MODS	89,177	89,177
75	HC/MC-130 MODIFICATIONS	431	10,831
	Transfer from PE 65299F (RDAF 81) per USAF request		[10,400]
76	OTHER AIRCRAFT	115,338	68,238
	EHF SATCOM, FAB-T advance procurement-AF program change (non-add)		[]
	Early to need in FAB-T		[-47,100]
77	MQ-1 MODS	158,446	158,446
78	MQ-9 MODS	181,302	181,302
79	MQ-9 UAS PAYLOADS	74,866	74,866
80	CV-22 MODS	14,715	14,715
81	INITIAL SPARES/REPAIR PARTS	1,030,364	927,364
	Program reduction--poor execution		[-103,000]
82	AIRCRAFT REPLACEMENT SUPPORT EQUIP	92,394	92,394
83	B-1	4,743	4,743
84	B-2A	101	101
85	B-2A	49,319	49,319
86	B-52	0	0
87	C-5	521	521
88	C-5	0	0
89	KC-10A (ATCA)	5,691	5,691
90	C-17A	183,696	75,115
	Transition to post production		[-108,581]
91	C-130	25,646	25,646
92	EC-130J	0	0
93	C-135	2,434	2,434
94	F-15	2,076	2,076
95	F-16	4,537	4,537
96	T-6	0	0
97	OTHER AIRCRAFT	40,025	40,025
98	INDUSTRIAL RESPONSIVENESS	21,050	21,050
99	WAR CONSUMABLES	87,220	0
	Transfer to OCO		[-87,220]
100	OTHER PRODUCTION CHARGES	1,072,858	1,072,858
104	U-2	48,875	48,875
104A	CLASSIFIED PROGRAMS	16,502	16,502
	TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	14,082,527	12,506,885
	MISSILE PROCUREMENT, AIR FORCE		
1	MISSILE REPLACEMENT EQ-BALLISTIC	67,745	67,745

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2012 Request</i>	<i>Senate Authorized</i>
2	JASSM	236,193	236,193
3	SIDEWINDER (AIM-9X)	88,769	88,769
4	AMRAAM	309,561	208,561
	<i>Production Backlog</i>		[−101,000]
5	PREDATOR HELLFIRE MISSILE	46,830	46,830
6	SMALL DIAMETER BOMB	7,523	7,523
7	INDUSTRIAL PREPAREDNESS/POL PREVENTION	726	726
8	ADVANCED CRUISE MISSILE	39	39
9	MM III MODIFICATIONS	125,953	125,953
10	AGM-65D MAVERICK	266	266
11	AGM-88A HARM	25,642	25,642
12	AIR LAUNCH CRUISE MISSILE (ALCM)	14,987	14,987
13	INITIAL SPARES/REPAIR PARTS	43,241	43,241
14	ADVANCED EHF	761,353	761,353
14	ADVANCED EHF	−208,520	−208,520
15	ADVANCED EHF	0	0
16	WIDEBAND GAPFILLER SATELLITES(SPACE)	526,855	526,855
16	WIDEBAND GAPFILLER SATELLITES(SPACE)	−58,110	−58,110
17	WIDEBAND GAPFILLER SATELLITES(SPACE)	0	0
18	GPS III SPACE SEGMENT	556,016	556,016
18	GPS III SPACE SEGMENT	−122,490	−122,490
19	GPS III SPACE SEGMENT	81,811	41,811
	<i>Excess advance procurement—AF program change</i>		[−40,000]
20	SPACEBORNE EQUIP (COMSEC)	21,568	21,568
21	GLOBAL POSITIONING (SPACE)	67,689	67,689
22	DEF METEOROLOGICAL SAT PROG(SPACE)	101,397	101,397
23	EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	1,740,222	1,740,222
24	SBIR HIGH (SPACE)	351,389	351,389
24	SBIR HIGH (SPACE)	−270,000	−270,000
25	SBIR HIGH (SPACE)	243,500	243,500
26	NATL POLAR-ORBITING OP ENV SATELLITE	0	0
29	DEFENSE SPACE RECONN PROGRAM	0	0
31	SPECIAL UPDATE PROGRAMS	154,727	154,727
31A	CLASSIFIED PROGRAMS	1,159,135	746,980
	<i>Classified Adjustment</i>		[−412,155]
	TOTAL, MISSILE PROCUREMENT, AIR FORCE	6,074,017	5,520,862
	PROCUREMENT OF AMMUNITION, AIR FORCE		
1	ROCKETS	23,919	23,919
2	CARTRIDGES	89,771	89,771
3	PRACTICE BOMBS	38,756	38,756
4	GENERAL PURPOSE BOMBS	168,557	168,557
5	JOINT DIRECT ATTACK MUNITION	76,649	76,649
6	CAD/PAD	42,410	42,410
7	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	3,119	3,119
8	SPARES AND REPAIR PARTS	998	998
9	MODIFICATIONS	1,132	1,132
10	ITEMS LESS THAN \$5,000,000	5,075	5,075
11	FLARES	46,749	46,749
12	FUZES	34,735	34,735
13	SMALL ARMS	7,195	7,195
14	ADJ TO MATCH CONTINUING RESOLUTION	0	0
	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE	539,065	539,065
	OTHER PROCUREMENT, AIR FORCE		
1	PASSENGER CARRYING VEHICLES	5,621	5,621
2	MEDIUM TACTICAL VEHICLE	18,411	18,411
3	CAP VEHICLES	917	917
4	ITEMS LESS THAN \$5,000,000 (CARGO)	18,694	18,694
5	SECURITY AND TACTICAL VEHICLES	5,982	85
	<i>HMMWV-In Excess of Need</i>		[−2,956]
	<i>Guardian Angel Contract Delay</i>		[−2,941]
6	ITEMS LESS THAN \$5,000,000 (SPECIAL)	20,677	20,677
7	FIRE FIGHTING/CRASH RESCUE VEHICLES	22,881	22,881
8	ITEMS LESS THAN \$5,000,000	14,978	14,978
9	RUNWAY SNOW REMOV AND CLEANING EQUIP	16,556	16,556
10	ITEMS LESS THAN \$5M BASE MAINT/CONST	30,225	30,225
11	COMSEC EQUIPMENT	135,169	135,169
12	MODIFICATIONS (COMSEC)	1,263	1,263
13	AIR FORCE PHYSICAL SECURITY	0	0
14	INTELLIGENCE TRAINING EQUIPMENT	2,645	2,645
15	INTELLIGENCE COMM EQUIPMENT	21,762	21,762
16	ADVANCE TECH SENSORS	899	899
17	MISSION PLANNING SYSTEMS	18,529	18,529
18	AIR TRAFFIC CONTROL & LANDING SYS	32,473	32,473
19	NATIONAL AIRSPACE SYSTEM	51,426	51,426

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
20	BATTLE CONTROL SYSTEM—FIXED	32,468	32,468
21	THEATER AIR CONTROL SYS IMPROVEMEN	22,813	22,813
22	WEATHER OBSERVATION FORECAST	14,619	14,619
23	STRATEGIC COMMAND AND CONTROL	39,144	39,144
24	CHEYENNE MOUNTAIN COMPLEX	25,992	25,992
25	TAC SIGNIT SPT	217	217
26	DRUG INTERDICTION SUPPORT	0	0
27	GENERAL INFORMATION TECHNOLOGY	52,263	52,263
28	AF GLOBAL COMMAND & CONTROL SYS	16,951	16,951
29	MOBILITY COMMAND AND CONTROL	26,433	19,033
	SLICC/Viper II Excess of Need		[-7,400]
30	AIR FORCE PHYSICAL SECURITY SYSTEM	90,015	90,015
31	COMBAT TRAINING RANGES	23,955	23,955
32	C3 COUNTERMEASURES	7,518	7,518
33	GCS-AF FOS	72,641	72,641
34	THEATER BATTLE MGT C2 SYSTEM	22,301	22,301
35	AIR & SPACE OPERATIONS CTR-WPN SYS	15,525	15,525
36	INFORMATION TRANSPORT SYSTEMS	49,377	49,377
37	BASE INFO INFRASTRUCTURE	41,239	41,239
38	AFNET	228,978	108,978
	Reduce Program Growth		[-120,000]
39	VOICE SYSTEMS	43,603	23,603
	Reduce Program Growth		[-20,000]
40	USCENTCOM	30,983	30,983
41	SPACE BASED IR SENSOR PGM SPACE	49,570	49,570
42	NAVSTAR GPS SPACE	2,008	2,008
43	NUDET DETECTION SYS SPACE	4,863	4,863
44	AF SATELLITE CONTROL NETWORK SPACE	61,386	61,386
45	SPACELIFT RANGE SYSTEM SPACE	125,947	125,947
46	MILSATCOM SPACE	104,720	36,570
	EHF SATCOM, FAB-T advance procurement-AF program change (non-add) Early to need in FAB-T		[] [-68,150]
47	SPACE MODS SPACE	28,075	28,075
48	COUNTERSPACE SYSTEM	20,718	20,718
49	TACTICAL C-E EQUIPMENT	227,866	153,590
	JTRS AMF Milestone C Delay		[-12,636]
	JTRS Handheld / Manpack Cost Increases		[-44,500]
	JTC Training and Rehearsal Schedule Ahead of Need		[-17,140]
50	COMBAT SURVIVOR EVADER LOCATER	22,184	7,184
	CSEL Contract Delay		[-15,000]
51	RADIO EQUIPMENT	11,408	11,408
52	CCTV/AUDIOVISUAL EQUIPMENT	11,559	11,559
53	BASE COMM INFRASTRUCTURE	105,977	80,977
	Slow Execution		[-25,000]
54	COMM ELECT MODS	76,810	76,810
55	NIGHT VISION GOGGLES	20,008	1,008
	Night Vision Cueing and Display Contract Delay		[-19,000]
56	ITEMS LESS THAN \$5,000,000 (SAFETY)	25,499	12,598
	Laser Eye Protection Contract Delay		[-5,800]
	MACH Early to Need		[-7,101]
57	MECHANIZED MATERIAL HANDLING EQUIP	37,829	37,829
58	BASE PROCURED EQUIPMENT	16,483	16,483
59	CONTINGENCY OPERATIONS	16,754	16,754
60	PRODUCTIVITY CAPITAL INVESTMENT	3,653	903
	Unjustified Program Growth		[-2,750]
61	MOBILITY EQUIPMENT	30,345	20,345
	Power Generation—Reduce Growth		[-10,000]
62	ITEMS LESS THAN \$5,000,000 (BASE S)	2,819	2,819
64	DARP RC135	23,341	23,341
65	DCGS-AF	212,146	212,146
67	SPECIAL UPDATE PROGRAM	410,069	410,069
68	DEFENSE SPACE RECONNAISSANCE PROG.	41,066	41,066
68A	CLASSIFIED PROGRAMS	14,618,160	14,788,852
	Classified Adjustment		[170,692]
69	SPARES AND REPAIR PARTS	14,630	14,630
	TOTAL, OTHER PROCUREMENT, AIR FORCE	17,602,036	17,392,354
	PROCUREMENT, DEFENSE-WIDE		
1	MAJOR EQUIPMENT, BTA	0	0
2	ITEMS LESS THAN \$5 MILLION	1,473	1,473
3	MAJOR EQUIPMENT	2,076	2,076
4	PERSONNEL ADMINISTRATION	11,019	11,019
13	INTERDICTION SUPPORT	0	0
14	INFORMATION SYSTEMS SECURITY	19,952	19,952
15	GLOBAL COMMAND AND CONTROL SYSTEM	5,324	5,324
16	GLOBAL COMBAT SUPPORT SYSTEM	2,955	2,955
17	TELEPORT PROGRAM	54,743	54,743

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
18	ITEMS LESS THAN \$5 MILLION	174,805	174,805
19	NET CENTRIC ENTERPRISE SERVICES (NCES)	3,429	3,429
20	DEFENSE INFORMATION SYSTEM NETWORK	500,932	200,932
	Other alternatives not evaluated; need to conduct AOA		[-300,000]
21	PUBLIC KEY INFRASTRUCTURE	1,788	1,788
22	CYBER SECURITY INITIATIVE	24,085	24,085
23	MAJOR EQUIPMENT	11,537	11,537
24	MAJOR EQUIPMENT	14,542	14,542
25	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,444	1,444
26	EQUIPMENT	971	971
27	OTHER CAPITAL EQUIPMENT	974	974
28	VEHICLES	200	200
29	OTHER MAJOR EQUIPMENT	12,806	12,806
30	MAJOR EQUIPMENT	447	447
31	THAAD PROCUREMENT	0	0
32	AEGIS BMD PROCUREMENT	0	0
33	THAAD	833,150	713,150
	Excess to production capacity		[-120,000]
34	AEGIS BMD	565,393	250,393
	Production delay; transfer to R&D for fixes		[-315,000]
35	BMDs AN/TPY-2 RADARS	380,195	380,195
43	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	5,787	5,787
45	MAJOR EQUIPMENT, OSD	47,123	47,123
46	MAJOR EQUIPMENT, INTELLIGENCE	20,176	20,176
47	MAJOR EQUIPMENT, TJS	29,729	29,729
48	MAJOR EQUIPMENT, WHS	31,974	31,974
48A	CLASSIFIED PROGRAMS	554,408	554,408
49	ROTARY WING UPGRADES AND SUSTAINMENT	41,411	41,411
50	MI-47 SERVICE LIFE EXTENSION PROGRAM	0	0
51	MI-60 MODERNIZATION PROGRAM	171,456	171,456
52	NON-STANDARD AVIATION	272,623	176,023
	NSAV-M Unjustified Requirement		[-50,100]
	ArFID Funding ahead of need		[-55,000]
	NSAV-L Transfer from OCO		[8,500]
53	TANKER RECAPITALIZATION	0	0
54	U-28	5,100	5,100
55	MI-47 CHINOOK	142,783	142,783
56	RQ-11 UNMANNED AERIAL VEHICLE	486	486
57	CV-22 MODIFICATION	118,002	118,002
58	MQ-1 UNMANNED AERIAL VEHICLE	3,025	3,025
59	MQ-9 UNMANNED AERIAL VEHICLE	3,024	3,024
60	RQ-7 UNMANNED AERIAL VEHICLE	450	450
61	STUASLO	12,276	12,276
62	AC/MC-130J	74,891	74,891
63	C-130 MODIFICATIONS	19,665	19,665
64	AIRCRAFT SUPPORT	6,207	6,207
65	UNDERWATER SYSTEMS	6,999	6,999
66	SEAL DELIVERY VEHICLE	0	0
67	ORDNANCE REPLENISHMENT	116,009	116,009
68	ORDNANCE ACQUISITION	28,281	28,281
69	COMMUNICATIONS EQUIPMENT AND ELECTRONICS	87,489	87,489
70	INTELLIGENCE SYSTEMS	74,702	85,702
	VSO/ALP Unfunded Requirement		[15,600]
	VSO/ALP Unfunded Requirement		[-4,600]
71	SMALL ARMS AND WEAPONS	9,196	13,196
	VSO/ALP Unfunded Requirement		[4,000]
72	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	15,621	15,621
74	MARITIME EQUIPMENT MODIFICATIONS	0	0
76	COMBATANT CRAFT SYSTEMS	6,899	21,899
	HSAC Unfunded Requirement		[15,000]
77	SPARES AND REPAIR PARTS	594	594
78	TACTICAL VEHICLES	33,915	41,315
	VSO/ALP Unfunded Requirement		[27,800]
	VSO/ALP Unfunded Requirement		[-20,400]
79	MISSION TRAINING AND PREPARATION SYSTEMS	0	0
80	MISSION TRAINING AND PREPARATION SYSTEMS	46,242	46,242
81	COMBAT MISSION REQUIREMENTS	50,000	20,000
	Reduction to growth		[-30,000]
82	MILCON COLLATERAL EQUIPMENT	18,723	18,723
84	CLASSIFIED PROGRAMS	0	0
85	AUTOMATION SYSTEMS	51,232	51,232
86	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	7,782	7,782
87	OPERATIONAL ENHANCEMENTS INTELLIGENCE	22,960	22,960
88	SOLDIER PROTECTION AND SURVIVAL SYSTEMS	362	2,962
	VSO/ALP Unfunded Requirement		[2,600]
89	VISUAL AUGMENTATION LASERS AND SENSOR SYSTEMS	15,758	15,758
90	TACTICAL RADIO SYSTEMS	76,459	76,459
91	MARITIME EQUIPMENT	0	0

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2012 Request</i>	<i>Senate Authorized</i>
92	DRUG INTERDICTION	0	0
93	MISCELLANEOUS EQUIPMENT	1,895	1,895
94	OPERATIONAL ENHANCEMENTS	246,893	246,893
95	MILITARY INFORMATION SUPPORT OPERATIONS	4,142	4,142
95A	CLASSIFIED PROGRAMS	4,012	4,012
96	INSTALLATION FORCE PROTECTION	15,900	14,817
	Underexecution		[−1,083]
97	INDIVIDUAL PROTECTION	71,376	70,484
	Underexecution		[−892]
98	DECONTAMINATION	6,466	6,208
	Underexecution		[−258]
99	JOINT BIO DEFENSE PROGRAM (MEDICAL)	11,143	11,019
	Underexecution		[−124]
100	COLLECTIVE PROTECTION	9,414	9,085
	Underexecution		[−329]
101	CONTAMINATION AVOIDANCE	139,948	138,322
	Underexecution		[−1,626]
	TOTAL, PROCUREMENT, DEFENSE-WIDE	5,365,248	4,539,336
	JOINT URGENT OPERATIONAL NEEDS FUND		
1	JOINT URGENT OPERATIONAL NEEDS FUND	100,000	100,000
	TOTAL, JOINT URGENT OPERATIONAL NEEDS FUND	100,000	100,000
	TOTAL, PROCUREMENT	111,453,792	101,633,483

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2012 Request	Senate Authorized
AIRCRAFT PROCUREMENT, ARMY			
2	C-12 CARGO AIRPLANE	10,500	0
	No justified requirement		[-10,500]
04	MQ-1 UAV	0	658,798
	Transfer from Base		[658,798]
05	RQ-11 (RAVEN)	0	0
8	AH-64 BLOCK II/WRA	35,500	0
	Program reduction		[-35,500]
12	UH-60 BLACKHAWK M MODEL (MYP)	72,000	54,500
	Combat Loss funded in FY11		[-17,500]
17	KIOWA WARRIOR UPGRADE (OH-58 D)/WRA	145,500	145,500
19	MQ-1 PAYLOAD—UAS	10,800	117,983
	Transfer from Base		[107,183]
22	MULTI SENSOR ABN RECON (MIP)	54,500	54,500
33	RQ-7 UAV MODS	94,600	94,600
34	RQ-7 UAV MODS		-79,000
	VADER ISR payload not compatible with host platform		[-79,000]
TOTAL, AIRCRAFT PROCUREMENT, ARMY		423,400	1,046,881
MISSILE PROCUREMENT, ARMY			
4	HELLFIRE SYS SUMMARY	107,556	107,556
9	GUIDED MLRS ROCKET (GMLRS)	19,000	19,000
TOTAL, MISSILE PROCUREMENT, ARMY		126,556	126,556
PROCUREMENT OF W&TCV, ARMY			
19	MACHINE GUN, CAL . 50 M2 ROLL	0	31,102
	Transfer from Base		[31,102]
20	LIGHTWEIGHT .50 CALIBER MACHINE GUN	5,427	5,427
29	COMMON REMOTELY OPERATED WEAPONS STATION (CRO)	14,890	14,890
31	HOWITZER LT WT 155MM (T)	0	13,066
	Transfer from Base		[13,066]
33	M4 CARBINE MODS	16,800	16,800
34	M2 50 CAL MACHINE GUN MODS	0	48,856
	Transfer from Base		[48,856]
TOTAL, PROCUREMENT OF W&TCV, ARMY		37,117	130,141
PROCUREMENT OF AMMUNITION, ARMY			
4	CTG, HANDGUN, ALL TYPES	1,200	1,200
9	CTG, 30MM, ALL TYPES	4,800	4,800
10	CTG, 40MM, ALL TYPES	38,000	38,000
13	81MM MORTAR, ALL TYPES	8,000	8,000
14	120MM MORTAR, ALL TYPES	49,140	49,140
19	ARTILLERY PROJECTILE, 155MM, ALL TYPES	10,000	10,000
22	ARTILLERY FUZES, ALL TYPES	5,000	5,000
27	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	5,000	5,000
28	ROCKET, HYDRA 70, ALL TYPES	53,841	53,841
29	DEMOLITION MUNITIONS, ALL TYPES	16,000	16,000
31	SIGNALS, ALL TYPES	7,000	7,000
32	SIMULATORS, ALL TYPES	8,000	8,000
36	CAD/PAD ALL TYPES	2,000	2,000
37	ITEMS LESS THAN \$5 MILLION	400	400
TOTAL, PROCUREMENT OF AMMUNITION, ARMY		208,381	208,381
OTHER PROCUREMENT, ARMY			
5	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	11,094	11,094
7	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	47,214	47,214
10	MINE PROTECTION VEHICLE FAMILY	0	8,671
	Transfer from Base		[8,671]
15	TACTICAL WHEELED VEHICLE PROTECTION KITS	0	39,908
	Transfer from Base		[39,908]
17	MINE-RESISTANT AMBUSH-PROTECTED MODS	0	127,862
	Transfer from Base		[127,862]
23	NONTACTICAL VEHICLES, OTHER	3,600	3,600
25	WIN-T—GROUND FORCES TACTICAL NETWORK	547	547
39	JOINT TACTICAL RADIO SYSTEM	450	450
42	AMC CRITICAL ITEMS—OPA2	8,141	8,141
49	GUNSHOT DETECTION SYSTEM (GDS)	44,100	0
	Concurrent development and procurement		[-44,100]
51	MEDICAL COMM FOR CBT CASUALTY CARE (MC4)	6,443	6,443

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
56	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	54,730	54,730
58	BASE SUPPORT COMMUNICATIONS	5,000	5,000
62	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM(.....	169,500	169,500
70	DCGS-A (MIP)	83,000	207,548
	Transfer from Base		[124,548]
72	TROJAN (MIP)	61,100	61,100
76	LIGHTWEIGHT COUNTER MORTAR RADAR	54,100	54,100
79	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIES	53,000	53,000
80	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	48,600	48,600
84	SENSE THROUGH THE WALL (STTW)	10,000	10,000
90	COUNTER-ROCKET, ARTILLERY & MORTAR	0	15,774
	Transfer from Base		[15,774]
92	GREEN LASER INTERDICTION SYSTEM	0	25,356
	Transfer from Base		[25,356]
95	PROFILER	2,000	2,000
96	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	30,400	30,400
98	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	148,335	148,335
102	COUNTERFIRE RADARS	110,548	110,548
105	FIRE SUPPORT C2 FAMILY	15,081	15,081
106	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM (BC)	10,000	10,000
108	AIR & MSL DEFENSE PLANNING & CONTROL SYS	28,000	28,000
109	KNIGHT FAMILY	42,000	42,000
114	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	32,800	32,800
115	MANEUVER CONTROL SYSTEM (MCS)	44,000	44,000
116	SINGLE ARMY LOGISTICS ENTERPRISE (SALE)	18,000	18,000
121	AUTOMATED DATA PROCESSING EQUIP	10,000	10,000
127A	CLASSIFIED PROGRAMS	795	795
128	PROTECTIVE SYSTEMS	11,472	11,472
129	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	30,000	30,000
130	BASE DEFENSE SYSTEMS (BDS)	0	41,204
	Transfer from Base		[41,204]
131	CBRN SOLDIER PROTECTION	1,200	1,200
133	TACTICAL BRIDGING	15,000	15,000
134	TACTICAL BRIDGE, FLOAT-RIBBON	26,900	26,900
137	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)	0	22,297
	Transfer from Base		[22,297]
138	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	3,205	3,205
149	FORCE PROVIDER	68,000	68,000
158	COMBAT SUPPORT MEDICAL	15,011	15,011
159	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	25,129	25,129
180	ALL TERRAIN LIFTING ARMY SYSTEM	1,800	1,800
189	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	43,000	22,000
	Prior year unobligated funds available		[−21,000]
190	PHYSICAL SECURITY SYSTEMS (OPA3)	4,900	4,900
	TOTAL, OTHER PROCUREMENT, ARMY	1,398,195	1,738,715
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND		
1	ATTACK THE NETWORK	1,368,800	1,211,800
	Undistributed efficiencies reduction		[−90,000]
	BAA S&T Response—unjustified request		[−50,000]
	Information Fusion—unjustified program growth		[−17,000]
2	DEFEAT THE DEVICE	961,200	811,200
	Undistributed efficiencies reduction		[−150,000]
3	TRAIN THE FORCE	247,500	224,450
	Undistributed efficiencies reduction		[−5,000]
	Train the Force Response—unjustified program growth		[−18,050]
04	OPERATIONS		200,634
	Transfer from Base: Operations		[220,634]
	Undistributed efficiencies reduction		[−20,000]
	TOTAL, JOINT IMPR EXPLOSIVE DEV DEFEAT FUND	2,577,500	2,448,084
	AIRCRAFT PROCUREMENT, NAVY		
11	UH-1Y/AH-1Z	30,000	24,875
	Excessive unit cost growth		[−5,125]
19	E-2D ADV HAWKEYE	163,500	0
	Combat loss funded in fiscal year 2011		[−163,500]
28	OTHER SUPPORT AIRCRAFT	21,882	21,882
30	AEA SYSTEMS	53,100	53,100
31	AV-8 SERIES	53,485	53,485
32	F-18 SERIES	46,992	46,992
34	AH-1W SERIES	39,418	37,918
	ANVIS HUD install kit pricing		[−1,500]
35	H-53 SERIES	70,747	63,747
	Excess hardware support		[−2,000]
	Excess NRE for Bue Force Tracker modifications		[−5,000]
37	H-1 SERIES	6,420	6,420

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
38	EP-3 SERIES	20,800	20,800
43	C-130 SERIES	59,625	45,825
	LAIRCM install unit cost		[-3,600]
	Targeting Sight Systems exceed requirement		[-10,200]
45	CARGO/TRANSPORT A/C SERIES	25,880	18,280
	Excess C-20G installation NRE		[-4,000]
	UC-12W excess to need		[-3,600]
48	SPECIAL PROJECT AIRCRAFT	11,184	11,184
53	COMMON ECM EQUIPMENT	27,200	24,200
	Other support excess		[-3,000]
54	COMMON AVIONICS CHANGES	13,467	11,467
	OSIP 10-11 other support growth		[-2,000]
55	COMMON DEFENSIVE WEAPON SYSTEM	3,300	3,300
60	V-22 (TILT/ROTOR ACFT) OSPREY	30,000	25,500
	Deficiencies modifications other support growth		[-2,500]
	Reliability modifications other support growth		[-2,000]
61	SPARES AND REPAIR PARTS	39,060	39,060
62	COMMON GROUND EQUIPMENT	10,800	10,800
64	WAR CONSUMABLES	0	27,300
	Transfer from Base		[27,300]
65	OTHER PRODUCTION CHARGES	4,100	4,100
	TOTAL, AIRCRAFT PROCUREMENT, NAVY	730,960	550,235
	WEAPONS PROCUREMENT, NAVY		
9	HELLFIRE	14,000	14,000
10	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	20,000	20,000
27	SMALL ARMS AND WEAPONS	7,070	7,070
	TOTAL, WEAPONS PROCUREMENT, NAVY	41,070	41,070
	PROCUREMENT OF AMMO, NAVY & MC		
3	AIRBORNE ROCKETS, ALL TYPES	80,200	80,200
4	MACHINE GUN AMMUNITION	22,400	22,400
7	AIR EXPENDABLE COUNTERMEASURES	20,000	20,000
11	OTHER SHIP GUN AMMUNITION	182	182
12	SMALL ARMS & LANDING PARTY AMMO	4,545	4,545
13	PYROTECHNIC AND DEMOLITION	1,656	1,656
14	AMMUNITION LESS THAN \$5 MILLION	6,000	6,000
15	SMALL ARMS AMMUNITION	19,575	19,575
16	LINEAR CHARGES, ALL TYPES	6,691	6,691
17	40 MM, ALL TYPES	12,184	12,184
18	60MM, ALL TYPES	10,988	10,988
19	81MM, ALL TYPES	24,515	24,515
20	120MM, ALL TYPES	11,227	11,227
21	CTG 25MM, ALL TYPES	802	802
22	GRENADES, ALL TYPES	5,911	5,911
23	ROCKETS, ALL TYPES	18,871	18,871
24	ARTILLERY, ALL TYPES	57,003	57,003
25	DEMOLITION MUNITIONS, ALL TYPES	7,831	7,831
26	FUZE, ALL TYPES	5,177	5,177
27	NON LETHALS	712	712
29	ITEMS LESS THAN \$5 MILLION	630	630
	TOTAL, PROCUREMENT OF AMMO, NAVY & MC	317,100	317,100
	OTHER PROCUREMENT, NAVY		
23	STANDARD BOATS	13,729	13,729
56	MATCALS	7,232	7,232
66	TACTICAL/MOBILE C4I SYSTEMS	4,000	4,000
92	EXPEDITIONARY AIRFIELDS	47,000	47,000
95	METEOROLOGICAL EQUIPMENT	10,800	10,800
97	AVIATION LIFE SUPPORT	14,000	14,000
101	OTHER AVIATION SUPPORT EQUIPMENT	18,226	18,226
112	SSN COMBAT CONTROL SYSTEMS	7,500	7,500
116	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	15,700	15,700
121	PASSENGER CARRYING VEHICLES	2,628	1,155
	Unjustified Growth		[-1,473]
123	CONSTRUCTION & MAINTENANCE EQUIP	13,290	13,290
124	FIRE FIGHTING EQUIPMENT	3,672	3,672
128	ITEMS UNDER \$5 MILLION	1,002	1,002
130	MATERIALS HANDLING EQUIPMENT	3,644	3,644
134	TRAINING SUPPORT EQUIPMENT	5,789	0
	Funding No Longer Required		[-5,789]
135	COMMAND SUPPORT EQUIPMENT	3,310	3,310
140	OPERATING FORCES SUPPORT EQUIPMENT	6,977	6,977
141	C4ISR EQUIPMENT	24,762	24,762
143	PHYSICAL SECURITY EQUIPMENT	78,241	70,641

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
	<i>Intelligence Kits—Funding No Longer Required Due to Force Structure Reductions</i>		[−7,600]
149	SPARES AND REPAIR PARTS	473	473
	TOTAL, OTHER PROCUREMENT, NAVY	281,975	267,113
	PROCUREMENT, MARINE CORPS		
2	LAV PIP	23,962	23,962
4	155MM LIGHTWEIGHT TOWED HOWITZER	16,000	16,000
5	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	10,488	10,488
6	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	27,373	27,373
10	JAVELIN	2,527	2,527
13	MODIFICATION KITS	59,730	59,730
15	REPAIR AND TEST EQUIPMENT	19,040	19,040
17	MODIFICATION KITS	2,331	2,331
18	ITEMS UNDER \$5 MILLION (COMM & ELEC)	3,090	3,090
19	AIR OPERATIONS C2 SYSTEMS	5,236	5,236
20	RADAR SYSTEMS	26,506	26,506
21	FIRE SUPPORT SYSTEM	35	35
22	INTELLIGENCE SUPPORT EQUIPMENT	47,132	47,132
28	NIGHT VISION EQUIPMENT	9,850	9,850
29	COMMON COMPUTER RESOURCES	18,629	18,629
30	COMMAND POST SYSTEMS	31,491	31,491
31	RADIO SYSTEMS	87,027	87,027
32	COMM SWITCHING & CONTROL SYSTEMS	54,177	124,177
	<i>Digital technical control shelters</i>		[20,000]
	<i>Data distribution system modules</i>		[50,000]
33	COMM & ELEC INFRASTRUCTURE SUPPORT	2,200	2,200
37	MOTOR TRANSPORT MODIFICATIONS	95,800	95,800
38	MEDIUM TACTICAL VEHICLE REPLACEMENT	392,391	92,391
	<i>MTVR Reduction</i>		[−300,000]
39	LOGISTICS VEHICLE SYSTEM REP	38,382	38,382
40	FAMILY OF TACTICAL TRAILERS	24,826	24,826
43	ENVIRONMENTAL CONTROL EQUIP ASSORT	18,775	18,775
44	BULK LIQUID EQUIPMENT	7,361	7,361
46	POWER EQUIPMENT ASSORTED	51,895	106,895
	<i>Advanced power sources</i>		[20,000]
	<i>Mobile power equipment</i>		[35,000]
48	EOD SYSTEMS	57,237	57,237
49	PHYSICAL SECURITY EQUIPMENT	42,900	42,900
51	MATERIAL HANDLING EQUIP	42,553	42,553
53	FIELD MEDICAL EQUIPMENT	8,307	8,307
54	TRAINING DEVICES	5,200	5,200
55	CONTAINER FAMILY	12	12
56	FAMILY OF CONSTRUCTION EQUIPMENT	28,533	28,533
	TOTAL, PROCUREMENT, MARINE CORPS	1,260,996	1,085,996
	AIRCRAFT PROCUREMENT, AIR FORCE		
19	V22 OSPREY	70,000	0
	<i>Combat Loss funded in FY11</i>		[−70,000]
24	HH−60M	39,300	39,300
27	STUASLO	2,472	2,472
34	MQ−9 (REAPER)	0	783,592
	<i>Transfer from Base</i>		[783,592]
43	C−5	59,299	59,299
59	MC−12W	17,300	17,300
63	C−130	164,041	164,041
64	C−130 INTEL	4,600	4,600
65	C−130J MODS	27,983	27,983
67	COMPASS CALL MODS	12,000	12,000
75	HC/MC−130 MODIFICATIONS	34,000	34,000
76	OTHER AIRCRAFT	15,000	15,000
77	MQ−1 MODS	2,800	2,800
81	INITIAL SPARES/REPAIR PARTS	2,800	2,800
90	C−17A	10,970	10,970
99	WAR CONSUMABLES (OCO)	0	87,220
	<i>Transfer from Base</i>		[87,220]
100	OTHER PRODUCTION CHARGES	23,000	23,000
104	U−2	42,300	13,400
	<i>Sensors</i>		[−28,900]
	TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	527,865	1,299,777
	MISSILE PROCUREMENT, AIR FORCE		
5	PREDATOR HELLFIRE MISSILE	16,120	16,120
6	SMALL DIAMETER BOMB	12,300	12,300
	TOTAL, MISSILE PROCUREMENT, AIR FORCE	28,420	28,420

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2012 Request</i>	<i>Senate Authorized</i>
PROCUREMENT OF AMMUNITION, AIR FORCE			
1	ROCKETS	329	329
2	CARTRIDGES	8,014	8,014
4	GENERAL PURPOSE BOMBS	17,385	17,385
5	JOINT DIRECT ATTACK MUNITION	34,100	34,100
7	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	1,200	1,200
11	FLARES	11,217	11,217
12	FUZES	8,765	8,765
13	SMALL ARMS	11,500	11,500
	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE	92,510	92,510
OTHER PROCUREMENT, AIR FORCE			
1	PASSENGER CARRYING VEHICLES	2,658	2,658
4	ITEMS LESS THAN \$5,000,000 (CARGO)	32,824	32,824
6	ITEMS LESS THAN \$5,000,000 (SPECIA	110	110
7	FIRE FIGHTING/CRASH RESCUE VEHICLES	1,662	1,662
8	ITEMS LESS THAN \$5,000,000	772	772
10	ITEMS LESS THAN \$5M BASE MAINT/CONST	13,983	13,983
13	AIR FORCE PHYSICAL SECURITY	500	500
22	WEATHER OBSERVATION FORECAST	1,800	1,800
25	TAC SIGNIT SPT	7,020	7,020
30	AIR FORCE PHYSICAL SECURITY SYSTEM	25,920	25,920
49	TACTICAL C-E EQUIPMENT	9,445	9,445
55	NIGHT VISION GOGGLES	12,900	12,900
59	CONTINGENCY OPERATIONS	18,100	18,100
61	MOBILITY EQUIPMENT	9,800	9,800
62	ITEMS LESS THAN \$5,000,000 (BASE S)	8,400	8,400
65	DCGS-AF	3,000	3,000
68	DEFENSE SPACE RECONNAISSANCE PROG.	64,400	64,400
68A	CLASSIFIED PROGRAMS	2,991,347	2,890,685
	Classified Adjustment		[−100,662]
	TOTAL, OTHER PROCUREMENT, AIR FORCE	3,204,641	3,103,979
PROCUREMENT, DEFENSE-WIDE			
17	TELEPORT PROGRAM	3,307	3,307
43	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	3,000	3,000
46	MAJOR EQUIPMENT, INTELLIGENCE	8,300	8,300
48A	CLASSIFIED PROGRAMS	101,548	101,548
50	MH-47 SERVICE LIFE EXTENSION PROGRAM	40,500	0
	Combat Loss funded in FY11		[−40,500]
51	MH-60 MODERNIZATION PROGRAM	7,800	0
	Combat Loss funded in FY11		[−7,800]
52	NON-STANDARD AVIATION	8,500	0
	NSAV-L Transfer to Base		[−8,500]
57	CV-22 MODIFICATION	15,000	0
	Combat Loss funded in FY11		[−15,000]
63	C-130 MODIFICATIONS	4,800	4,800
67	ORDNANCE REPLENISHMENT	71,659	71,659
68	ORDNANCE ACQUISITION	25,400	25,400
69	COMMUNICATIONS EQUIPMENT AND ELECTRONICS	2,325	2,325
70	INTELLIGENCE SYSTEMS	43,558	36,758
	Funded by reprogramming		[−6,800]
71	SMALL ARMS AND WEAPONS	6,488	6,488
72	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	2,601	2,601
78	TACTICAL VEHICLES	15,818	15,818
85	AUTOMATION SYSTEMS	13,387	13,387
87	OPERATIONAL ENHANCEMENTS INTELLIGENCE	5,800	4,800
	Funded by reprogramming		[−1,000]
88	SOLDIER PROTECTION AND SURVIVAL SYSTEMS	34,900	34,900
89	VISUAL AUGMENTATION LASERS AND SENSOR SYSTEMS	3,531	3,531
90	TACTICAL RADIO SYSTEMS	2,894	2,894
93	MISCELLANEOUS EQUIPMENT	7,220	7,220
94	OPERATIONAL ENHANCEMENTS	41,632	41,632
	TOTAL, PROCUREMENT, DEFENSE-WIDE	469,968	390,368
JOINT URGENT OPERATIONAL NEEDS FUND			
1	JOINT URGENT OPERATIONAL NEEDS FUND	100,000	100,000
	TOTAL, JOINT URGENT OPERATIONAL NEEDS FUND	100,000	100,000
MINE RESISTANT AMBUSH PROT VEH FUND			
1	MINE RESISTANT AMBUSH PROT VEH FUND	3,195,170	3,195,170
	TOTAL, MINE RESISTANT AMBUSH PROT VEH FUND	3,195,170	3,195,170

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2012 Request</i>	<i>Senate Authorized</i>
TOTAL, PROCUREMENT		15,021,824	16,170,496

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				
Line	Program Element	Item	FY 2012 Request	Senate Authorized
RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY				
BASIC RESEARCH, ARMY				
1	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	21,064	21,064
2	0601102A	DEFENSE RESEARCH SCIENCES	213,942	213,942
3	0601103A	UNIVERSITY RESEARCH INITIATIVES	80,977	80,977
4	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	120,937	120,937
TOTAL, BASIC RESEARCH, ARMY			436,920	436,920
APPLIED RESEARCH, ARMY				
5	0602105A	MATERIALS TECHNOLOGY	30,258	30,258
6	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY	43,521	43,521
7	0602122A	TRACTOR HIP	14,230	14,230
8	0602211A	AVIATION TECHNOLOGY	44,610	44,610
9	0602270A	ELECTRONIC WARFARE TECHNOLOGY	15,790	15,790
10	0602303A	MISSILE TECHNOLOGY	50,685	50,685
11	0602307A	ADVANCED WEAPONS TECHNOLOGY	20,034	20,034
12	0602308A	ADVANCED CONCEPTS AND SIMULATION	20,933	20,933
13	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	64,306	64,306
14	0602618A	BALLISTICS TECHNOLOGY	59,214	59,214
15	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECH- NOLOGY.	4,877	4,877
16	0602623A	JOINT SERVICE SMALL ARMS PROGRAM	8,244	8,244
17	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY	39,813	39,813
18	0602705A	ELECTRONICS AND ELECTRONIC DEVICES	62,962	62,962
19	0602709A	NIGHT VISION TECHNOLOGY	57,203	57,203
20	0602712A	COUNTERMINE SYSTEMS	20,280	20,280
21	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY	21,801	21,801
22	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY	20,837	20,837
23	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	26,116	26,116
24	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY	8,591	8,591
25	0602784A	MILITARY ENGINEERING TECHNOLOGY	80,317	80,317
26	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	18,946	18,946
27	0602786A	WARFIGHTER TECHNOLOGY	29,835	29,835
28	0602787A	MEDICAL TECHNOLOGY	105,929	105,929
TOTAL, APPLIED RESEARCH, ARMY			869,332	869,332
ADVANCED TECHNOLOGY DEVELOPMENT, ARMY				
29	0603001A	WARFIGHTER ADVANCED TECHNOLOGY	52,979	52,979
30	0603002A	MEDICAL ADVANCED TECHNOLOGY	68,171	68,171
31	0603003A	AVIATION ADVANCED TECHNOLOGY	62,193	62,193
32	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	77,077	77,077
33	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECH- NOLOGY.	106,145	106,145
34	0603006A	COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECH- NOLOGY.	5,312	5,312
35	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECH- NOLOGY.	10,298	10,298
36	0603008A	ELECTRONIC WARFARE ADVANCED TECHNOLOGY	57,963	53,963
		Program Decrease		[-4,000]
37	0603009A	TRACTOR HIKE	8,155	8,155
38	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	17,936	17,936
39	0603020A	TRACTOR ROSE	12,597	12,597
40	0603105A	MILITARY HIV RESEARCH	6,796	6,796
41	0603125A	COMBATING TERRORISM, TECHNOLOGY DEVELOPMENT	12,191	12,191
42	0603130A	TRACTOR NAIL	4,278	4,278
43	0603131A	TRACTOR EGGS	2,261	2,261
44	0603270A	ELECTRONIC WARFARE TECHNOLOGY	23,677	23,677
45	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY	90,602	90,602

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2012 Request	Senate Authorized
46	0603322A	TRACTOR CAGE	10,315	10,315
47	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM.	183,150	183,150
48	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	31,541	31,541
49	0603607A	JOINT SERVICE SMALL ARMS PROGRAM	7,686	7,686
50	0603710A	NIGHT VISION ADVANCED TECHNOLOGY	42,414	42,414
51	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	15,959	15,959
52	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY	36,516	36,516
53	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY.	30,600	30,600
TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT, ARMY.			976,812	972,812
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, ARMY				
54	0603024A	UNIQUE ITEM IDENTIFICATION (UID)	0	0
55	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION(NON SPACE). Excess growth and delays	36,009	24,009 [-12,000]
56	0603308A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (SPACE)	9,612	9,612
57	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	0	0
58	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	35,383	19,293
59	0603627A	Excess to Army requirement		[-16,090]
		SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV ..	9,501	5,265
		Projected and Generated Obscuration System unexecutable		[-4,236]
60	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	39,693	39,693
61	0603653A	ADVANCED TANK ARMAMENT SYSTEM (ATAS)	101,408	64,408
		Program growth adjustment		[-37,000]
62	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	9,747	9,747
63	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	5,766	5,766
64	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	0	0
65	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY	4,946	4,946
66	0603782A	WARFIGHTER INFORMATION NETWORK-TACTICAL	297,955	182,955
		Program reduction Increment III		[-115,000]
67	0603790A	NATO RESEARCH AND DEVELOPMENT	4,765	4,765
68	0603801A	AVIATION—ADV DEV	7,107	7,107
69	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	19,509	12,509
		Army requested transfer LAMPS to RDTE Army line 109		[-7,000]
70	0603805A	COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION AND ANALYSIS.	5,258	5,258
71	0603807A	MEDICAL SYSTEMS—ADV DEV	34,997	34,997
72	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	19,598	19,598
73	0603850A	INTEGRATED BROADCAST SERVICE	1,496	1,496
74	0604115A	TECHNOLOGY MATURATION INITIATIVES	10,181	10,181
75	0604131A	TRACTOR JUTE	15,609	0
		Unjustified requirement		[-15,609]
76	0604284A	JOINT COOPERATIVE TARGET IDENTIFICATION—GROUND (JCTI-G) / TECHNOLOGY DEVELOPME. Army offered program reduction	41,652	0 [-41,652]
77	0305205A	ENDURANCE UAVS	42,892	42,892
TOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, ARMY.			753,084	504,497
SYSTEM DEVELOPMENT & DEMONSTRATION, ARMY				
78	0604201A	AIRCRAFT AVIONICS	144,687	119,187
		JTRS AMF delays and JPALS excessive growth		[-25,500]
79	0604220A	ARMED, DEPLOYABLE HELOS	166,132	92,203
		Army offered program reduction		[-73,929]
80	0604270A	ELECTRONIC WARFARE DEVELOPMENT	101,265	26,872
		Army offered program reduction		[-74,393]
81	0604280A	JOINT TACTICAL RADIO	0	0
82	0604321A	ALL SOURCE ANALYSIS SYSTEM	17,412	7,412
		Machine—Foreign Language Translation System contract delay		[-10,000]
83	0604328A	TRACTOR CAGE	26,577	26,577
84	0604601A	INFANTRY SUPPORT WEAPONS	73,728	91,474
		Transfer at Army request from WTCV line 17		[16,000]
		Transfer at Army request from WTCV line 20		[1,700]
		Army requested transfer from WTCV Army line 17		[46]
85	0604604A	MEDIUM TACTICAL VEHICLES	3,961	3,961
86	0604609A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-SDD	0	0
87	0604611A	JAVELIN	17,340	9,940
		Excess to requirement		[-7,400]
88	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	5,478	5,478
89	0604633A	AIR TRAFFIC CONTROL	22,922	22,922
90	0604632A	LIGHT TACTICAL WHEELED VEHICLES	0	20,000
		Army requested transfer from RDTE line 109		[20,000]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2012 Request	Senate Authorized
91	0604646A	NON-LINE OF SIGHT LAUNCH SYSTEM	0	0
92	0604660A	FCS MANNED GRD VEHICLES & COMMON GRD VEHICLE	0	0
93	0604661A	FCS SYSTEMS OF SYSTEMS ENGR & PROGRAM MGMT	383,872	283,872
		Unjustified requirement		[-100,000]
94	0604662A	FCS RECONNAISSANCE (UAV) PLATFORMS	0	0
95	0604663A	FCS UNMANNED GROUND VEHICLES	143,840	26,840
		Program adjustment		[-117,000]
96	0604664A	FCS UNATTENDED GROUND SENSORS	499	0
		Program termination		[-499]
97	0604665A	FCS SUSTAINMENT & TRAINING R&D	0	0
98	0604710A	NIGHT VISION SYSTEMS—SDD	59,265	59,265
99	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,075	2,075
100	0604715A	NON-SYSTEM TRAINING DEVICES—SDD	30,021	30,021
101	0604716A	TERRAIN INFORMATION—SDD	1,596	1,596
102	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—SDD	83,010	83,010
103	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	28,305	28,305
104	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	14,375	14,375
105	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—SDD	15,803	15,803
106	0604778A	POSITIONING SYSTEMS DEVELOPMENT (SPACE)	0	0
107	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	22,226	22,226
108	0604802A	WEAPONS AND MUNITIONS—SDD	13,828	13,828
109	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—SDD	251,104	238,104
		Army requested transfer to RDTE Army line 90		[-20,000]
		Army request transfer from RDTE line 69		[7,000]
110	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—SDD	137,811	81,811
		Excessive growth Joint Battle Command-Platform		[-56,000]
111	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—SDD	27,160	27,160
112	0604808A	LANDMINE WARFARE/BARRIER—SDD	87,426	66,326
		Explosive Hazard Pre-Detonation (EHP) Roller contract delay		[-21,100]
113	0604814A	ARTILLERY MUNITIONS	42,627	35,627
		Program growth adjustment		[-7,000]
114	0604817A	COMBAT IDENTIFICATION	0	0
115	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	123,935	93,935
		Excessive Growth		[-30,000]
116	0604820A	RADAR DEVELOPMENT	2,890	2,890
117	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	794	794
118	0604823A	FIREFINDER	10,358	10,358
119	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	48,309	55,909
		Transfer at Army request from OPA line 147		[7,600]
120	0604854A	ARTILLERY SYSTEMS	120,146	120,146
121	0604869A	PATRIOT/MEADS COMBINED AGGREGATE PROGRAM (CAP)	406,605	0
		Program Decrease		[-406,605]
122	0604870A	NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK	7,398	7,398
123	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	37,098	32,098
		Unjustified cost growth		[-5,000]
124	0605018A	ARMY INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (A-IMHRS)	68,693	68,693
125	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	127,095	127,095
126	0605455A	SLAMRAAM	19,931	1,531
		Excess to program termination requirements		[-18,400]
127	0605456A	PAC-3/MSE MISSILE	88,993	88,993
128	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (ALAMD)	270,607	270,607
129	0605625A	MANNED GROUND VEHICLE	884,387	884,387
130	0605626A	AERIAL COMMON SENSOR	31,465	0
		Program termination		
131	0303032A	TROJAN—RH12	3,920	3,920
132	0304270A	ELECTRONIC WARFARE DEVELOPMENT	13,819	13,819
TOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, ARMY.			4,190,788	3,238,843
RDT&E MANAGEMENT SUPPORT, ARMY				
133	0604256A	THREAT SIMULATOR DEVELOPMENT	16,992	16,992
134	0604258A	TARGET SYSTEMS DEVELOPMENT	11,247	11,247
135	0604759A	MAJOR T&E INVESTMENT	49,437	49,437
136	0605103A	RAND ARROYO CENTER	20,384	20,384
137	0605301A	ARMY KWAJALEIN ATOLL	145,606	145,606
138	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	28,800	28,800
139	0605502A	SMALL BUSINESS INNOVATIVE RESEARCH	0	0
140	0605601A	ARMY TEST RANGES AND FACILITIES	262,456	312,456
		Program Increase		[50,000]
141	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	70,227	70,227
142	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	43,483	43,483
143	0605605A	DOD HIGH ENERGY LASER TEST FACILITY	18	18
144	0605606A	AIRCRAFT CERTIFICATION	5,630	5,630

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2012 Request	Senate Authorized
145	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	7,182	7,182
146	0605706A	MATERIEL SYSTEMS ANALYSIS	19,669	19,669
147	0605709A	EXPLOITATION OF FOREIGN ITEMS	5,445	5,445
148	0605712A	SUPPORT OF OPERATIONAL TESTING	68,786	68,786
149	0605716A	ARMY EVALUATION CENTER	63,302	63,302
150	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	3,420	3,420
151	0605801A	PROGRAMWIDE ACTIVITIES	83,054	83,054
152	0605803A	TECHNICAL INFORMATION ACTIVITIES	63,872	63,872
153	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY.	57,142	57,142
154	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	4,961	4,961
155	0605898A	MANAGEMENT HQ—R&D	17,558	17,558
156	0909980A	JUDGMENT FUND REIMBURSEMENT	0	0
157	0909999A	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS	0	0
TOTAL, RDT&E MANAGEMENT SUPPORT, ARMY			1,048,671	1,098,671
OPERATIONAL SYSTEMS DEVELOPMENT, ARMY				
158	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	66,641	66,641
159	0603820A	WEAPONS CAPABILITY MODIFICATIONS UAV	24,142	7,500
		<i>Excess funds only to the analysis of alternatives</i>		<i>[−16,642]</i>
160	0102419A	AEROSTAT JOINT PROJECT OFFICE	344,655	327,855
		<i>Excess program growth</i>		<i>[−16,800]</i>
161	0203347A	INTELLIGENCE SUPPORT TO CYBER (ISC) MIP	0	0
162	0203726A	ADV FIELD ARTILLERY TACTICAL DATA SYSTEM	29,546	29,546
163	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	53,307	53,307
164	0203740A	MANEUVER CONTROL SYSTEM	65,002	42,414
		<i>Unjustified program growth</i>		<i>[−22,588]</i>
165	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS.	163,205	149,705
		<i>Excess funds to Black Hawk Recapitalization/Modernization for analysis of alternatives.</i>		<i>[−13,500]</i>
166	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	823	823
167	0203758A	DIGITIZATION	8,029	8,029
168	0203759A	FORCE XXI BATTLE COMMAND, BRIGADE AND BELOW (FBCB2)	0	0
169	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	44,560	59,060
		<i>Transfer at Army Request from MPA line 13</i>		<i>[14,500]</i>
170	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	0	0
171	0203808A	TRACTOR CARD	42,554	42,554
172	0208053A	JOINT TACTICAL GROUND SYSTEM	27,630	27,630
173	0208058A	JOINT HIGH SPEED VESSEL (JHSV)	3,044	3,044
175	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	2,854	2,854
176	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	61,220	58,720
		<i>Army offered program reduction</i>		<i>[−2,500]</i>
177	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	100,505	160,745
		<i>Army requested transfer for GCSS-Army from OPA line 116</i>		<i>[47,240]</i>
		<i>Army requested transfer for AESIP from OPA line 116</i>		<i>[13,000]</i>
178	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	12,104	12,104
179	0303150A	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	23,937	23,937
181	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	40,650	26,550
		<i>Contract award delays</i>		<i>[−14,100]</i>
182	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	44,198	31,699
		<i>Unjustified requirements growth</i>		<i>[−12,499]</i>
183	0305219A	MQ-1 SKY WARRIOR A UAV	137,038	122,038
		<i>Excessive growth</i>		<i>[−15,000]</i>
184	0305232A	RQ-11 UAV	1,938	1,938
185	0305233A	RQ-7 UAV	31,940	31,940
186	0307207A	AERIAL COMMON SENSOR (ACS)	0	0
187	0307665A	BIOMETRICS ENABLED INTELLIGENCE	15,018	15,018
188	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	59,297	59,297
999	9999999999	CLASSIFIED PROGRAMS	4,536	4,536
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, ARMY.			1,408,373	1,369,484
TOTAL, RDT&E ARMY			9,683,980	8,490,559
RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY				
BASIC RESEARCH, NAVY				
1	0601103N	UNIVERSITY RESEARCH INITIATIVES	113,157	113,157
2	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	18,092	18,092
3	0601153N	DEFENSE RESEARCH SCIENCES	446,123	446,123
TOTAL, BASIC RESEARCH, NAVY			577,372	577,372
APPLIED RESEARCH, NAVY				

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(In Thousands of Dollars)

Line	Program Element	Item	FY 2012 Request	Senate Authorized
4	0602114N	POWER PROJECTION APPLIED RESEARCH	104,804	64,804
		Program Decrease- Free Electron Laser		[-30,000]
		Program Decrease- Electromagnetic railgun		[-10,000]
5	0602123N	FORCE PROTECTION APPLIED RESEARCH	156,901	156,901
6	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	44,845	44,845
7	0602234N	MATERIALS, ELECTRONICS AND COMPUTER TECHNOLOGY	0	0
8	0602235N	COMMON PICTURE APPLIED RESEARCH	65,448	65,448
9	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	101,205	101,205
10	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	108,329	108,329
11	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	50,076	50,076
12	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	5,937	5,937
13	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	108,666	108,666
14	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	37,583	37,583
		TOTAL, APPLIED RESEARCH, NAVY	783,794	743,794
		ADVANCED TECHNOLOGY DEVELOPMENT		
15	0603114N	POWER PROJECTION ADVANCED TECHNOLOGY	114,270	59,370
		Program Decrease- Electromagnetic railgun		[-16,900]
		Underexecution—Navy recommendation		[-38,000]
16	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	64,057	45,234
		Transfer MRMUAS to line 220		[-18,823]
17	0603235N	COMMON PICTURE ADVANCED TECHNOLOGY	49,068	49,068
18	0603236N	WARFIGHTER SUSTAINMENT ADVANCED TECHNOLOGY	71,232	71,232
19	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	102,535	102,535
20	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	124,324	124,324
21	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	11,286	11,286
22	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	18,119	18,119
23	0603747N	UNDERSEA WARFARE ADVANCED TECHNOLOGY	37,121	37,121
24	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS ...	50,157	50,157
25	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECH- NOLOGY.	6,048	6,048
		TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT, NAVY.	648,217	574,494
		ADVANCED COMPONENT DEVELOPMENT & PROTO- TYPES, NAVY		
26	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	94,972	73,672
		JMAPS unjustified request		[-21,300]
27	0603216N	AVIATION SURVIVABILITY	10,893	10,893
28	0603237N	DEPLOYABLE JOINT COMMAND AND CONTROL	3,702	3,702
29	0603251N	AIRCRAFT SYSTEMS	10,497	10,497
30	0603254N	ASW SYSTEMS DEVELOPMENT	7,915	7,915
31	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	5,978	5,978
32	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	1,418	1,418
33	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES ..	142,657	142,657
34	0603506N	SURFACE SHIP TORPEDO DEFENSE	118,764	118,764
35	0603512N	CARRIER SYSTEMS DEVELOPMENT	54,072	54,072
36	0603513N	SHIPBOARD SYSTEM COMPONENT DEVELOPMENT	0	0
37	0603525N	PILOT FISH	96,012	96,012
38	0603527N	RETRACT LARCH	73,421	73,421
39	0603536N	RETRACT JUNIPER	130,267	130,267
40	0603542N	RADIOLOGICAL CONTROL	1,338	1,338
41	0603553N	SURFACE ASW	29,797	29,797
42	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	856,326	856,326
43	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	9,253	9,253
44	0603563N	SHIP CONCEPT ADVANCED DESIGN	14,308	14,308
45	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	22,213	22,213
46	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	463,683	463,683
47	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	18,249	18,249
48	0603576N	CHALK EAGLE	584,159	584,159
49	0603581N	LITTORAL COMBAT SHIP (LCS)	286,784	282,784
		Defer development of Irregular Warfare mission package		[-4,000]
50	0603582N	COMBAT SYSTEM INTEGRATION	34,157	34,157
51	0603609N	CONVENTIONAL MUNITIONS	4,753	4,753
52	0603611M	MARINE CORPS ASSAULT VEHICLES	12,000	12,000
53	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	79,858	79,858
54	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	33,654	33,654
55	0603658N	COOPERATIVE ENGAGEMENT	54,783	54,783
56	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	9,996	9,996
57	0603721N	ENVIRONMENTAL PROTECTION	21,714	21,714
58	0603724N	NAVY ENERGY PROGRAM	70,538	70,538
59	0603725N	FACILITIES IMPROVEMENT	3,754	3,754
60	0603734N	CHALK CORAL	79,415	79,415
61	0603739N	NAVY LOGISTIC PRODUCTIVITY	4,137	4,137
62	0603746N	RETRACT MAPLE	276,383	276,383
63	0603748N	LINK PLUMERIA	52,721	52,721

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Line	Program Element	Item	FY 2012 Request	Senate Authorized
64	0603751N	RETRACT ELM	160,964	160,964
65	0603755N	SHIP SELF DEFENSE	0	0
66	0603764N	LINK EVERGREEN	144,985	144,985
67	0603787N	SPECIAL PROCESSES	43,704	43,704
68	0603790N	NATO RESEARCH AND DEVELOPMENT	9,140	9,140
69	0603795N	LAND ATTACK TECHNOLOGY	421	421
70	0603851M	NONLETHAL WEAPONS	40,992	40,992
71	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS	121,455	121,455
72	0603879N	SINGLE INTEGRATED AIR PICTURE (SIAP) SYSTEM ENGI- NEER (SE).	0	0
73	0603889N	COUNTERDRUG RDT&E PROJECTS	0	0
74	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	0	0
75	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM).	64,107	64,107
76	0604279N	ASE SELF-PROTECTION OPTIMIZATION	711	711
77	0604653N	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WAR- FARE (JCREW).	62,044	62,044
78	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	22,665	4,450
		FMU-164 fuze program termination		[-18,215]
79	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ ENGINEERING SUPPORT.	33,621	33,621
80	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	1,078	1,078
81	0303562N	SUBMARINE TACTICAL WARFARE SYSTEMS—MIP	0	0
82	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	625	625
TOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, NAVY.			4,481,053	4,437,538
SYSTEM DEVELOPMENT & DEMONSTRATION, NAVY				
83	0604212N	OTHER HELO DEVELOPMENT	35,651	42,651
		Navy requested transfer from line 98 for VH-3/VH-60 sustainment		[7,000]
84	0604214N	AV-8B AIRCRAFT—ENG DEV	30,676	30,676
85	0604215N	STANDARDS DEVELOPMENT	51,191	51,191
86	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	17,673	17,673
87	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING	5,922	5,922
88	0604221N	P-3 MODERNIZATION PROGRAM	3,417	3,417
89	0604230N	WARFARE SUPPORT SYSTEM	9,944	9,944
90	0604231N	TACTICAL COMMAND SYSTEM	81,257	77,257
		NTCSS—reduce program growth		[-4,000]
91	0604234N	ADVANCED HAWKEYE	110,994	110,994
92	0604245N	H-1 UPGRADES	72,569	72,569
93	0604261N	ACOUSTIC SEARCH SENSORS	56,509	56,509
94	0604262N	V-22A	84,477	84,477
95	0604264N	AIR CREW SYSTEMS DEVELOPMENT	3,249	3,249
96	0604269N	EA-18	17,100	17,100
97	0604270N	ELECTRONIC WARFARE DEVELOPMENT	89,418	89,418
98	0604273N	VH-71A EXECUTIVE HELO DEVELOPMENT	180,070	60,770
		Navy requested transfer to line 83		[-7,000]
		Navy requested transfer to APN line 47		[-24,000]
		Navy requested transfer to APN line 62		[-12,000]
		Early to need		[-76,300]
99	0604274N	NEXT GENERATION JAMMER (NGJ)	189,919	154,919
		Technology Development late contract award		[-35,000]
100	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	688,146	568,146
		Unjustified request: HMS capability enhancements		[-120,000]
101	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	223,283	223,283
102	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION	884	884
103	0604329N	SMALL DIAMETER BOMB (SDB)	47,635	29,635
		Defer Integration on Joint Strike Fighter		[-18,000]
104	0604366N	STANDARD MISSILE IMPROVEMENTS	46,705	46,705
105	0604373N	AIRBORNE MCM	41,142	41,142
106	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING.	24,898	24,898
107	0604404N	FUTURE UNMANNED CARRIER-BASED STRIKE SYSTEM	121,150	51,150
		Delay to Technology Development contract award		[-70,000]
108	0604501N	ADVANCED ABOVE WATER SENSORS	227,358	227,358
109	0604503N	SSN-688 AND TRIDENT MODERNIZATION	100,591	95,671
		TB-33 program cancellation		[-4,920]
110	0604504N	AIR CONTROL	5,521	5,521
111	0604512N	SHIPBOARD AVIATION SYSTEMS	45,445	45,445
112	0604518N	COMBAT INFORMATION CENTER CONVERSION	3,400	3,400
113	0604558N	NEW DESIGN SSN	97,235	97,235
114	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	48,466	48,466
115	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	161,099	98,099
		Ship-to-Shore Connector—contract award delay		[-63,000]
116	0604574N	NAVY TACTICAL COMPUTER RESOURCES	3,848	3,848
117	0604601N	MINE DEVELOPMENT	3,933	3,933
118	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	32,592	32,592

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Line	Program Element	Item	FY 2012 Request	Senate Authorized
119	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	9,960	9,960
120	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	12,992	12,992
121	0604727N	JOINT STANDOFF WEAPON SYSTEMS	7,506	7,506
122	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	71,222	71,222
123	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	6,631	6,631
124	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	184,095	184,095
125	0604761N	INTELLIGENCE ENGINEERING	2,217	2,217
126	0604771N	MEDICAL DEVELOPMENT	12,984	12,984
127	0604777N	NAVIGATION/ID SYSTEM	50,178	50,178
128	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	670,723	651,786
		Block IV development ahead of need		[−18,937]
129	0604800N	JOINT STRIKE FIGHTER (JSF)	677,486	658,549
		Block IV development ahead of need		[−18,937]
130	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	27,461	19,461
		Program underexecution		[−8,000]
131	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	58,764	29,764
		Reduction to fourth quarter contract awards		[−29,000]
132	0605018N	NAVY INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (N-IMHRS)	55,050	55,050
133	0605212N	CH−53K RDTE	629,461	629,461
134	0605430N	C/KC−130 AVIONICS MODERNIZATION PROGRAM (AMP)	0	0
135	0605450N	JOINT AIR-TO-GROUND MISSILE (JAGM)	118,395	118,395
136	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	622,713	608,713
		Increment 3—development ahead of need		[−14,000]
137	0204201N	CG(X)	0	0
138	0204202N	DDG−1000	261,604	261,604
139	0304231N	TACTICAL COMMAND SYSTEM—MIP	979	979
140	0304503N	SSN−688 AND TRIDENT MODERNIZATION—MIP	0	0
141	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	31,740	31,740
TOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, NAVY.			6,475,528	5,959,434
RDT&E MANAGEMENT SUPPORT, NAVY				
142	0604256N	THREAT SIMULATOR DEVELOPMENT	28,318	28,318
143	0604258N	TARGET SYSTEMS DEVELOPMENT	44,700	44,700
144	0604759N	MAJOR T&E INVESTMENT	37,957	37,957
145	0605126N	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	2,970	2,970
146	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	23,454	17,454
		Reduction to growth		[−6,000]
147	0605154N	CENTER FOR NAVAL ANALYSES	47,127	47,127
148	0605502N	SMALL BUSINESS INNOVATIVE RESEARCH	10	10
149	0605804N	TECHNICAL INFORMATION SERVICES	571	571
150	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	68,301	58,301
		OASUW—defer new start		[−10,000]
151	0605856N	STRATEGIC TECHNICAL SUPPORT	3,277	3,277
152	0605861N	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	73,917	73,917
153	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	136,531	136,531
154	0605864N	TEST AND EVALUATION SUPPORT	335,367	335,367
155	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	16,634	16,634
156	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	4,228	4,228
157	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	7,642	7,642
158	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	25,655	25,655
159	0305885N	TACTICAL CRYPTOLOGIC ACTIVITIES	2,764	2,764
160	0804758N	SERVICE SUPPORT TO JFCOM, JNTC	0	0
161	0909980N	JUDGMENT FUND REIMBURSEMENT	0	0
162	0909999N	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS	0	0
TOTAL, RDT&E MANAGEMENT SUPPORT, NAVY			859,423	843,423
OPERATIONAL SYSTEMS DEVELOPMENT, NAVY				
164	0604402N	UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT AND PROTOTYPE DEVELOPMENT	198,298	198,298
165	0604717M	MARINE CORPS COMBAT SERVICES SUPPORT	400	400
166	0604766M	MARINE CORPS DATA SYSTEMS	1,650	1,650
167	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	88,873	88,873
168	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	33,553	33,553
169	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	6,360	6,360
170	0101402N	NAVY STRATEGIC COMMUNICATIONS	23,208	23,208
171	0203761N	RAPID TECHNOLOGY TRANSITION (RTT)	30,021	30,021
172	0204136N	F/A−18 SQUADRONS	151,030	151,030
173	0204152N	E−2 SQUADRONS	6,696	6,696
174	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL)	1,739	1,739
175	0204228N	SURFACE SUPPORT	3,377	3,377
176	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	8,819	8,819
177	0204311N	INTEGRATED SURVEILLANCE SYSTEM	21,259	21,259
178	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT)	5,214	5,214

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179	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	42,244	42,244
180	0204574N	CRYPTOLOGIC DIRECT SUPPORT	1,447	1,447
181	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	18,142	18,142
182	0205601N	HARM IMPROVEMENT	11,147	11,147
183	0205604N	TACTICAL DATA LINKS	69,224	69,224
184	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	22,010	22,010
185	0205632N	MK-48 ADCAP	39,288	39,288
186	0205633N	AVIATION IMPROVEMENTS	123,012	123,012
187	0205658N	NAVY SCIENCE ASSISTANCE PROGRAM	1,957	1,957
188	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	82,705	82,705
189	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	320,864	320,864
190	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS. Amphibious Combat Vehicle (non-add)	209,396	184,396
		Excess funds for Marine Personnel Carrier & AAV Upgrade		[]
191	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	45,172	45,172
192	0206625N	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	14,101	14,101
193	0207161N	TACTICAL AIM MISSILES	8,765	8,765
194	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	2,913	2,913
195	0208058N	JOINT HIGH SPEED VESSEL (JHSV)	4,108	4,108
200	0303109N	SATELLITE COMMUNICATIONS (SPACE)	263,712	263,712
201	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES). Transfer from CANES (OPN 68) per USN request	12,906	24,906
		INFORMATION SYSTEMS SECURITY PROGRAM		[12,000]
202	0303140N	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	25,229	25,229
203	0303150M	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)—MIP.	1,250	1,250
204	0303238N	COBRA JUDY	6,602	6,602
206	0305149N	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC).	40,605	40,605
207	0305160N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	904	904
208	0305192N	TACTICAL UNMANNED AERIAL VEHICLES	4,099	4,099
209	0305204N	AIRBORNE RECONNAISSANCE SYSTEMS	9,353	9,353
210	0305206N	MANNED RECONNAISSANCE SYSTEMS	0	0
211	0305207N	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	0	0
212	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	23,785	23,785
213	0305208N	RQ-4 UAV	25,487	25,487
214	0305220N	MQ-8 UAV	548,482	548,482
215	0305231N	ECP for SOCOM urgent needs statement—transfer to Title XV	108,248	3,648
		RQ-11 UAV		[–104,600]
216	0305232M	RQ-7 UAV	979	979
217	0305233N	SMALL (LEVEL 0) TACTICAL UAS (STUASLo)	872	872
218	0305234M	SMALL (LEVEL 0) TACTICAL UAS (STUASLo)	0	0
219	0305234N	MEDIUM RANGE MARITIME UAS	22,698	22,698
220	0305237N	Transfer from line 16	15,000	33,823
		RQ-21A		[18,823]
221	0305239M	Program delays	26,301	21,301
		EP-3E REPLACEMENT (EPX)		[–5,000]
222	0307217N	MODELING AND SIMULATION SUPPORT	0	0
223	0308601N	DEPOT MAINTENANCE (NON-IF)	8,292	8,292
224	0702207N	AVIONICS COMPONENT IMPROVEMENT PROGRAM	21,609	21,609
225	0702239N	INDUSTRIAL PREPAREDNESS	0	0
226	0708011N	MARITIME TECHNOLOGY (MARITECH)	54,031	54,031
227	0708730N	CLASSIFIED PROGRAMS	5,000	5,000
227A	9999999999	Classified Adjustment	1,308,608	1,306,945
				[–1,663]
		TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, NAVY.	4,131,044	4,025,604
		TOTAL, RDT&E NAVY	17,956,431	17,161,659
		RESEARCH, DEVELOPMENT, TEST & EVAL, AIR FORCE		
		BASIC RESEARCH, AIR FORCE		
1	0601102F	DEFENSE RESEARCH SCIENCES	364,328	364,328
2	0601103F	UNIVERSITY RESEARCH INITIATIVES	140,273	140,273
3	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	14,258	14,258
		TOTAL, BASIC RESEARCH, AIR FORCE	518,859	518,859
		APPLIED RESEARCH, AIR FORCE		
4	0602102F	MATERIALS	136,230	136,230
5	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	147,628	147,628
6	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	86,663	86,663
7	0602203F	AEROSPACE PROPULSION	207,508	207,508

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8	0602204F	AEROSPACE SENSORS	134,787	134,787
9	0602601F	SPACE TECHNOLOGY	115,285	115,285
10	0602602F	CONVENTIONAL MUNITIONS	60,692	60,692
11	0602605F	DIRECTED ENERGY TECHNOLOGY	111,156	111,156
12	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	127,866	127,866
13	0602890F	HIGH ENERGY LASER RESEARCH	54,059	54,059
TOTAL, APPLIED RESEARCH, AIR FORCE			1,181,874	1,181,874
ADVANCED TECHNOLOGY DEVELOPMENT, AIR FORCE				
14	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	39,738	49,738
		Program Increase- Metals Affordability Initiative		[10,000]
15	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	5,780	5,780
16	0603203F	ADVANCED AEROSPACE SENSORS	53,075	53,075
17	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	67,474	67,474
18	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	120,953	120,953
19	0603270F	ELECTRONIC COMBAT TECHNOLOGY	22,268	22,268
20	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	74,636	74,636
21	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	13,555	13,555
22	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT.	25,319	25,319
23	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	54,042	34,042
		Program Decrease- Unjustified growth		[-20,000]
24	0603605F	ADVANCED WEAPONS TECHNOLOGY	28,683	28,683
25	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	40,103	40,103
26	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION.	38,656	38,656
27	0603924F	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	1,122	1,122
TOTAL ADVANCED TECHNOLOGY DEVELOPMENT, AIR FORCE.			585,404	575,404
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, AIR FORCE				
28	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	4,013	4,013
29	0603287F	PHYSICAL SECURITY EQUIPMENT	3,586	3,586
30	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT.	0	0
31	0603430F	ADVANCED EHF MILSATCOM (SPACE)	421,687	421,687
32	0603432F	POLAR MILSATCOM (SPACE)	122,991	122,991
33	0603438F	SPACE CONTROL TECHNOLOGY	45,755	45,755
34	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	38,496	38,496
35	0603790F	NATO RESEARCH AND DEVELOPMENT	4,424	4,424
36	0603791F	INTERNATIONAL SPACE COOPERATIVE R&D	642	642
37	0603830F	SPACE PROTECTION PROGRAM (SPP)	9,819	9,819
38	0603850F	INTEGRATED BROADCAST SERVICE	20,046	20,046
39	0603851F	INTERCONTINENTAL BALLISTIC MISSILE	67,202	72,202
		Program Increase		[20,000]
		ICBM		[-15,000]
40	0603854F	WIDEBAND GLOBAL SATCOM RDT&E (SPACE)	12,804	12,804
41	0603859F	POLLUTION PREVENTION	2,075	2,075
42	0603860F	JOINT PRECISION APPROACH AND LANDING SYSTEMS	20,112	20,112
43	0604015F	NEXT GENERATION BOMBER	197,023	197,023
44	0604283F	BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT	60,250	31,250
		3DELRR Contract Delays		[-29,000]
45	0604317F	TECHNOLOGY TRANSFER	2,553	2,553
46	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM.	38,248	38,248
47	0604330F	JOINT DUAL ROLE AIR DOMINANCE MISSILE	29,759	29,759
48	0604337F	REQUIREMENTS ANALYSIS AND MATURATION	24,217	24,217
49	0604436F	NEXT-GENERATION MILSATCOM TECHNOLOGY DEVELOPMENT.	0	0
50	0604635F	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	24,467	24,467
51	0604796F	ALTERNATIVE FUELS	0	0
52	0604830F	AUTOMATED AIR-TO-AIR REFUELING	0	0
53	0604857F	OPERATIONALLY RESPONSIVE SPACE	86,543	86,543
54	0604858F	TECH TRANSITION PROGRAM	2,773	2,773
55	0305178F	NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SATELLITE SYSTEM (NPOESS).	444,900	444,900
TOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, AIR FORCE.			1,684,385	1,660,385
SYSTEM DEVELOPMENT & DEMONSTRATION, AIR FORCE				
56	0603840F	GLOBAL BROADCAST SERVICE (GBS)	5,680	5,680
57	0604222F	NUCLEAR WEAPONS SUPPORT	18,538	18,538

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Line	Program Element	Item	FY 2012 Request	Senate Authorized
58	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	21,780	21,780
59	0604270F	ELECTRONIC WARFARE DEVELOPMENT	26,880	16,880
		MALD-J Increment 2—Technology Development Contract Delay		[−10,000]
60	0604280F	JOINT TACTICAL RADIO	0	0
61	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	52,355	48,105
		STRATCOM DNC2 Contract Delays		[−3,000]
		CLIP—Contract Delays		[−1,250]
62	0604287F	PHYSICAL SECURITY EQUIPMENT	51	51
63	0604329F	SMALL DIAMETER BOMB (SDB)	132,891	132,891
64	0604421F	COUNTERSPACE SYSTEMS	31,913	31,913
65	0604425F	SPACE SITUATION AWARENESS SYSTEMS	273,689	273,689
		Space Surveillance Telescope military utility assessment		[6,000]
		Space Surveillance Telescope		[−6,000]
66	0604429F	AIRBORNE ELECTRONIC ATTACK	47,100	39,000
		Electronic Attack Pod—Delayed Start		[−3,500]
		AEA SoS—Contract Delays		[−4,600]
67	0604441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	621,629	621,629
		Data exploitation		[15,000]
		SABRS integration on SV 5 and 6		[20,000]
		SSABRS integration on SV 5 and 6		[−20,000]
		Data exploitation		[−15,000]
68	0604443F	THIRD GENERATION INFRARED SURVEILLANCE (3GIRS)	0	0
69	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	10,055	6,055
		Universal Armament Interface Contract Delay		[−4,000]
70	0604604F	SUBMUNITIONS	2,427	2,427
71	0604617F	AGILE COMBAT SUPPORT	11,878	3,920
		BEAR—Ahead of Need		[−3,900]
		Airfield Damage Repair—Ahead of Need		[−4,058]
72	0604618F	JOINT DIRECT ATTACK MUNITION	0	0
73	0604706F	LIFE SUPPORT SYSTEMS	11,280	9,280
		Integrated Aircrew Ensemble—Contract Award Delays		[−2,000]
74	0604735F	COMBAT TRAINING RANGES	28,106	8,106
		Joint Threat Emitter Increment 2—Rephased Program		[−12,000]
		Air Combat Training Systems (P5) Upgrades—Contract Delay		[−8,000]
75	0604740F	INTEGRATED COMMAND & CONTROL APPLICATIONS (IC2A)	10	10
76	0604750F	INTELLIGENCE EQUIPMENT	995	995
77	0604800F	JOINT STRIKE FIGHTER (JSF)	1,387,926	1,387,926
78	0604851F	INTERCONTINENTAL BALLISTIC MISSILE	158,477	158,477
79	0604853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)	20,028	20,028
80	0605221F	NEXT GENERATION AERIAL REFUELING AIRCRAFT	877,084	742,084
		Align funding to signed KC-46A contract		[−127,100]
		Excess to Requirement		[−7,900]
81	0605229F	CSAR HH-60 RECAPITALIZATION	94,113	11,000
		Transfer to HC-130 modifications (APAF 75) per USAF request		[−10,400]
		Transfer to HH-60 modifications (APAF 73) per USAF request		[−54,600]
		Program reduction to reflect new acquisition strategy		[−18,113]
82	0605277F	CSAR-X RDT&E	0	0
83	0605278F	HC/MC-130 RECAP RDT&E	27,071	22,071
		Contract Savings		[−5,000]
84	0605452F	JOINT SIAP EXECUTIVE PROGRAM OFFICE	0	0
85	0101125F	NUCLEAR WEAPONS MODERNIZATION	93,867	93,867
86	0207100F	LIGHT ATTACK ARMED RECONNAISSANCE (LAAR) SQUAD- RONS	23,721	23,721
87	0207451F	SINGLE INTEGRATED AIR PICTURE (SIAP)	0	0
88	0207701F	FULL COMBAT MISSION TRAINING	39,826	25,826
		Block 40/50 Mission Training Center—Excess to need		[−14,000]
89	0401138F	JOINT CARGO AIRCRAFT (JCA)	27,089	27,089
90	0401318F	CV-22	20,723	10,723
		Contract Delay		[−10,000]
91	0401845F	AIRBORNE SENIOR LEADER C3 (SLC3S)	12,535	0
		Program Termination		[−12,535]
TOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, AIR FORCE.			4,079,717	3,763,761
RDT&E MANAGEMENT SUPPORT, AIR FORCE				
92	0604256F	THREAT SIMULATOR DEVELOPMENT	22,420	22,420
93	0604759F	MAJOR T&E INVESTMENT	62,206	62,206
94	0605101F	RAND PROJECT AIR FORCE	27,579	27,579
95	0605502F	SMALL BUSINESS INNOVATION RESEARCH	0	0
96	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	17,767	17,767
97	0605807F	TEST AND EVALUATION SUPPORT	654,475	704,475
		Program Increase		[50,000]
98	0605860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	158,096	158,096
99	0605864F	SPACE TEST PROGRAM (STP)	47,926	47,926
100	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT.	44,547	44,547

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Line	Program Element	Item	FY 2012 Request	Senate Authorized
101	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT.	27,953	27,953
102	0606323F	MULTI-SERVICE SYSTEMS ENGINEERING INITIATIVE	13,953	13,953
103	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	31,966	31,966
104	0804731F	GENERAL SKILL TRAINING	1,510	1,510
105	0909999F	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS	0	0
106	1001004F	INTERNATIONAL ACTIVITIES	3,798	3,798
TOTAL, RDT&E MANAGEMENT SUPPORT, AIR FORCE			1,114,196	1,164,196
OPERATIONAL SYSTEMS DEVELOPMENT, AIR FORCE				
107	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT.	390,889	366,889
		Slow execution		[−24,000]
108	0604263F	COMMON VERTICAL LIFT SUPPORT PLATFORM	5,365	5,365
109	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	91,866	91,866
110	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	35,467	35,467
112	0101113F	B−52 SQUADRONS	133,261	133,261
113	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	803	803
114	0101126F	B−1B SQUADRONS	33,011	33,011
115	0101127F	B−2 SQUADRONS	340,819	226,836
		Delay in EHF communications development due to FAB-T delay		[−113,983]
116	0101313F	STRAT WAR PLANNING SYSTEM—USSTRATCOM	23,072	23,072
117	0101314F	NIGHT FIST—USSTRATCOM	5,421	5,421
119	0102325F	ATMOSPHERIC EARLY WARNING SYSTEM	4,485	4,485
120	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM.	12,672	12,672
121	0102823F	STRATEGIC AEROSPACE INTELLIGENCE SYSTEM ACTIVITIES	14	14
122	0203761F	WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRANSITION FUND.	19,934	19,934
123	0205219F	MQ−9 UAV	146,824	126,824
		Contract Delays		[−20,000]
124	0207040F	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT	0	0
125	0207131F	A−10 SQUADRONS	11,051	11,051
126	0207133F	F−16 SQUADRONS	143,869	131,069
		SLEP Contract Delay		[−12,800]
127	0207134F	F−15E SQUADRONS	207,531	194,831
		ADCP—Excess to Requirement		[−12,700]
128	0207136F	MANNED DESTRUCTIVE SUPPRESSION	13,253	13,253
129	0207138F	F−22A SQUADRONS	718,432	511,432
		Provide funds that Air Force can execute in FY12		[−140,000]
		Program Growth		[−67,000]
130	0207142F	F−35 SQUADRONS	47,841	0
		Block IV Development—Ahead of need		[−47,841]
131	0207161F	TACTICAL AIM MISSILES	8,023	8,023
132	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM) ...	77,830	77,830
133	0207170F	JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS)	1,436	1,436
134	0207224F	COMBAT RESCUE AND RECOVERY	2,292	2,292
135	0207227F	COMBAT RESCUE—PARARESCUE	927	927
136	0207247F	AF TENCAP	20,727	20,727
137	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	3,128	3,128
138	0207253F	COMPASS CALL	18,509	18,509
139	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	182,967	172,967
		Excess to Requirement		[−10,000]
140	0207277F	ISR INNOVATIONS	0	0
141	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	5,796	5,796
142	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	121,880	121,880
143	0207412F	CONTROL AND REPORTING CENTER (CRC)	3,954	3,954
144	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	135,961	91,961
		NGIFF—Contract Delays		[−20,000]
		DRAGON—Contract Delays		[−24,000]
145	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS	8,309	8,309
146	0207423F	ADVANCED COMMUNICATIONS SYSTEMS	90,083	44,883
		JTRS Integration and Engineering Support—Schedule Delays		[−5,200]
		Common Processing Environment—Schedule Delays		[−40,000]
148	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	5,428	5,428
149	0207438F	THEATER BATTLE MANAGEMENT (TBM) C4I	15,528	15,528
150	0207444F	TACTICAL AIR CONTROL PARTY-MOD	15,978	9,678
		VCS—Program Termination and Restructure		[−4,300]
		JETS Contract Delays		[−2,000]
151	0207445F	FIGHTER TACTICAL DATA LINK	0	0
152	0207448F	C2ISR TACTICAL DATA LINK	1,536	1,536
153	0207449F	COMMAND AND CONTROL (C2) CONSTELLATION	18,102	18,102
154	0207581F	JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM (JSTARS).	121,610	88,610
		Unjustified Request Based on Program Restructure		[−33,000]
155	0207590F	SEEK EAGLE	18,599	18,599
156	0207601F	USAF MODELING AND SIMULATION	23,091	23,091

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157	0207605F	WARGAMING AND SIMULATION CENTERS	5,779	5,779
158	0207697F	DISTRIBUTED TRAINING AND EXERCISES	5,264	3,264
		Unjustified growth		[-2,000]
159	0208006F	MISSION PLANNING SYSTEMS	69,918	63,418
		CAF Increment IV--Critical Change Delay		[-6,500]
160	0208021F	INFORMATION WARFARE SUPPORT	2,322	2,322
161	0208059F	CYBER COMMAND ACTIVITIES	702	702
168	0301400F	SPACE SUPERIORITY INTELLIGENCE	11,866	8,866
		Program underexecution due to schedule delays		[-3,000]
169	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	5,845	5,845
170	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	43,811	43,811
171	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	101,788	92,788
		Delay due to protest		[-9,000]
172	0303141F	GLOBAL COMBAT SUPPORT SYSTEM	449	449
173	0303150F	GLOBAL COMMAND AND CONTROL SYSTEM	3,854	3,854
174	0303158F	JOINT COMMAND AND CONTROL PROGRAM (JC2)	0	0
175	0303601F	MILSATCOM TERMINALS	238,729	188,729
		Transfer to FAB-T alternative line 175a		[-50,000]
175a	0303601F	FAB-T ALTERNATIVE	0	50,000
		Transfer from FAB-T line 175		[50,000]
177	0304260F	AIRBORNE SIGINT ENTERPRISE	121,748	108,248
		Contract/Program Delays		[-13,500]
180	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,604	4,604
181	0305103F	CYBER SECURITY INITIATIVE	2,026	2,026
182	0305105F	DOD CYBER CRIME CENTER	282	282
183	0305110F	SATELLITE CONTROL NETWORK (SPACE)	18,337	18,337
184	0305111F	WEATHER SERVICE	31,084	31,084
185	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCAL8)	63,367	9,867
		D--RAPCON Contract Delay		[-53,500]
186	0305116F	AERIAL TARGETS	50,620	45,620
		QF--16--Excess to Need		[-5,000]
189	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	366	366
190	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	39	39
191	0305159F	ENTERPRISE QUERY & CORRELATION	0	10,000
		Enterprise query & correlation		[20,000]
		Classified Adjustment		[-10,000]
192	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	133,601	42,601
		Contract delay		[-91,000]
193	0305165F	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS)	17,893	17,893
195	0305173F	SPACE AND MISSILE TEST AND EVALUATION CENTER	196,254	196,254
196	0305174F	SPACE INNOVATION AND DEVELOPMENT CENTER	2,961	2,961
197	0305182F	SPACELIFT RANGE SYSTEM (SPACE)	9,940	9,940
198	0305193F	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	1,271	1,271
199	0305202F	DRAGON U-2	0	0
200	0305205F	ENDURANCE UNMANNED AERIAL VEHICLES	52,425	15,925
		Funded via reprogramming action		[-6,500]
		Program reduction		[-30,000]
201	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	106,877	99,677
		Unjustified request		[-7,200]
202	0305207F	MANNED RECONNAISSANCE SYSTEMS	13,049	13,049
203	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	90,724	85,724
		Contract delays		[-5,000]
204	0305219F	MQ-1 PREDATOR A UAV	14,112	11,642
		Common Sensor Payload--Ahead of Need		[-2,470]
205	0305220F	RQ-4 UAV	423,462	383,462
		Contract delays		[-40,000]
206	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	7,348	7,348
207	0305265F	GPS III SPACE SEGMENT	463,081	463,081
208	0305614F	JSPC MISSION SYSTEM	118,950	83,950
		JMS program restructure		[-35,000]
209	0305887F	INTELLIGENCE SUPPORT TO INFORMATION WARFARE	14,736	14,736
210	0305913F	NUDET DETECTION SYSTEM (SPACE)	81,989	81,989
211	0305924F	NATIONAL SECURITY SPACE OFFICE	0	0
212	0305940F	SPACE SITUATION AWARENESS OPERATIONS	31,956	31,956
213	0307141F	INFORMATION OPERATIONS TECHNOLOGY INTEGRATION & TOOL DEVELOPMENT	23,931	23,931
214	0308699F	SHARED EARLY WARNING (SEW)	1,663	1,663
215	0401115F	C-130 AIRLIFT SQUADRON	24,509	6,509
		Contract Delays		[-18,000]
216	0401119F	C-5 AIRLIFT SQUADRONS (IF)	24,941	12,941
		RERP Program Rephased		[-12,000]
217	0401130F	C-17 AIRCRAFT (IF)	128,169	94,269
		Contract Delays		[-33,900]
218	0401132F	C-130J PROGRAM	39,537	39,537

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219	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCIM)	7,438	7,438
220	0401139F	LIGHT MOBILITY AIRCRAFT (LIMA)	1,308	0
		Funded in Public Law 112-10		[-1,308]
221	0401218F	KC-135S	6,161	6,161
222	0401219F	KC-10S	30,868	30,868
223	0401314F	OPERATIONAL SUPPORT AIRLIFT	82,591	37,591
		VC-25A-Funding Ahead of Need		[-45,000]
224	0401315F	C-STOL AIRCRAFT	0	0
225	0408011F	SPECIAL TACTICS / COMBAT CONTROL	7,118	5,218
		Line of Sight-Contract Delay		[-1,900]
226	0702207F	DEPOT MAINTENANCE (NON-IF)	1,531	1,531
227	0702976F	FACILITIES RESTORATION & MODERNIZATION-LOGISTICS	0	0
228	0708012F	LOGISTICS SUPPORT ACTIVITIES	944	944
229	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	140,284	140,284
230	0708611F	SUPPORT SYSTEMS DEVELOPMENT	10,990	10,990
231	0801711F	RECRUITING ACTIVITIES	0	0
232	0804743F	OTHER FLIGHT TRAINING	322	322
233	0804757F	JOINT NATIONAL TRAINING CENTER	11	11
234	0804772F	TRAINING DEVELOPMENTS	0	0
235	0808716F	OTHER PERSONNEL ACTIVITIES	113	113
236	0901202F	JOINT PERSONNEL RECOVERY AGENCY	2,483	2,483
237	0901218F	CIVILIAN COMPENSATION PROGRAM	1,508	1,508
238	0901220F	PERSONNEL ADMINISTRATION	8,041	1,041
		Contract Delays		[-7,000]
239	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	928	928
240	0901279F	FACILITIES OPERATION-ADMINISTRATIVE	12,118	12,118
241	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOP- MENT.	101,317	76,317
		DEAMS-Excess to Requirement		[-25,000]
242	0902998F	MANAGEMENT HQ-ADP SUPPORT (AF)	299	299
242A	9999999999	CLASSIFIED PROGRAMS	12,063,140	11,829,329
		Classified Adjustment		[-233,811]
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, AIR FORCE.			18,573,266	17,318,853
TOTAL, RDT&E AIR FORCE			27,737,701	26,183,332
RESEARCH, DEVELOPMENT, TEST & EVAL, DW				
BASIC RESEARCH, DW				
1	0601000BR	DTRA BASIC RESEARCH INITIATIVE	47,737	47,737
2	0601101E	DEFENSE RESEARCH SCIENCES	290,773	290,773
3	0601110D8Z	BASIC RESEARCH INITIATIVES	14,731	14,731
4	0601111D8Z	GOVERNMENT/INDUSTRY COSPONSORSHIP OF UNIVERSITY RESEARCH.	0	0
5	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	37,870	37,870
6	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	101,591	86,591
		Program Decrease		[-15,000]
7	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	52,617	52,617
TOTAL, BASIC RESEARCH, DW			545,319	530,319
APPLIED RESEARCH, DW				
8	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	21,592	20,592
		Excessive growth		[-1,000]
9	0602115E	BIOMEDICAL TECHNOLOGY	110,000	110,000
10	0602228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU) SCIENCE.	0	0
11	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	37,916	37,916
12	0602250D8Z	SYSTEMS 2020 APPLIED RESEARCH	4,381	4,381
13	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	400,499	400,499
14	0602304E	COGNITIVE COMPUTING SYSTEMS	49,365	49,365
15	0602305E	MACHINE INTELLIGENCE	61,351	61,351
16	0602383E	BIOLOGICAL WARFARE DEFENSE	30,421	30,421
17	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	219,873	219,873
18	0602663D8Z	DATA TO DECISIONS APPLIED RESEARCH	9,235	5,235
		Program Decrease		[-4,000]
19	0602668D8Z	CYBER SECURITY RESEARCH	9,735	4,735
		Program Decrease		[-5,000]
20	0602670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APPLIED RESEARCH.	14,923	10,923
		Excessive growth		[-4,000]
21	0602702E	TACTICAL TECHNOLOGY	206,422	206,422
22	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	237,837	237,837
23	0602716E	ELECTRONICS TECHNOLOGY	215,178	215,178

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24	0602718BR	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES ... Due to slow execution	196,954	186,501 [−10,453]
25	1160401BB	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT	26,591	26,591
26	1160407BB	SOF MEDICAL TECHNOLOGY DEVELOPMENT	0	0
TOTAL, APPLIED RESEARCH, DW			1,852,273	1,827,820
ADVANCED TECHNOLOGY DEVELOPMENT (ATD), DW				
27	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	24,771	20,271 [−4,500]
28	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	45,028	45,028
29	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	77,019	77,019
30	0603160BR	COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT. Due to slow execution	283,073	271,123 [−11,950]
31	0603175C	BALLISTIC MISSILE DEFENSE TECHNOLOGY	75,003	75,003
32	0603200D8Z	JOINT ADVANCED CONCEPTS	7,903	7,903
33	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	20,372	20,372
34	0603250D8Z	SYSTEMS 2020 ADVANCED TECHNOLOGY DEVELOPMENT	4,381	4,381
35	0603264S	AGILE TRANSPORTATION FOR THE 21ST CENTURY (AT21)— THEATER CAPABILITY. SPECIAL PROGRAM—MDA TECHNOLOGY	998	998
36	0603274C	ADVANCED AEROSPACE SYSTEMS	61,458	61,458
37	0603286E	SPACE PROGRAMS AND TECHNOLOGY	98,878	98,878
38	0603287E	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—AD- VANCED DEVELOPMENT.	97,541	97,541
39	0603384BP	JOINT ELECTRONIC ADVANCED TECHNOLOGY	229,235	229,235
40	0603618D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	7,287	7,287
41	0603648D8Z	Program Decrease- Unjustified growth	187,707	177,707 [−10,000]
42	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	23,890	23,890
43	0603663D8Z	DATA TO DECISIONS ADVANCED TECHNOLOGY DEVELOP- MENT. Program Decrease	9,235	5,235 [−4,000]
44	0603665D8Z	BIOMETRICS SCIENCE AND TECHNOLOGY	10,762	10,762
45	0603668D8Z	CYBER SECURITY ADVANCED RESEARCH	10,709	5,709 [−5,000]
46	0603670D8Z	Program Decrease HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADVANCED DEVELOPMENT. Excessive growth	18,179	14,179 [−4,000]
47	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECH- NOLOGY PROGRAM. Program Increase- Industrial Base Innovation Fund program	17,888	47,888 [30,000]
48	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT	26,972	13,972 [2,000]
49	0603711D8Z	Cargo airship demonstration	9,756	9,756 [−15,000]
50	0603712S	Pelican	23,887	23,887
51	0603713S	JOINT ROBOTICS PROGRAM/AUTONOMOUS SYSTEMS	41,976	35,976 [−6,000]
52	0603716D8Z	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS ... Excessive growth	23,887	23,887 [−6,000]
53	0603720S	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECH- NOLOGY. STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	91,132	61,132 [−30,000]
54	0603727D8Z	Program reduction	10,547	10,547
55	0603739E	JOINT WARFIGHTING PROGRAM	160,286	160,286
56	0603745D8Z	ADVANCED ELECTRONICS TECHNOLOGIES	0	0
57	0603755D8Z	SYNTHETIC APERTURE RADAR (SAR) COHERENT CHANGE DETECTION (CDD). HIGH PERFORMANCE COMPUTING MODERNIZATION PRO- GRAM.	0	0
58	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	296,537	296,537
59	0603765E	CLASSIFIED DARPA PROGRAMS	107,226	107,226
60	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	235,245	235,245
61	0603767E	SENSOR TECHNOLOGY	271,802	271,802
61A	0604775D8Z	DEFENSE RAPID INNOVATION PROGRAM	0	200,000 [200,000]
62	0603768E	Program Increase GUIDANCE TECHNOLOGY	0	0
63	0603769SE	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOP- MENT. SOFTWARE ENGINEERING INSTITUTE	13,579	13,579
64	0603781D8Z	QUICK REACTION SPECIAL PROJECTS	30,424	30,424
65	0603826D8Z	Program Decrease JOINT EXPERIMENTATION	89,925	79,925 [−10,000]
66	0603828D8Z	Program adjustment	58,130	48,130 [−10,000]
67	0603832D8Z	DOD MODELING AND SIMULATION MANAGEMENT OFFICE	37,029	31,029 [−6,000]
68	0603901C	Program Decrease DIRECTED ENERGY RESEARCH	96,329	36,329 [−60,000]
		Program Decrease—ALTB		

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Line	Program Element	Item	FY 2012 Request	Senate Authorized
69	0603902C	NEXT GENERATION AEGIS MISSILE	123,456	123,456
70	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	99,593	99,593
71	0603942D8Z	TECHNOLOGY TRANSFER	0	0
		Program Increase- Technology Transition Initiative		[10,000]
		Technology Transition Initiative		[-10,000]
72	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	20,444	20,444
73	0303310D8Z	CWMD SYSTEMS	7,788	7,788
74	1160402BB	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT. Excess to need	35,242	30,242
				[-5,000]
75	1160422BB	AVIATION ENGINEERING ANALYSIS	837	837
76	1160472BB	SOF INFORMATION AND BROADCAST SYSTEMS ADVANCED TECHNOLOGY.	4,924	4,924
TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT (ATD), DW.			3,270,792	3,321,342
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, DW				
77	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P.	36,798	36,798
78	0603527D8Z	RETRACT LARCH	21,040	21,040
79	0603600D8Z	WALKOFF	112,142	112,142
80	0603709D8Z	JOINT ROBOTICS PROGRAM	11,129	11,129
81	0603714D8Z	ADVANCED SENSOR APPLICATIONS PROGRAM	18,408	18,408
82	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM.	63,606	63,606
83	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT THAAD production improvements	290,452	310,452
				[20,000]
84	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT.	1,161,001	1,161,001
85	0603883C	BALLISTIC MISSILE DEFENSE BOOST DEFENSE SEGMENT	0	0
86	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	261,143	234,155
		JPID program restructure		[-13,988]
		INATS schedule delays		[-13,000]
87	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	222,374	222,374
88	0603888C	BALLISTIC MISSILE DEFENSE TEST & TARGETS	1,071,039	1,022,039
		Program Decrease—Excess funds		[-40,000]
		Excess to need		[-9,000]
89	0603890C	BMD ENABLING PROGRAMS	373,563	373,563
90	0603891C	SPECIAL PROGRAMS—MDA	296,554	296,554
91	0603892C	AEGIS BMD	960,267	1,250,267
		SM-3 Block IB production improvements		[30,000]
		Transfer from procurement to correct test failures		[260,000]
92	0603893C	SPACE TRACKING & SURVEILLANCE SYSTEM	96,353	96,353
93	0603895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	7,951	7,951
94	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	364,103	364,103
95	0603897C	BALLISTIC MISSILE DEFENSE HERCULES	0	0
96	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	41,225	41,225
97	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC).	69,325	69,325
98	0603906C	REGARDING TRENCH	15,797	15,797
99	0603907C	SEA BASED X-BAND RADAR (SBX)	177,058	157,058
		Program Decrease—Excess funds		[-20,000]
100	0603911C	BMD EUROPEAN CAPABILITY	0	0
101	0603913C	ISRAELI COOPERATIVE PROGRAMS	106,100	156,100
		David's Sling development		[25,000]
		Arrow System Improvement Program		[20,000]
		Arrow-3 interceptor development		[5,000]
102	0603920D8Z	HUMANITARIAN DEMINING	14,996	14,996
103	0603923D8Z	COALITION WARFARE	12,743	12,743
104	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,221	35,321
		Program increase—funding shortfall		[32,100]
105	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT.	25,120	25,120
106	0604648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	0	0
107	0604670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RESEARCH AND ENGINEERING.	10,309	8,309
		Program Decrease		[-2,000]
108	0604787D8Z	JOINT SYSTEMS INTEGRATION COMMAND (JSIC)	13,024	8,024
		Program Decrease		[-5,000]
109	0604828D8Z	JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM	9,290	9,290
110	0604880C	LAND-BASED SM-3 (LBSM3)	306,595	306,595
111	0604881C	AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT	424,454	444,454
		Program Increase- software Integration		[20,000]
112	0604883C	PRECISION TRACKING SPACE SENSOR RDT&E	160,818	160,818
113	0604884C	AIRBORNE INFRARED (ABIR)	46,877	46,877

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Line	Program Element	Item	FY 2012 Request	Senate Authorized
114	0605017D8Z	REDUCTION OF TOTAL OWNERSHIP COST	0	0
115	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	3,358	3,358
TOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, DW.			6,808,233	7,117,345
SYSTEM DEVELOPMENT AND DEMONSTRATION (SDD), DW				
116	0604051D8Z	DEFENSE ACQUISITION CHALLENGE PROGRAM (DACP)	0	0
117	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD.	7,220	7,220
118	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	204,824	204,824
119	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	400,608	390,608
		Decontamination FOS delays		[-10,000]
120	0604709D8Z	JOINT ROBOTICS PROGRAM	2,782	2,782
121	0604764K	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	49,198	44,198
		Cyber threat discovery		[20,000]
		Program growth		[-25,000]
122	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS).	17,395	17,395
123	0605000BR	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES	5,888	5,285
		Due to slow execution		[-603]
124	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	12,228	12,228
125	0605018BTA	DEFENSE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (DIMHRS).	0	0
126	0605020BTA	BUSINESS TRANSFORMATION AGENCY R&D ACTIVITIES	0	0
127	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	389	389
128	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	1,929	1,929
129	0605027D8Z	OUS(D) IT DEVELOPMENT INITIATIVES	4,993	4,993
130	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION.	134,285	84,285
		Program Growth		[-50,000]
131	0605075D8Z	DCMO POLICY AND INTEGRATION	41,808	31,808
		Program Growth		[-10,000]
132	0605140D8Z	TRUSTED FOUNDRY	0	0
133	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	14,950	14,950
134	0605648D8Z	DEFENSE ACQUISITION EXECUTIVE (DAE) PILOT PROGRAM	0	0
135	0303141K	GLOBAL COMBAT SUPPORT SYSTEM	19,837	19,837
136	0807708D8Z	WOUNDED ILL AND INJURED SENIOR OVERSIGHT COMMITTEE (WI-SOC) STAFF OFFICE.	0	0
TOTAL, SYSTEM DEVELOPMENT AND DEMONSTRATION (SDD), DW.			918,334	842,731
RDT&E MANAGEMENT SUPPORT, DW				
137	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	6,658	6,658
138	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	4,731	4,731
139	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP).	140,231	140,231
140	0604942D8Z	ASSESSMENTS AND EVALUATIONS	2,757	2,757
141	0604943D8Z	THERMAL VICAR	7,827	7,827
142	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	10,479	10,479
143	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	34,213	28,213
		OSD recommendation due to underexecution		[-6,000]
144	0605110D8Z	USD(A&T)-CRITICAL TECHNOLOGY SUPPORT	1,486	1,486
145	0605117D8Z	FOREIGN MATERIAL ACQUISITION AND EXPLOITATION	64,524	64,524
146	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO).	79,859	61,490
		Underexecution		[-18,369]
147	0605128D8Z	CLASSIFIED PROGRAM USD(P)	0	0
148	0605130D8Z	FOREIGN COMPARATIVE TESTING	19,080	19,080
149	0605142D8Z	SYSTEMS ENGINEERING	41,884	41,884
150	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	4,261	4,261
151	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	9,437	9,437
152	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	6,549	6,549
153	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	92,806	92,806
154	0605502BP	SMALL BUSINESS INNOVATIVE RESEARCH—CHEMICAL BIOLOGICAL DEF.	0	0
155	0605502BR	SMALL BUSINESS INNOVATION RESEARCH	0	0
156	0605502C	SMALL BUSINESS INNOVATIVE RESEARCH—MDA	0	0
157	0605502D8Z	SMALL BUSINESS INNOVATIVE RESEARCH	0	0
158	0605502E	SMALL BUSINESS INNOVATIVE RESEARCH	0	0
159	0605502S	SMALL BUSINESS INNOVATIVE RESEARCH	0	0
160	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER (S.	1,924	1,924
161	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	16,135	16,135
162	0605799D8Z	EMERGING CAPABILITIES	0	0
163	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	56,269	52,269

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Line	Program Element	Item	FY 2012 Request	Senate Authorized
		<i>Program Decrease</i>		[−4,000]
164	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION.	49,810	49,810
165	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	15,805	20,805
		<i>Program Increase</i>		[5,000]
166	0605897E	DARPA AGENCY RELOCATION	1,000	1,000
167	0605898E	MANAGEMENT HQ—R&D	66,689	66,689
168	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	4,528	4,528
169	0606301D8Z	AVIATION SAFETY TECHNOLOGIES	6,925	6,925
170	0203345D8Z	OPERATIONS SECURITY (OPSEC)	1,777	1,777
171	0204571J	JOINT STAFF ANALYTICAL SUPPORT	18	18
174	0303166D8Z	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	12,209	12,209
175	0303169D8Z	INFORMATION TECHNOLOGY RAPID ACQUISITION	4,288	4,288
176	0305103E	CYBER SECURITY INITIATIVE	10,000	5,000
		<i>Execution delays</i>		[−5,000]
177	0305193D8Z	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	15,002	15,002
179	0305400D8Z	WARFIGHTING AND INTELLIGENCE-RELATED SUPPORT	861	861
180	0804767D8Z	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2).	59,958	59,958
181	0901585C	PENTAGON RESERVATION	0	0
182	0901598C	MANAGEMENT HQ—MDA	28,908	28,908
183	0901598D8W	IT SOFTWARE DEV INITIATIVES	167	167
184A	9999999999	CLASSIFIED PROGRAMS	82,627	82,627
		TOTAL, RDT&E MANAGEMENT SUPPORT, DW	961,682	933,313
		OPERATIONAL SYSTEMS DEVELOPMENT, DW		
185	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	8,706	8,706
186	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA.	2,165	2,165
187	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS).	288	288
188	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT).	15,956	15,956
189	0607828D8Z	JOINT INTEGRATION AND INTEROPERABILITY	29,880	29,880
190	0208043J	CLASSIFIED PROGRAMS	2,402	2,402
191	0208045K	C4I INTEROPERABILITY	72,403	72,403
193	0301144K	JOINT/ALLIED COALITION INFORMATION SHARING	7,093	7,093
200	0302016K	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	481	481
201	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION.	8,366	18,366
		<i>Cybersecurity pilots</i>		[20,000]
		<i>Cybersecurity pilots</i>		[−10,000]
202	0303126K	LONG-HAUL COMMUNICATIONS—DCS	11,324	11,324
203	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	12,514	12,514
204	0303135G	PUBLIC KEY INFRASTRUCTURE (PKI)	6,548	6,548
205	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	33,751	33,751
206	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	11,753	11,753
207	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	348,593	351,593
		<i>File sanitization tool (FiST)</i>		[3,000]
208	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM	5,500	5,500
209	0303148K	DISA MISSION SUPPORT OPERATIONS	0	0
210	0303149J	C4I FOR THE WARRIOR	0	0
211	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	54,739	54,739
212	0303153K	DEFENSE SPECTRUM ORGANIZATION	29,154	29,154
213	0303170K	NET-CENTRIC ENTERPRISE SERVICES (NCES)	1,830	1,830
214	0303260D8Z	JOINT MILITARY DECEPTION INITIATIVE	1,241	1,241
215	0303610K	TELEPORT PROGRAM	6,418	6,418
217	0304210BB	SPECIAL APPLICATIONS FOR CONTINGENCIES	5,045	5,045
220	0305103D8Z	CYBER SECURITY INITIATIVE	411	411
222	0305103K	CYBER SECURITY INITIATIVE	4,341	4,341
223	0305125D8Z	CRITICAL INFRASTRUCTURE PROTECTION (CIP)	13,008	13,008
227	0305186D8Z	POLICY R&D PROGRAMS	6,603	2,892
		<i>OSD recommendation due to underexecution</i>		[−3,711]
229	0305199D8Z	NET CENTRICITY	14,926	11,693
		<i>OSD recommendation due to underexecution</i>		[−3,233]
232	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	4,303	4,303
235	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,154	3,154
237	0305219BB	MQ−1 PREDATOR A UAV	2,499	2,499
239	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,660	2,660
240	0305600D8Z	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES.	1,444	1,444
248	07080118	INDUSTRIAL PREPAREDNESS	23,103	23,103
249	07080128	LOGISTICS SUPPORT ACTIVITIES	2,466	2,466
250	0902298J	MANAGEMENT HEADQUARTERS (JCS)	2,730	2,730
251	1001018D8Z	NATO AGS	0	0

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
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Line	Program Element	Item	FY 2012 Request	Senate Authorized
252	1105219BB	MQ-9 UAV	2,499	2,499
253	1105232BB	RQ-11 UAV	3,000	3,000
254	1105233BB	RQ-7 UAV	450	450
255	1160279BB	SMALL BUSINESS INNOVATIVE RESEARCH/SMALL BUS TECH TRANSFER PILOT PROG.	0	0
256	1160403BB	SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEVEL- OPMENT.	89,382	89,382
257	1160404BB	SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT	799	799
258	1160405BB	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOP- MENT.	27,916	27,916
259	1160408BB	SOF OPERATIONAL ENHANCEMENTS	60,915	60,915
260	1160421BB	SPECIAL OPERATIONS CV-22 DEVELOPMENT	10,775	10,775
261	1160423BB	JOINT MULTI-MISSION SUBMERSIBLE	0	0
262	1160426BB	OPERATIONS ADVANCED SEAL DELIVERY SYSTEM (ASDS) DE- VELOPMENT.	0	0
263	1160427BB	MISSION TRAINING AND PREPARATION SYSTEMS (MTPS)	4,617	4,617
264	1160428BB	UNMANNED VEHICLES (UV)	0	0
265	1160429BB	AC/MC-130J	18,571	18,571
266	1160474BB	SOF COMMUNICATIONS EQUIPMENT AND ELECTRONICS SYS- TEMS.	1,392	1,392
267	1160476BB	SOF TACTICAL RADIO SYSTEMS	0	0
268	1160477BB	SOF WEAPONS SYSTEMS	2,610	2,610
269	1160478BB	SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS	2,971	2,971
270	1160479BB	SOF VISUAL AUGMENTATION, LASERS AND SENSOR SYSTEMS	3,000	3,000
271	1160480BB	SOF TACTICAL VEHICLES	3,522	3,522
272	1160481BB	SOF MUNITIONS	1,500	1,500
273	1160482BB	SOF ROTARY WING AVIATION	51,123	51,123
274	1160483BB	SOF UNDERWATER SYSTEMS	92,424	92,424
275	1160484BB	SOF SURFACE CRAFT	14,475	14,475
276	1160488BB	SOF MILITARY INFORMATION SUPPORT OPERATIONS	2,990	2,990
277	1160489BB	SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES	8,923	8,923
278	1160490BB	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE	9,473	9,473
278A	9999999999	CLASSIFIED PROGRAMS	4,227,920	4,263,700
		Classified Adjustment		[35,780]
		TOTAL OPERATIONAL SYSTEMS DEVELOPMENT, DW ..	5,399,045	5,440,881
		DARPA--UNDISTRIBUTED	0	-200,000
		Undistributed reduction--Underexecution		[-150,000]
		Undistributed reduction--additional unrestricted cut to DARPA topline.		[-50,000]
		TOTAL, RDT&E DW	19,755,678	19,813,751
		OPERATIONAL TEST & EVAL, DEFENSE		
1	0605118OTE	OPERATIONAL TEST AND EVALUATION	60,444	60,444
2	0605131OTE	LIVE FIRE TEST AND EVALUATION	12,126	12,126
3	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	118,722	118,722
		TOTAL, OPERATIONAL TEST & EVAL, DEFENSE	191,292	191,292
		TOTAL RDT&E	75,325,082	71,840,593

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)				
Line	Program Element	Item	FY 2012 Request	Senate Authorized
RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY				
RDT&E MANAGEMENT SUPPORT, ARMY				
140	0605601A	ARMY TEST RANGES AND FACILITIES	8,513	8,513
TOTAL, RDT&E MANAGEMENT SUPPORT, ARMY			8,513	8,513
TOTAL, RDT&E ARMY			8,513	8,513
RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY				
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, NAVY				
54	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	1,500	1,500
TOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, NAVY.			1,500	1,500
SYSTEM DEVELOPMENT & DEMONSTRATION, NAVY				
97	0604270N	ELECTRONIC WARFARE DEVELOPMENT	5,600	5,600
119	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	3,500	3,500
126	0604771N	MEDICAL DEVELOPMENT	1,950	1,950
TOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, NAVY.			11,050	11,050
OPERATIONAL SYSTEMS DEVELOPMENT, NAVY				
172	0204136N	F/A-18 SQUADRONS	2,000	2,000
189	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	1,500	1,500
192	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	4,050	4,050
216	0305231N	MQ-8 UAV	0	104,600
ECP for SOCOM urgent needs statement—transfer from Title II				[104,600]
227A	9999999999	CLASSIFIED PROGRAMS	33,784	33,784
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, NAVY ...			41,334	145,934
TOTAL, RDT&E NAVY			53,884	158,484
RESEARCH, DEVELOPMENT, TEST & EVAL, AIR FORCE				
OPERATIONAL SYSTEMS DEVELOPMENT, AIR FORCE				
200	0305205F	ENDURANCE UNMANNED AERIAL VEHICLES	73,000	58,000
Blue Devil ARGUS Sensors—Already Funded Through Reprogramming Actions.				[–15,000]
242A	9999999999	CLASSIFIED PROGRAMS	69,000	69,000
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, AIR FORCE.			142,000	127,000
TOTAL, RDT&E AIR FORCE			142,000	127,000
RESEARCH, DEVELOPMENT, TEST & EVAL, DW				
RDT&E MANAGEMENT SUPPORT, DW				
152	0605200DSZ	GENERAL SUPPORT TO USD (INTELLIGENCE)	9,200	9,200
TOTAL, RDT&E MANAGEMENT SUPPORT, DW			9,200	9,200
OPERATIONAL SYSTEMS DEVELOPMENT, DW				
202	0303126K	LONG-HAUL COMMUNICATIONS—DCS	10,500	10,500
207	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	32,850	32,850
211	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	2,000	2,000
254	1105233BB	RQ-7 UAV	2,450	2,450
278A	9999999999	CLASSIFIED PROGRAMS	135,361	120,581
Classified Adjustment				[–14,780]
TOTAL OPERATIONAL SYSTEMS DEVELOPMENT, DW			183,161	168,381
TOTAL, RDT&E DW			192,361	177,581
TOTAL RDT&E			396,758	471,578

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2012 Request	Senate Authorized
OPERATION & MAINTENANCE, ARMY			
BA 01: OPERATING FORCES			
010	MANEUVER UNITS	1,399,804	1,249,071
	Transfer to OCO: MRAP Vehicle Sustainment.		[−2,539]
	Transfer to OCO: Theater Demand Reduction.		[−148,194]
020	MODULAR SUPPORT BRIGADES	104,629	102,347
	Transfer to OCO: Theater Demand Reduction.		[−2,282]
030	ECHELONS ABOVE BRIGADE	815,920	815,920
040	THEATER LEVEL ASSETS	825,587	796,595
	Transfer to OCO: Theater Demand Reduction.		[−18,692]
	Transfer to OCO: UAS--Gray Eagle Satellite Service.		[−10,300]
050	LAND FORCES OPERATIONS SUPPORT	1,245,231	1,199,827
	Transfer to OCO: MRAP Vehicle Sustainment at Combat Training Centers.		[−6,420]
	Transfer to OCO: National Training Center Tier Two Level Main- tenance Contract.		[−24,000]
	Transfer to OCO: Theater Demand Reduction.		[−14,984]
060	AVIATION ASSETS	1,199,340	1,137,835
	Transfer to OCO: Theater Demand Reduction.		[−61,505]
070	FORCE READINESS OPERATIONS SUPPORT	2,939,455	2,847,795
	FOB Baseline Not Taken into Account in Requested Program Growth.		[−20,000]
	Transfer to OCO: Body Armor Sustainment.		[−71,660]
080	LAND FORCES SYSTEMS READINESS	451,228	431,228
	Deny Requested Growth for Civilian and Contractor Positions.		[−20,000]
090	LAND FORCES DEPOT MAINTENANCE	1,179,675	1,179,675
100	BASE OPERATIONS SUPPORT	7,637,052	7,329,552
	Budget Justification Does Not Match Summary of Price and Pro- gram Changes for Utilities.		[−37,500]
	Removal of FY11 Costs Budgeted for Detainee Operations (Full FY12 Requirement Funded in OCO).		[−70,000]
	Transfer to OCO: Overseas Security Guards.		[−200,000]
110	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZA- TION	2,495,667	2,495,667
120	MANAGEMENT AND OPERATIONAL HQ	397,952	397,952
130	COMBATANT COMMANDERS CORE OPERATIONS	171,179	171,179
140	ADDITIONAL ACTIVITIES	0	0
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	0	0
160	RESET	0	0
170	COMBATANT COMMANDERS ANCILLARY MISSIONS	459,585	459,585
	TOTAL, BA 01: OPERATING FORCES	21,322,304	20,614,228
BA 02: MOBILIZATION			
180	STRATEGIC MOBILITY	390,394	390,394
190	ARMY PREPOSITIONING STOCKS	169,535	169,535
200	INDUSTRIAL PREPAREDNESS	6,675	6,675
	TOTAL, BA 02: MOBILIZATION	566,604	566,604
BA 03: TRAINING AND RECRUITING			
210	OFFICER ACQUISITION	113,262	113,262
220	RECRUIT TRAINING	71,012	71,012
230	ONE STATION UNIT TRAINING	49,275	49,275
240	SENIOR RESERVE OFFICERS TRAINING CORPS	417,071	417,071
250	SPECIALIZED SKILL TRAINING	1,045,948	1,045,948
260	FLIGHT TRAINING	1,083,808	1,083,808
270	PROFESSIONAL DEVELOPMENT EDUCATION	191,073	191,073
280	TRAINING SUPPORT	607,896	607,896
290	RECRUITING AND ADVERTISING	523,501	523,501
300	EXAMINING	139,159	139,159

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
310	OFF-DUTY AND VOLUNTARY EDUCATION	238,978	238,978
320	CIVILIAN EDUCATION AND TRAINING	221,156	221,156
330	JUNIOR ROTC	170,889	170,889
	TOTAL, BA 03: TRAINING AND RECRUITING	4,873,028	4,873,028
	BA 04: ADMIN & SRVWIDE ACTIVITIES		
340	SECURITY PROGRAMS	995,161	995,161
350	SERVICEWIDE TRANSPORTATION	524,334	524,334
360	CENTRAL SUPPLY ACTIVITIES	705,668	705,668
370	LOGISTIC SUPPORT ACTIVITIES	484,075	484,075
380	AMMUNITION MANAGEMENT	457,741	387,741
	Requested Growth Unjustified by Metrics Provided in Performance Criteria.		[-70,000]
390	ADMINISTRATION	775,313	775,313
400	SERVICEWIDE COMMUNICATIONS	1,534,706	1,504,706
	Budget Justification Does Not Match Summary of Price and Pro- gram Changes for DISA.		[-30,000]
410	MANPOWER MANAGEMENT	316,924	316,924
420	OTHER PERSONNEL SUPPORT	214,356	214,356
430	OTHER SERVICE SUPPORT	1,093,877	1,033,877
	Unjustified program growth-Joint DOD Support		[-5,000]
	Unjustified program growth-PA Strategic Communications		[-5,000]
	Budget Justification Does Not Match Summary of Price and Pro- gram Changes for DFAS.		[-50,000]
440	ARMY CLAIMS ACTIVITIES	216,621	216,621
450	REAL ESTATE MANAGEMENT	180,717	157,813
	Budget Justification Does Not Match Summary of Price and Pro- gram Changes for the Pentagon Reservation Maintenance Re- volving Fund.		[-10,000]
	BA-4 Adjustment for Defense Efficiency—Civilian Staffing Reduc- tion.		[-12,904]
460	SUPPORT OF NATO OPERATIONS	449,901	449,901
470	MISC. SUPPORT OF OTHER NATIONS	23,886	23,886
	TOTAL, BA 04: ADMIN & SRVWIDE ACTIVITIES	6,978,119	6,795,215
	UNDISTRIBUTED		
480	UNDISTRIBUTED		-3,942,465
	Reduction in funding for contract services		[-121,700]
	Reduction in funding for DoD business systems		[-46,000]
	Management efficiencies in the military intelligence program		[-29,900]
	Unobligated balances		[-275,000]
	Adjustment for Defense Efficiency—Civilian Staffing Reduction. ...		[-166,365]
	Transfer to OCO: Readiness and Depot Maintenance (BA-1 Un- distributed).		[-3,000,000]
	Printing & Reproduction (10% cut)—Efficiency.		[-10,600]
	Studies, Analysis & Evaluations (10% cut)—Efficiency.		[-1,400]
	Decrease in OPTEMPO as cited by Army.		[-291,500]
999	CLASSIFIED		1,600
	Classified adjustment		[1,600]
	TOTAL, OPERATION & MAINTENANCE, ARMY	34,735,216	29,903,371
	OPERATION & MAINTENANCE, ARMY RES		
	BA 01: OPERATING FORCES		
010	MANEUVER UNITS	1,091	1,091
020	MODULAR SUPPORT BRIGADES	18,129	18,129
030	ECHELONS ABOVE BRIGADE	492,705	492,705
040	THEATER LEVEL ASSETS	137,304	137,304
050	LAND FORCES OPERATIONS SUPPORT	597,786	597,786
060	AVIATION ASSETS	67,366	67,366
070	FORCE READINESS OPERATIONS SUPPORT	474,966	474,966
080	LAND FORCES SYSTEMS READINESS	69,841	69,841
090	LAND FORCES DEPOT MAINTENANCE	247,010	247,010
100	BASE OPERATIONS SUPPORT	590,078	583,078
	Reduction in Payments to the GSA for Standard Level Service Charges Not Properly Accounted for in Budget Documentation.		[-7,000]
110	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZA- TION	255,618	255,618
120	ADDITIONAL ACTIVITIES	0	0

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
	UNDISTRIBUTED		-91,000
	Decrease in OPTEMPO as cited by Army.		[-87,000]
	Deny Increase Budgeted for FY12 Price Growth for Civilian Com- pensation.		[-4,000]
	TOTAL, BA 01: OPERATING FORCES	2,951,894	2,853,894
	BA 02: ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION	14,447	14,447
140	ADMINISTRATION	76,393	76,393
150	SERVICEWIDE COMMUNICATIONS	3,844	3,844
160	MANPOWER MANAGEMENT	9,033	9,033
170	RECRUITING AND ADVERTISING	53,565	53,565
	TOTAL, BA 02: ADMIN & SRVWD ACTIVITIES	157,282	
	TOTAL, OPERATION & MAINTENANCE, ARMY RES ..	3,109,176	3,011,176
	OPERATION & MAINTENANCE, ARNG		
	BA 01: OPERATING FORCES		
010	MANEUVER UNITS	634,181	634,181
020	MODULAR SUPPORT BRIGADES	189,899	189,899
030	ECHELONS ABOVE BRIGADE	751,899	751,899
040	THEATER LEVEL ASSETS	112,971	112,971
050	LAND FORCES OPERATIONS SUPPORT	33,972	33,972
060	AVIATION ASSETS	854,048	854,048
070	FORCE READINESS OPERATIONS SUPPORT	706,299	706,299
080	LAND FORCES SYSTEMS READINESS	50,453	50,453
090	LAND FORCES DEPOT MAINTENANCE	646,608	646,608
100	BASE OPERATIONS SUPPORT	1,028,126	988,626
	Unjustified Growth for Travel.		[-25,000]
	Unjustified Growth for Utilities Based on Metrics Provided in Budget Documentation.		[-10,000]
	Unjustified Growth for Public Affairs.		[-4,500]
110	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZA- TION	618,513	618,513
120	MANAGEMENT AND OPERATIONAL HQ	792,575	787,575
	Army National Guard-Identified Excess.		[-5,000]
130	ADDITIONAL ACTIVITIES	0	0
	TOTAL, BA 01: OPERATING FORCES	6,419,544	6,375,044
	BA 04: ADMIN & SRVWD ACTIVITIES		
140	SERVICEWIDE TRANSPORTATION	11,703	11,703
150	ADMINISTRATION	178,655	178,655
160	SERVICEWIDE COMMUNICATIONS	42,073	42,073
170	MANPOWER MANAGEMENT	6,789	6,789
180	RECRUITING AND ADVERTISING	382,668	382,668
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	621,888	
	UNDISTRIBUTED		
190	UNDISTRIBUTED		-156,500
	Reduction in non-dual status technician limitation		[-20,000]
	Deny Increase Budgeted for FY12 Price Growth for Civilian Com- pensation.		[-11,000]
	Decrease in OPTEMPO as cited by Army.		[-125,500]
	TOTAL, OPERATION & MAINTENANCE, ARNG	7,041,432	6,840,432
	OPERATION & MAINTENANCE, NAVY		
	BA 01: OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	4,762,887	4,762,887
020	FLEET AIR TRAINING	1,771,644	1,771,644
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	46,321	46,321
040	AIR OPERATIONS AND SAFETY SUPPORT	104,751	104,751
050	AIR SYSTEMS SUPPORT	431,576	431,576
060	AIRCRAFT DEPOT MAINTENANCE	1,030,303	1,030,303
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	37,403	37,403
080	AVIATION LOGISTICS	238,007	238,007
090	MISSION AND OTHER SHIP OPERATIONS	3,820,186	3,820,186
100	SHIP OPERATIONS SUPPORT & TRAINING	734,866	734,866
110	SHIP DEPOT MAINTENANCE	4,972,609	4,972,609

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
120	SHIP DEPOT OPERATIONS SUPPORT	1,304,271	1,304,271
130	COMBAT COMMUNICATIONS	583,659	583,659
140	ELECTRONIC WARFARE	97,011	97,011
150	SPACE SYSTEMS AND SURVEILLANCE	162,303	137,303
	Budget Justification Does Not Match Summary of Price and Program Changes.		[-25,000]
160	WARFARE TACTICS	423,187	423,187
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	320,141	320,141
180	COMBAT SUPPORT FORCES	1,076,478	1,076,478
190	EQUIPMENT MAINTENANCE	187,037	187,037
200	DEPOT OPERATIONS SUPPORT	4,352	4,352
210	COMBATANT COMMANDERS CORE OPERATIONS	103,830	103,830
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	180,800	180,800
230	CRUISE MISSILE	125,333	125,333
240	FLEET BALLISTIC MISSILE	1,209,410	1,209,410
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	99,063	99,063
260	WEAPONS MAINTENANCE	450,454	450,454
270	OTHER WEAPON SYSTEMS SUPPORT	358,002	358,002
280	ENTERPRISE INFORMATION	971,189	971,189
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	1,946,779	1,946,779
300	BASE OPERATING SUPPORT	4,610,525	4,590,525
	Savings from In-sourcing Security Contractor Positions Not Properly Accounted for in Budget Documentation.		[-20,000]
	TOTAL, BA 01: OPERATING FORCES	32,164,377	32,119,377
	BA 02: MOBILIZATION		
310	SHIP PREPOSITIONING AND SURGE	493,326	493,326
320	AIRCRAFT ACTIVATIONS/INACTIVATIONS	6,228	6,228
330	SHIP ACTIVATIONS/INACTIVATIONS	205,898	205,898
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	68,634	68,634
350	INDUSTRIAL READINESS	2,684	2,684
360	COAST GUARD SUPPORT	25,192	25,192
	TOTAL, BA 02: MOBILIZATION	801,962	801,962
	BA 03: TRAINING AND RECRUITING		
370	OFFICER ACQUISITION	147,540	147,540
380	RECRUIT TRAINING	10,655	10,655
390	RESERVE OFFICERS TRAINING CORPS	151,147	151,147
400	SPECIALIZED SKILL TRAINING	594,799	594,799
410	FLIGHT TRAINING	9,034	9,034
420	PROFESSIONAL DEVELOPMENT EDUCATION	173,452	173,452
430	TRAINING SUPPORT	168,025	168,025
440	RECRUITING AND ADVERTISING	254,860	254,860
450	OFF-DUTY AND VOLUNTARY EDUCATION	140,279	140,279
460	CIVILIAN EDUCATION AND TRAINING	107,561	107,561
470	JUNIOR ROTC	52,689	52,689
	TOTAL, BA 03: TRAINING AND RECRUITING	1,810,041	1,810,041
	BA 04: ADMIN & SRVWD ACTIVITIES		
480	ADMINISTRATION	754,483	754,483
490	EXTERNAL RELATIONS	14,275	14,275
500	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	112,616	112,616
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	216,483	216,483
520	OTHER PERSONNEL SUPPORT	282,295	282,295
530	SERVICEWIDE COMMUNICATIONS	534,873	534,873
540	MEDICAL ACTIVITIES	0	0
550	SERVICEWIDE TRANSPORTATION	190,662	190,662
560	ENVIRONMENTAL PROGRAMS	0	0
570	PLANNING, ENGINEERING AND DESIGN	303,636	303,636
580	ACQUISITION AND PROGRAM MANAGEMENT	903,885	903,885
590	HULL, MECHANICAL AND ELECTRICAL SUPPORT	54,880	54,880
600	COMBAT/WEAPONS SYSTEMS	20,687	20,687
610	SPACE AND ELECTRONIC WARFARE SYSTEMS	68,374	68,374
620	NAVAL INVESTIGATIVE SERVICE	572,928	572,928
630	CONSOLIDATED CRYPTOLOGICAL PROGRAM	0	0
650	FOREIGN COUNTERINTELLIGENCE	0	0
680	INTERNATIONAL HEADQUARTERS AND AGENCIES	5,516	5,516
690	CANCELLED ACCOUNT ADJUSTMENTS	0	0
700	JUDGEMENT FUND	0	0
700A	CLASSIFIED PROGRAMS	552,715	546,715

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
	Classified adjustment		[-6,000]
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	4,588,308	4,582,308
	UNDISTRIBUTED		
710	UNDISTRIBUTED		-1,320,600
	Reduction in funding for contract services		[-122,800]
	Reduction in funding for DoD business systems		[-52,900]
	Management efficiencies in the military intelligence program		[-11,300]
	Unobligated balances		[-123,800]
	Transfer to OCO: Readiness and Depot Maintenance (BA-1 Un- distributed).		[-495,000]
	Deny FY12 Budget Price Growth for Civilian Personnel Com- pensation.		[-5,000]
	Printing & Reproduction (10% cut)—Efficiency.		[-7,100]
	Studies, Analysis & Evaluations (10% cut)—Efficiency.		[-2,700]
	Target area for reduction as cited by Navy.		[-500,000]
	TOTAL, OPERATION & MAINTENANCE, NAVY	39,364,688	37,993,088
	OPERATION & MAINTENANCE, MARINE CORPS		
	BA 01: OPERATING FORCES		
010	OPERATIONAL FORCES	715,196	715,196
020	FIELD LOGISTICS	677,608	677,608
030	DEPOT MAINTENANCE	190,713	78,713
	Transfer to OCO: Depot Maintenance.		[-112,000]
040	MARITIME PREPOSITIONING	101,464	101,464
050	NORWAY PREPOSITIONING	0	0
060	SUSTAINMENT, RESTORATION, & MODERNIZATION	823,390	823,390
070	BASE OPERATING SUPPORT	2,208,949	1,973,949
	Transfer to OCO: Readiness and Depot Maintenance (BA-1 Un- distributed).		[-235,000]
	TOTAL, BA 01: OPERATING FORCES	4,717,320	4,370,320
	BA 03: TRAINING AND RECRUITING		
080	RECRUIT TRAINING	18,280	18,280
090	OFFICER ACQUISITION	820	820
100	SPECIALIZED SKILL TRAINING	85,816	85,816
110	FLIGHT TRAINING	0	0
120	PROFESSIONAL DEVELOPMENT EDUCATION	33,142	33,142
130	TRAINING SUPPORT	324,643	324,643
140	RECRUITING AND ADVERTISING	184,432	184,432
150	OFF-DUTY AND VOLUNTARY EDUCATION	43,708	43,708
160	JUNIOR ROTC	19,671	19,671
	TOTAL, BA03: TRAINING AND RECRUITING	710,512	
	BA 04: ADMIN & SRVWD ACTIVITIES		
170	SPECIAL SUPPORT	0	0
180	SERVICEWIDE TRANSPORTATION	36,021	31,021
	Incorrect Price Growth Rate Used for Commercial Transportation.		[-5,000]
190	ADMINISTRATION	405,431	405,431
200	ACQUISITION & PROGRAM MANAGEMENT	91,153	91,153
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	532,605	527,605
	UNDISTRIBUTED		
210	UNDISTRIBUTED		-199,300
	Reduction in funding for DoD business systems		[-5,700]
	Unobligated balances		[-21,600]
	OMMC Request Inconsistent with Information Technology Budget Justification for the Operational Support Systems—Command and Control.		[-20,000]
	Printing & Reproduction (10% cut)—Efficiency.		[-6,500]
	Studies, Analysis & Evaluations (10% cut)—Efficiency.		[-500]
	Target area for reduction as cited by Marine Corps.		[-145,000]
	TOTAL, OPERATION & MAINTENANCE, MARINE CORPS	5,960,437	5,409,137
	OPERATION & MAINTENANCE, NAVY RES		
	BA 01: OPERATING FORCES		

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
010	MISSION AND OTHER FLIGHT OPERATIONS	622,868	622,868
020	INTERMEDIATE MAINTENANCE	16,041	16,041
030	AIR OPERATIONS AND SAFETY SUPPORT	1,511	1,511
040	AIRCRAFT DEPOT MAINTENANCE	123,547	123,547
050	AIRCRAFT DEPOT OPERATIONS SUPPORT	379	379
060	MISSION AND OTHER SHIP OPERATIONS	49,701	49,701
070	SHIP OPERATIONS SUPPORT & TRAINING	593	593
080	SHIP DEPOT MAINTENANCE	53,916	53,916
090	COMBAT COMMUNICATIONS	15,445	15,445
100	COMBAT SUPPORT FORCES	153,942	153,942
110	WEAPONS MAINTENANCE	7,292	7,292
120	ENTERPRISE INFORMATION	75,131	75,131
130	SUSTAINMENT, RESTORATION AND MODERNIZATION	72,083	72,083
140	BASE OPERATING SUPPORT	109,024	109,024
	TOTAL, BA 01: OPERATING FORCES	1,301,473	1,301,473
	BA 04: ADMIN & SRVWD ACTIVITIES		
150	ADMINISTRATION	1,857	1,857
160	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	14,438	14,438
170	SERVICEWIDE COMMUNICATIONS	2,394	2,394
180	ACQUISITION AND PROGRAM MANAGEMENT	2,972	2,972
190	CANCELLED ACCOUNT ADJUSTMENTS	0	0
200	JUDGMENT FUND	0	0
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	21,661	21,661
	TOTAL, OPERATION & MAINTENANCE, NAVY RES ...	1,323,134	1,323,134
	OPERATION & MAINTENANCE, MC RESERVE		
	BA 01: OPERATING FORCES		
010	OPERATING FORCES	94,604	94,604
020	DEPOT MAINTENANCE	16,382	16,382
030	TRAINING SUPPORT	0	0
040	SUSTAINMENT, RESTORATION AND MODERNIZATION	31,520	31,520
050	BASE OPERATING SUPPORT	105,809	105,809
	TOTAL, BA 01: OPERATING FORCES	248,315	248,315
	BA 04: ADMIN & SRVWD ACTIVITIES		
060	SPECIAL SUPPORT	0	0
070	SERVICEWIDE TRANSPORTATION	852	852
080	ADMINISTRATION	13,257	13,257
090	RECRUITING AND ADVERTISING	9,019	9,019
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	23,128	23,128
	TOTAL, OPERATION & MAINTENANCE, MC RE- SERVE	271,443	271,443
	OPERATION & MAINTENANCE, AIR FORCE		
	BA 01: OPERATING FORCES		
010	PRIMARY COMBAT FORCES	4,224,400	4,154,400
	Transfer to OCO: Theater Security Package.		[-70,000]
020	COMBAT ENHANCEMENT FORCES	3,417,731	3,379,731
	Unjustified Increase in Travel.		[-10,000]
	Removal of One-Time FY11 Costs for Administrative Support for Contractor to Civilian Conversions.		[-4,000]
	Removal of One-Time FY11 Costs for Software Maintenance Re- quirements.		[-24,000]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,482,814	1,482,814
040	MISSION SUPPORT OPERATIONS	0	0
050	DEPOT MAINTENANCE	2,204,131	2,204,131
060	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	1,652,318	1,652,318
070	BASE SUPPORT	2,507,179	2,482,179
	Budget Justification Does Not Match Summary of Price and Pro- gram Changes for Utilities.		[-25,000]
080	GLOBAL C3I AND EARLY WARNING	1,492,459	1,492,459
090	OTHER COMBAT OPS SPT PROGRAMS	1,046,226	1,032,226
	Removal of One-Time FY11 Costs for Administrative Support for Contractor to Civilian Conversions.		[-14,000]
100	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	696,188	696,188
110	LAUNCH FACILITIES	321,484	321,484

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2012 Request	Senate Authorized
120	SPACE CONTROL SYSTEMS	633,738	626,738
	Removal of One-Time FY11 Costs for Administrative Support for Contractor to Civilian Conversions.		[−7,000]
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	735,488	698,128
	Strategic Command Program Decreases Not Accounted for in Budget Documentation.		[−20,000]
	Transfer to OCO: CENTCOM HQ C4.		[−12,500]
	Transfer to OCO: CENTCOM Public Affairs.		[−4,860]
140	COMBATANT COMMANDERS CORE OPERATIONS	170,481	170,481
	TOTAL, BA 01: OPERATING FORCES	20,584,637	20,393,277
	BA 02: MOBILIZATION		
150	AIRLIFT OPERATIONS	2,988,221	2,988,221
160	MOBILIZATION PREPAREDNESS	150,724	150,724
170	DEPOT MAINTENANCE	373,568	373,568
180	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	388,103	388,103
190	BASE SUPPORT	674,230	634,230
	Budget Justification Does Not Match Summary of Price and Pro- gram Changes for Utilities.		[−25,000]
	Unjustified Growth for Competitive Sourcing and Privatization.		[−15,000]
	TOTAL, BA 02: MOBILIZATION	4,574,846	4,534,846
	BA 03: TRAINING AND RECRUITING		
200	OFFICER ACQUISITION	114,448	114,448
210	RECRUIT TRAINING	22,192	22,192
220	RESERVE OFFICERS TRAINING CORPS (ROTC)	90,545	90,545
230	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	430,090	430,090
240	BASE SUPPORT	789,654	789,654
250	SPECIALIZED SKILL TRAINING	481,357	471,357
	Budget Justification Does Not Match Summary of Price and Pro- gram Changes for Equipment Maintenance by Contract.		[−10,000]
260	FLIGHT TRAINING	957,538	957,538
270	PROFESSIONAL DEVELOPMENT EDUCATION	198,897	198,897
280	TRAINING SUPPORT	108,248	108,248
290	DEPOT MAINTENANCE	6,386	6,386
300	RECRUITING AND ADVERTISING	136,102	136,102
310	EXAMINING	3,079	3,079
320	OFF-DUTY AND VOLUNTARY EDUCATION	167,660	167,660
330	CIVILIAN EDUCATION AND TRAINING	202,767	202,767
340	JUNIOR ROTC	75,259	75,259
	TOTAL, BA 03: TRAINING AND RECRUITING	3,784,222	3,774,222
	BA 04: ADMIN & SRVWD ACTIVITIES		
350	LOGISTICS OPERATIONS	1,112,878	1,112,878
360	TECHNICAL SUPPORT ACTIVITIES	785,150	785,150
370	DEPOT MAINTENANCE	14,356	14,356
380	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	416,588	416,588
390	BASE SUPPORT	1,219,043	1,219,043
400	ADMINISTRATION	662,180	497,180
	Program decrease		[−165,000]
410	SERVICEWIDE COMMUNICATIONS	650,689	650,689
420	OTHER SERVICEWIDE ACTIVITIES	1,078,769	953,769
	Air Force funds for Space Shuttle (for museum)		[−14,000]
	Program decrease		[−104,000]
	Budget Justification Does Not Match Summary of Price and Pro- gram Changes for DFAS.		[−7,000]
430	CIVIL AIR PATROL	23,338	23,338
440	JUDGMENT FUND REIMBURSEMENT	0	0
460	INTERNATIONAL SUPPORT	72,589	72,589
460A	CLASSIFIED PROGRAMS	1,215,848	1,217,348
	Classified adjustment		[1,500]
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	7,251,428	6,962,928
	UNDISTRIBUTED		
470	UNDISTRIBUTED		−1,204,400
	Reduction in funding for contract services		[−144,200]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
	<i>Reduction in funding for DoD business systems</i>		<i>[-26,200]</i>
	<i>Management efficiencies in the military intelligence program</i>		<i>[-46,600]</i>
	<i>Unobligated balances</i>		<i>[-143,700]</i>
	<i>Transfer to OCO: Readiness and Depot Maintenance (BA-1 Un-</i> <i>distributed).</i>		<i>[-470,000]</i>
	<i>Printing & Reproduction (10% cut)—Efficiency.</i>		<i>[-7,200]</i>
	<i>Studies, Analysis & Evaluations (10% cut)—Efficiency.</i>		<i>[-2,500]</i>
	<i>Target area for reduction as cited by Air Force.</i>		<i>[-364,000]</i>
	TOTAL, OPERATION & MAINTENANCE, AIR FORCE	36,195,133	34,460,873
	OPERATION & MAINTENANCE, AF RESERVE		
	BA 01: OPERATING FORCES		
010	PRIMARY COMBAT FORCES	2,171,853	2,171,853
020	MISSION SUPPORT OPERATIONS	116,513	116,513
030	DEPOT MAINTENANCE	471,707	471,707
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA-		
	TION	77,161	77,161
050	BASE SUPPORT	308,974	308,974
	TOTAL, BA 01: OPERATING FORCES	3,146,208	3,146,208
	BA 04: ADMIN & SRVWD ACTIVITIES		
060	ADMINISTRATION	84,423	84,423
070	RECRUITING AND ADVERTISING	17,076	17,076
080	MILITARY MANPOWER AND PERS MGMT (ARPC)	19,688	19,688
090	OTHER PERS SUPPORT (DISABILITY COMP)	6,170	6,170
100	AUDIOVISUAL	794	794
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	128,151	128,151
	TOTAL, OPERATION & MAINTENANCE, AF RE- SERVE	3,274,359	3,274,359
	OPERATION & MAINTENANCE, ANG		
	BA 01: OPERATING FORCES		
010	AIRCRAFT OPERATIONS	3,651,900	3,651,900
020	MISSION SUPPORT OPERATIONS	751,519	751,519
030	DEPOT MAINTENANCE	753,525	753,525
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA-		
	TION	284,348	284,348
050	BASE SUPPORT	621,942	588,442
	O&M Air National Guard Request Inconsistent with Information		
	Technology Budget Justification for Base Level Communication		
	Infrastructure.		<i>[-23,500]</i>
	O&M Air National Guard Request Inconsistent with MIP Budget		
	Justification for Air Intelligence Systems.		<i>[-10,000]</i>
	TOTAL, BA 01: OPERATING FORCES	6,063,234	6,029,734
	BA 04: ADMIN & SRVWD ACTIVITIES		
060	ADMINISTRATION	39,387	39,387
070	RECRUITING AND ADVERTISING	33,659	33,659
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	73,046	73,046
	TOTAL, OPERATION & MAINTENANCE, ANG	6,136,280	6,102,780
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
	BA 01: OPERATING FORCES		
020	SPECIAL OPERATIONS COMMAND	3,986,766	3,893,859
	Civilian pay freeze and projected personnel reductions		<i>[-10,000]</i>
	Sustaining Base Communications—Excessive Growth		<i>[-8,000]</i>
	Aviation Foreign Internal Defense		<i>[-17,607]</i>
	Military Information Support Activities—Transfer to OCO		<i>[-57,300]</i>
010	JOINT CHIEFS OF STAFF	563,787	558,287
	Reduce Civilian Personnel FY12 Average Salary Growth.		<i>[-5,500]</i>
	TOTAL, BA 01: OPERATING FORCES	4,550,553	4,452,146
	BA 03: TRAINING AND RECRUITING		
030	DEFENSE ACQUISITION UNIVERSITY	124,075	124,075
040	NATIONAL DEFENSE UNIVERSITY	93,348	93,348
	TOTAL, BA 03: TRAINING AND RECRUITING	217,423	217,423

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
BA 04: ADMIN & SRVWD ACTIVITIES			
070	DEFENSE BUSINESS TRANSFORMATION AGENCY	0	0
050	CIVIL MILITARY PROGRAMS	159,692	159,692
080	DEFENSE CONTRACT AUDIT AGENCY	508,822	508,822
090	DEFENSE CONTRACT MANAGEMENT AGENCY	1,147,366	1,147,366
100	DEFENSE FINANCE AND ACCOUNTING SERVICE	12,000	12,000
110	DEFENSE HUMAN RESOURCES ACTIVITY	676,419	646,419
	Overstatement of FY12 Costs for Civilian Personnel		[-30,000]
120	DEFENSE INFORMATION SYSTEMS AGENCY	1,360,392	1,360,392
150	DEFENSE LOGISTICS AGENCY	450,863	450,863
140	DEFENSE LEGAL SERVICES AGENCY	37,367	37,367
160	DEFENSE MEDIA ACTIVITY	256,133	256,133
220	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,768,677	2,648,677
	DoD recommended reduction to MyCAA		[-120,000]
170	DEFENSE POW/MIA OFFICE	22,372	22,372
180	DEFENSE SECURITY COOPERATION AGENCY	682,831	530,551
	Reduction to Global Train and Equip		[-150,000]
	Program decrease—Security Cooperation Assessment Office		[-2,280]
190	DEFENSE SECURITY SERVICE	505,366	505,366
210	DEFENSE THREAT REDUCTION AGENCY	432,133	432,133
200	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	33,848	33,848
230	MISSILE DEFENSE AGENCY	202,758	202,758
250	OFFICE OF ECONOMIC ADJUSTMENT	81,754	48,754
	Ahead of need—Guam FSRM		[-33,000]
260	OFFICE OF THE SECRETARY OF DEFENSE	2,201,964	2,181,964
	Unjustified Growth for Equipment Maintenance by Contract.		[-10,000]
	Additional Efficiencies Based on Disestablishment of the ASD/NIL.		[-10,000]
270	WASHINGTON HEADQUARTERS SERVICE	563,184	550,684
	Removal of FY11 Costs Budgeted for Boards, Commissions and Task Forces.		[-6,000]
	Removal of FY11 Costs Budgeted for the Defense Agencies Initiative.		[-6,500]
270A	CLASSIFIED PROGRAMS	14,068,492	13,911,653
	Classified adjustment		[-156,839]
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	26,172,433	25,647,814
UNDISTRIBUTED			
280	UNDISTRIBUTED		-874,800
	Reduction in funding for contract services		[-694,800]
	Reduction in funding for DoD business systems		[-27,600]
	Management efficiencies in the military intelligence program		[-41,300]
	Impact Aid		[25,000]
	Severe disabilities		[5,000]
	Unobligated balances		[-119,900]
	Printing & Reproduction (10% cut)—Efficiency.		[-4,300]
	Studies, Analysis & Evaluations (10% cut)—Efficiency.		[-16,900]
	TOTAL, OPERATION & MAINTENANCE, DEFENSE-WIDE	30,940,409	29,442,583
MISCELLANEOUS APPROPRIATIONS			
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	13,861	13,861
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	107,662	107,662
010	FORMER SOVIET UNION (FSU) THREAT REDUCTION	508,219	508,219
010	ACQ WORKFORCE DEV FD	305,501	305,501
030	ENVIRONMENTAL RESTORATION, ARMY	346,031	346,031
050	ENVIRONMENTAL RESTORATION, NAVY	308,668	308,668
070	ENVIRONMENTAL RESTORATION, AIR FORCE	525,453	525,453
090	ENVIRONMENTAL RESTORATION, DEFENSE	10,716	10,716
110	ENVIRONMENTAL RESTORATION FORMERLY USED SITES ..	276,495	276,495
130	OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND ..	5,000	5,000
	TOTAL, MISCELLANEOUS APPROPRIATIONS	2,407,606	2,407,606
	DEFERRED EXPENSES FOR FOREIGN OPERATIONS		406,605
	Deferred Expenses for foreign operations		[406,605]
	TOTAL, OPERATION & MAINTENANCE	170,759,313	160,846,587

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS
CONTINGENCY OPERATIONS.**

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2012 Request	Senate Authorized
OPERATION & MAINTENANCE, ARMY			
BA 01: OPERATING FORCES			
040	THEATER LEVEL ASSETS	3,424,314	3,453,306
	Transfer from Base: Theater Demand Reduction.		[18,692]
	Transfer from Base: UAS—Gray Eagle Satellite Service.		[10,300]
050	LAND FORCES OPERATIONS SUPPORT	1,534,886	1,580,290
	Transfer from Base: MRAP Vehicle Sustainment at Combat Train- ing Centers.		[6,420]
	Transfer from Base: National Training Center Tier Two Level Maintenance Contract.		[24,000]
	Transfer from Base: Theater Demand Reduction.		[14,984]
060	AVIATION ASSETS	87,166	148,671
	Transfer from Base: Theater Demand Reduction.		[61,505]
070	FORCE READINESS OPERATIONS SUPPORT	2,675,821	2,747,481
	Transfer from Base: Body Armor Sustainment.		[71,660]
080	LAND FORCES SYSTEMS READINESS	579,000	579,000
090	LAND FORCES DEPOT MAINTENANCE	1,000,000	1,000,000
100	BASE OPERATIONS SUPPORT	951,371	1,151,371
	Transfer from Base: Overseas Security Guards.		[200,000]
110	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZA- TION	250,000	250,000
140	ADDITIONAL ACTIVITIES	22,998,441	23,099,456
	Transfer from Base, SAG 111: MRAP Vehicle Sustainment.		[2,539]
	Transfer from Base, SAG 111: Theater Demand Reduction.		[148,194]
	Transfer from Base, SAG 112: Theater Demand Reduction.		[2,282]
	Synchronization Pre-Deployment and Operational Tracker (SPOT) Fully funded in FY12 OMDW Base Request.		[-12,000]
	ARGUS A-160 Deployment Delays.		[-40,000]
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	425,000	400,000
	Termination of CERP in Iraq		[-25,000]
160	RESET	3,955,429	3,955,429
	UNDISTRIBUTED	0	3,000,000
	Transfer from Base: Readiness and Depot Maintenance (BA-1 Un- distributed).		[3,000,000]
	TOTAL, BA 01: OPERATING FORCES	37,881,428	41,365,004
BA 04: ADMIN & SRVWIDE ACTIVITIES			
340	SECURITY PROGRAMS	2,476,766	2,476,766
350	SERVICEWIDE TRANSPORTATION	3,507,186	3,507,186
360	CENTRAL SUPPLY ACTIVITIES	50,740	50,740
380	AMMUNITION MANAGEMENT	84,427	84,427
400	SERVICEWIDE COMMUNICATIONS	66,275	66,275
420	OTHER PERSONNEL SUPPORT	143,391	143,391
430	OTHER SERVICE SUPPORT	92,067	92,067
	TOTAL, BA 04: ADMIN & SRVWIDE ACTIVITIES	6,420,852	6,420,852
	TOTAL, OPERATION & MAINTENANCE, ARMY	44,302,280	47,785,856
OPERATION & MAINTENANCE, ARMY RES			
BA 01: OPERATING FORCES			
030	ECHELONS ABOVE BRIGADE	84,200	84,200
050	LAND FORCES OPERATIONS SUPPORT	28,100	28,100
070	FORCE READINESS OPERATIONS SUPPORT	20,700	10,700
	Duplicate Request for Military Pay Support Contract (requested both in SAG 121 and 131).		[-10,000]
100	BASE OPERATIONS SUPPORT	84,500	84,500
	TOTAL, BA 01: OPERATING FORCES	217,500	207,500
	TOTAL, OPERATION & MAINTENANCE, ARMY RES ..	217,500	207,500
OPERATION & MAINTENANCE, ARNG			
BA 01: OPERATING FORCES			
010	MANEUVER UNITS	89,930	89,930
060	AVIATION ASSETS	130,848	130,848
070	FORCE READINESS OPERATIONS SUPPORT	110,011	110,011

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
100	BASE OPERATIONS SUPPORT	34,788	34,788
120	MANAGEMENT AND OPERATIONAL HQ	21,967	21,967
	TOTAL, BA 01: OPERATING FORCES	387,544	387,544
	TOTAL, OPERATION & MAINTENANCE, ARNG	387,544	387,544
	AFGHANISTAN SECURITY FORCES FUND		
	BA 01: MINISTRY OF DEFENSE		
010	INFRASTRUCTURE	1,304,350	1,304,350
020	EQUIPMENT AND TRANSPORTATION	1,667,905	1,432,490
	Revised Combined Security Transition Command—Afghanistan (CSTC-A) requirement		[-235,415]
030	TRAINING AND OPERATIONS	751,073	751,073
040	SUSTAINMENT	3,331,774	3,033,984
	Revised Combined Security Transition Command—Afghanistan (CSTC-A) requirement		[-297,790]
	TOTAL, BA 01: MINISTRY OF DEFENSE	7,055,102	6,521,897
	BA 01: MINISTRY OF INTERIOR		
060	INFRASTRUCTURE	1,128,584	1,128,584
070	EQUIPMENT AND TRANSPORTATION	1,530,420	601,915
	Revised Combined Security Transition Command—Afghanistan (CSTC-A) requirement		[-928,505]
080	TRAINING AND OPERATIONS	1,102,430	1,102,430
090	SUSTAINMENT	1,938,715	1,800,425
	Revised Combined Security Transition Command—Afghanistan (CSTC-A) requirement		[-138,290]
	TOTAL, BA 01: MINISTRY OF INTERIOR	5,700,149	4,633,354
	BA 03: ASSOCIATED ACTIVITIES		
110	SUSTAINMENT	21,187	21,187
120	TRAINING AND OPERATIONS	7,344	7,344
130	INFRASTRUCTURE	15,000	15,000
150	EQUIPMENT AND TRANSPORTATION	1,218	1,218
	TOTAL, BA 03: ASSOCIATED ACTIVITIES	44,749	44,749
	TOTAL, AFGHANISTAN SECURITY FORCES FUND	12,800,000	11,200,000
	AFGHANISTAN INFRASTRUCTURE FUND		
	BA 01: AFGHANISTAN INFRASTRUCTURE FUND		
010	POWER	300,000	300,000
020	TRANSPORTATION	100,000	100,000
030	WATER	50,000	50,000
040	OTHER RELATED ACTIVITIES	25,000	25,000
	TOTAL, BA 01: AFGHANISTAN INFRASTRUCTURE FUND	475,000	400,000
	UNDISTRIBUTED		
050	UNDISTRIBUTED		-75,000
	Undistributed Reduction		[-75,000]
	TOTAL, AFGHANISTAN INFRASTRUCTURE FUND	475,000	400,000
	OPERATION & MAINTENANCE, NAVY		
	BA 01: OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	1,058,114	1,038,114
	Unjustified Growth for TAD/TDY.		[-20,000]
020	FLEET AIR TRAINING	7,700	7,700
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	9,200	9,200
040	AIR OPERATIONS AND SAFETY SUPPORT	12,934	12,934
050	AIR SYSTEMS SUPPORT	39,566	39,566
060	AIRCRAFT DEPOT MAINTENANCE	174,052	174,052
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	1,586	1,586
080	AVIATION LOGISTICS	50,852	50,852
090	MISSION AND OTHER SHIP OPERATIONS	1,132,948	1,132,948
100	SHIP OPERATIONS SUPPORT & TRAINING	26,822	26,822
110	SHIP DEPOT MAINTENANCE	998,172	998,172
130	COMBAT COMMUNICATIONS	26,533	26,533
160	WARFARE TACTICS	22,657	22,657
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	28,141	28,141

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
180	COMBAT SUPPORT FORCES	1,932,640	1,932,640
190	EQUIPMENT MAINTENANCE	19,891	19,891
210	COMBATANT COMMANDERS CORE OPERATIONS	5,465	5,465
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	2,093	2,093
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	125,460	125,460
260	WEAPONS MAINTENANCE	201,083	201,083
270	OTHER WEAPON SYSTEMS SUPPORT	1,457	1,457
280	ENTERPRISE INFORMATION	5,095	5,095
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	26,793	26,793
300	BASE OPERATING SUPPORT	352,210	344,880
	Civilian Pay Overstatement Due to No Requirement for FTE in this SAG.		[-7,330]
	UNDISTRIBUTED	0	495,000
	Transfer from Base: Readiness and Depot Maintenance (BA-1 Un- distributed).		[495,000]
	TOTAL, BA 01: OPERATING FORCES	6,261,464	6,729,134
	BA 02: MOBILIZATION		
310	SHIP PREPOSITIONING AND SURGE	29,010	29,010
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	34,300	34,300
360	COAST GUARD SUPPORT	258,278	0
	Transfer to Department of Homeland Security.		[-258,278]
	TOTAL, BA 02: MOBILIZATION	321,588	63,310
	BA 03: TRAINING AND RECRUITING		
400	SPECIALIZED SKILL TRAINING	69,961	69,961
430	TRAINING SUPPORT	5,400	5,400
	TOTAL, BA 03: TRAINING AND RECRUITING	75,361	75,361
	BA 04: ADMIN & SRVWD ACTIVITIES		
480	ADMINISTRATION	2,348	2,348
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	6,142	6,142
520	OTHER PERSONNEL SUPPORT	5,849	5,849
530	SERVICEWIDE COMMUNICATIONS	28,511	28,511
550	SERVICEWIDE TRANSPORTATION	263,593	263,593
580	ACQUISITION AND PROGRAM MANAGEMENT	17,414	17,414
610	SPACE AND ELECTRONIC WARFARE SYSTEMS	1,075	1,075
620	NAVAL INVESTIGATIVE SERVICE	6,564	6,564
650	FOREIGN COUNTERINTELLIGENCE	14,598	14,598
700A	CLASSIFIED PROGRAMS	2,060	2,060
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	348,154	348,154
	TOTAL, OPERATION & MAINTENANCE, NAVY	7,006,567	7,215,959
	OPERATION & MAINTENANCE, MARINE CORPS		
	BA 01: OPERATING FORCES		
010	OPERATIONAL FORCES	2,069,485	2,096,485
	Family of Shelters and Shelters Equipment		[27,000]
020	FIELD LOGISTICS	575,843	575,843
030	DEPOT MAINTENANCE	251,100	363,100
	Transfer from Base: Depot Maintenance.		[112,000]
070	BASE OPERATING SUPPORT	82,514	82,514
	UNDISTRIBUTED	0	235,000
	Transfer from Base: Readiness and Depot Maintenance (BA-1 Un- distributed).		[235,000]
	TOTAL, BA 01: OPERATING FORCES	12,455,768	3,352,942
	BA 03: TRAINING AND RECRUITING		
130	TRAINING SUPPORT	209,784	209,784
	TOTAL, BA03: TRAINING AND RECRUITING	209,784	209,784
	BA 04: ADMIN & SRVWD ACTIVITIES		
180	SERVICEWIDE TRANSPORTATION	376,495	376,495
190	ADMINISTRATION	5,989	5,989
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	382,484	382,484
	TOTAL, OPERATION & MAINTENANCE, MARINE CORPS	3,571,210	3,945,210
	OPERATION & MAINTENANCE, NAVY RES		

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
BA 01: OPERATING FORCES			
010	MISSION AND OTHER FLIGHT OPERATIONS	38,402	38,402
020	INTERMEDIATE MAINTENANCE	400	400
040	AIRCRAFT DEPOT MAINTENANCE	11,330	11,330
060	MISSION AND OTHER SHIP OPERATIONS	10,137	10,137
100	COMBAT SUPPORT FORCES	13,827	13,827
140	BASE OPERATING SUPPORT	52	52
	TOTAL, BA 01: OPERATING FORCES	74,148	74,148
	TOTAL, OPERATION & MAINTENANCE, NAVY RES ...	74,148	74,148
OPERATION & MAINTENANCE, MC RESERVE			
BA 01: OPERATING FORCES			
010	OPERATING FORCES	31,284	31,284
050	BASE OPERATING SUPPORT	4,800	4,800
	TOTAL, BA 01: OPERATING FORCES	36,084	36,084
	TOTAL, OPERATION & MAINTENANCE, MC RE- SERVE	36,084	36,084
OPERATION & MAINTENANCE, AIR FORCE			
BA 01: OPERATING FORCES			
010	PRIMARY COMBAT FORCES	2,115,901	2,185,901
	Transfer from Base: Theater Security Package.		[70,000]
020	COMBAT ENHANCEMENT FORCES	2,033,929	2,033,929
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	46,844	46,844
050	DEPOT MAINTENANCE	312,361	312,361
060	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	334,950	334,950
070	BASE SUPPORT	641,404	641,404
080	GLOBAL C3I AND EARLY WARNING	69,330	69,330
090	OTHER COMBAT OPS SPT PROGRAMS	297,015	297,015
120	SPACE CONTROL SYSTEMS	16,833	16,833
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	46,390	63,750
	Transfer from Base: CENTCOM HQ C4.		[12,500]
	Transfer from Base: CENTCOM Public Affairs.		[4,860]
	UNDISTRIBUTED	0	470,000
	Transfer from Base: Readiness and Depot Maintenance (BA-1 Un- distributed).		[470,000]
	TOTAL, BA 01: OPERATING FORCES	5,914,957	6,472,317
BA 02: MOBILIZATION			
150	AIRLIFT OPERATIONS	3,533,338	3,533,338
160	MOBILIZATION PREPAREDNESS	85,416	85,416
170	DEPOT MAINTENANCE	161,678	161,678
180	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	9,485	9,485
190	BASE SUPPORT	30,033	30,033
	TOTAL, BA 02: MOBILIZATION	3,819,950	3,819,950
BA 03: TRAINING AND RECRUITING			
230	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	908	908
240	BASE SUPPORT	2,280	2,280
250	SPECIALIZED SKILL TRAINING	29,592	29,592
260	FLIGHT TRAINING	154	154
270	PROFESSIONAL DEVELOPMENT EDUCATION	691	691
280	TRAINING SUPPORT	753	753
	TOTAL, BA 03: TRAINING AND RECRUITING	34,378	34,378
BA 04: ADMIN & SRVWD ACTIVITIES			
350	LOGISTICS OPERATIONS	155,121	155,121
390	BASE SUPPORT	20,677	20,677
400	ADMINISTRATION	3,320	3,320
410	SERVICEWIDE COMMUNICATIONS	111,561	111,561
420	OTHER SERVICEWIDE ACTIVITIES	605,223	605,223
460A	CLASSIFIED PROGRAMS	54,000	54,000
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	949,902	949,902

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2012 Request	Senate Authorized
	UNDISTRIBUTED		-25,000
	Unjustified Growth in Civilian Personnel Costs		[-25,000]
	TOTAL, OPERATION & MAINTENANCE, AIR FORCE	10,719,187	11,251,547
	OPERATION & MAINTENANCE, AF RESERVE		
	BA 01: OPERATING FORCES		
010	PRIMARY COMBAT FORCES	4,800	4,800
030	DEPOT MAINTENANCE	131,000	131,000
050	BASE SUPPORT	6,250	6,250
	TOTAL, BA 01: OPERATING FORCES	142,050	142,050
	TOTAL, OPERATION & MAINTENANCE, AF RE- SERVE	142,050	142,050
	OPERATION & MAINTENANCE, ANG		
	BA 01: OPERATING FORCES		
020	MISSION SUPPORT OPERATIONS	34,050	34,050
	TOTAL, BA 01: OPERATING FORCES	34,050	34,050
	TOTAL, OPERATION & MAINTENANCE, ANG	34,050	34,050
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
	BA 01: OPERATING FORCES		
020	SPECIAL OPERATIONS COMMAND	3,269,939	3,283,939
	Trans Regional Web Initiative		[-11,300]
	Unjustified Program Growth in Operating Support for Operation New Dawn		[-25,000]
	Military Information Support Activities—Transfer from Base		[50,300]
010	JOINT CHIEFS OF STAFF	2,000	2,000
	TOTAL, BA 01: OPERATING FORCES	3,271,939	3,285,939
	BA 04: ADMIN & SRVWD ACTIVITIES		
080	DEFENSE CONTRACT AUDIT AGENCY	23,478	23,478
090	DEFENSE CONTRACT MANAGEMENT AGENCY	87,925	87,925
120	DEFENSE INFORMATION SYSTEMS AGENCY	164,520	164,520
140	DEFENSE LEGAL SERVICES AGENCY	102,322	67,322
	Unjustified Program Growth.		[-35,000]
160	DEFENSE MEDIA ACTIVITY	15,457	15,457
220	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	194,100	194,100
180	DEFENSE SECURITY COOPERATION AGENCY	2,200,000	2,140,000
	Coalition Support Funds: Excess to Need for Contract Renewal		[-60,000]
260	OFFICE OF THE SECRETARY OF DEFENSE	143,870	143,870
270A	CLASSIFIED PROGRAMS	3,065,800	3,065,800
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	5,997,472	5,902,472
	TOTAL, OPERATION & MAINTENANCE, DEFENSE- WIDE	9,269,411	9,188,411
	UNDISTRIBUTED		-4,000,000
	Reduction to reflect policy change on troop strength in Afghanistan		[-4,000,000]
	TOTAL, OPERATION & MAINTENANCE	89,035,031	87,868,359

TITLE XLIV—OTHER AUTHORIZATIONS

SEC. 4401. OTHER AUTHORIZATIONS.

SEC. 4401. OTHER AUTHORIZATIONS (In Thousands of Dollars)			
Line	Item	FY 2012 Request	Senate Authorized
WORKING CAPITAL FUND, ARMY			
010	PREPOSITIONED WAR RESERVE STOCKS	101,194	91,594
	Reduction in funding for DoD business systems		[−9,600]
020	PREPOSITIONED WAR RESERVE STOCKS	0	0
	TOTAL, WORKING CAPITAL FUND, ARMY	101,194	91,594
WORKING CAPITAL FUND, AIR FORCE			
010	TRANSPORTATION FALLEN HEROES	0	0
020	CONTAINER DECONSOLIDATION	0	0
030	WAR RESERVE MATERIAL	65,372	55,872
	Reduction in funding for DoD business systems		[−9,500]
	TOTAL, WORKING CAPITAL FUND, AIR FORCE	65,372	55,872
WORKING CAPITAL FUND, DEFENSE-WIDE			
010	DEFENSE LOGISTICS AGENCY (DLA)	31,614	31,614
	TOTAL, WORKING CAPITAL FUND, DEFENSE-WIDE	31,614	31,614
WORKING CAPITAL FUND, DECA			
010	WORKING CAPITAL FUND, DECA	1,376,830	1,376,830
	TOTAL, WORKING CAPITAL FUND, DECA	1,376,830	1,376,830
NATIONAL DEFENSE SEALIFT FUND			
010	T-AKE	0	0
020	MPF MLP	425,865	425,865
030	POST DELIVERY AND OUTFITTING	24,161	24,161
040	NATIONAL DEF SEALIFT VESSEL	1,138	1,138
050	LG MED SPD RO/RO MAINTENANCE	92,567	92,567
060	DOD MOBILIZATION ALTERATIONS	184,109	184,109
070	TAH MAINTENANCE	40,831	40,831
080	STRATEGIC SEALIFT SUPPORT	0	0
090	RESEARCH AND DEVELOPMENT	48,443	48,443
100	READY RESERVE FORCE	309,270	309,270
	TOTAL, NATIONAL DEFENSE SEALIFT FUND	1,126,384	1,126,384
DEFENSE HEALTH PROGRAM (DHP) DHP, OPERATION & MAINTENANCE			
010	IN-HOUSE CARE	8,148,856	8,148,856
020	PRIVATE SECTOR CARE	16,377,272	16,047,272
	TRICARE Historical Underexecution		[−330,000]
030	CONSOLIDATED HEALTH SUPPORT	2,193,821	2,193,821
040	INFORMATION MANAGEMENT	1,422,697	1,422,697
050	MANAGEMENT ACTIVITIES	312,102	307,102
	Strategic Communications		[−3,000]
	Contract savings from Web site consolidation		[−2,000]
060	EDUCATION AND TRAINING	705,347	693,647
	Unjustified Growth for Travel		[−11,700]
070	BASE OPERATIONS/COMMUNICATIONS	1,742,451	1,742,451
	SUBTOTAL, DHP, OPERATION & MAINTENANCE	30,902,546	30,555,846
DHP, RDT&E			
1	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	2,935	2,935
3	APPLIED BIOMEDICAL TECHNOLOGY	33,805	33,805
4	MEDICAL TECHNOLOGY	3,694	3,694
5	MEDICAL ADVANCED TECHNOLOGY	767	767
6	MEDICAL TECHNOLOGY DEVELOPMENT	181,042	181,042
7	MEDICAL PRODUCTS SUPPORT AND ADVANCED CONCEPT DEVELOPMENT	167,481	167,481
8	INFORMATION TECHNOLOGY DEVELOPMENT	176,345	176,345
9	MEDICAL PRODUCTS AND SUPPORT SYSTEMS DEVELOPMENT	34,559	34,559

SEC. 4401. OTHER AUTHORIZATIONS (In Thousands of Dollars)			
Line	Item	FY 2012 Request	Senate Authorized
11	MEDICAL PROGRAM-WIDE ACTIVITIES	48,313	48,313
12	MEDICAL PRODUCTS AND CAPABILITIES ENHANCEMENT ACTIVITIES	14,765	14,765
	SUBTOTAL, DHP, RDT&E	663,706	663,706
	DHP, PROCUREMENT		
090	PROCUREMENT	632,518	632,518
	SUBTOTAL, DHP, PROCUREMENT	632,518	632,518
	TOTAL, DEFENSE HEALTH PROGRAM (DHP)	32,198,770	31,852,070
	CHEM AGENTS & MUNITIONS DESTRUCTION		
01	OPERATION & MAINTENANCE	1,147,691	1,147,691
02	RDT&E	406,731	406,731
	TOTAL, CHEM AGENTS & MUNITIONS DESTRUCTION	1,554,422	1,554,422
	DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE		
010	DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	1,156,282	989,282
	Undistributed reduction for contractor support		[−30,000]
	Undistributed reduction to U.S. European Command's counterdrug activities		[−5,000]
	Office of Naval Intelligence (PC 3359)		[−3,500]
	Strategic communications/program termination (PC 9220)		[−500]
	Undistributed Reduction—Excess to Need		[−128,000]
	TOTAL, DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	1,156,282	989,282
	OFFICE OF THE INSPECTOR GENERAL		
010	OFFICE OF THE INSPECTOR GENERAL, O&M	286,919	327,419
	Program increase—Growth plan		[40,500]
020	OFFICE OF THE INSPECTOR GENERAL, RDT&E	1,600	4,500
	Program increase—Growth plan		[2,900]
030	OFFICE OF THE INSPECTOR GENERAL, PROCUREMENT	1,000	1,000
	TOTAL, OFFICE OF THE INSPECTOR GENERAL	289,519	332,919
	TOTAL OTHER AUTHORIZATIONS	37,900,387	37,410,987

SEC. 4402. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4402. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2012 Request	Senate Authorized
	WORKING CAPITAL FUND, ARMY		
020	PREPOSITIONED WAR RESERVE STOCKS	54,000	54,000
	TOTAL, WORKING CAPITAL FUND, ARMY	54,000	54,000
	WORKING CAPITAL FUND, AIR FORCE		
010	TRANSPORTATION FALLEN HEROES	10,000	10,000
020	CONTAINER DECONSOLIDATION	2,000	2,000
	TOTAL, WORKING CAPITAL FUND, AIR FORCE	12,000	12,000
	WORKING CAPITAL FUND, DEFENSE-WIDE		
010	DEFENSE LOGISTICS AGENCY (DLA)	369,013	316,413
	Reduction in funding for DoD business systems		[-52,600]
	TOTAL, WORKING CAPITAL FUND, DEFENSE-WIDE	369,013	316,413
	DEFENSE HEALTH PROGRAM OPERATION & MAINTENANCE		
010	IN-HOUSE CARE	641,996	641,996
020	PRIVATE SECTOR CARE	464,869	464,869
030	CONSOLIDATED HEALTH SUPPORT	95,994	95,994
040	INFORMATION MANAGEMENT	5,548	5,548
050	MANAGEMENT ACTIVITIES	751	751
060	EDUCATION AND TRAINING	16,859	16,859
070	BASE OPERATIONS/COMMUNICATIONS	2,271	2,271
	DEFENSE HEALTH PROGRAM	1,228,288	1,228,288
	DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE		
010	DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	486,458	486,458
	TOTAL, DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	486,458	486,458
	OFFICE OF THE INSPECTOR GENERAL		
010	OFFICE OF THE INSPECTOR GENERAL	11,055	11,055
	TOTAL, OFFICE OF THE INSPECTOR GENERAL	11,055	11,055
	TOTAL OTHER AUTHORIZATIONS	2,160,814	2,108,214

TITLE XLV—MILITARY CONSTRUCTION

SEC. 4501. MILITARY CONSTRUCTION.

SEC. 4501. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State or Country and Installation	Project Title	Budget Request	Senate Agree- ment
Military Construction, Army				
	<i>Alaska</i>			
Army	Fort Wainwright	Aviation Complex, Ph 3a	114,000	57,000
Army	Jb Elmendorf-Richardson	Physical Fitness Facility	26,000	26,000
Army	Jb Elmendorf-Richardson	Brigade Complex, Ph 2	74,000	74,000
Army	Jb Elmendorf-Richardson	Organizational Parking	3,600	3,600
	<i>Alabama</i>			
Army	Fort Rucker	Combat Readiness Center	11,600	11,600
	<i>California</i>			
Army	Fort Irwin	Qualification Training Range	15,500	15,500
Army	Fort Irwin	Infantry Squad Battle Course	7,500	7,500
Army	Presidio Monterey	General Instruction Building	3,000	3,000
	<i>Colorado</i>			
Army	Fort Carson	Brigade Headquarters	14,400	14,400
Army	Fort Carson	Barracks	67,000	67,000
Army	Fort Carson	Barracks	46,000	46,000
Army	Fort Carson	Control Tower	14,200	14,200
Army	Fort Carson	Aircraft Maintenance Hangar	63,000	63,000
Army	Fort Carson	Aircraft Loading Area	34,000	34,000
	<i>Georgia</i>			
Army	Fort Benning	Rail Loading Facility	13,600	13,600
Army	Fort Benning	Trainee Barracks Complex, Ph 3	23,000	23,000
Army	Fort Gordon	Hand Grenade Familiarization Range	1,450	1,450
Army	Fort Stewart	Dog Kennel	2,600	2,600
Army	Fort Benning	Land Acquisition	5,100	5,100
Army	Fort Benning	Land Acquisition	25,000	25,000
	<i>Hawaii</i>			
Army	Fort Shafter	Child Development Center	17,500	17,500
Army	Schofield Barracks	Centralized Wash Facility	32,000	32,000
Army	Schofield Barracks	Combat Aviation Brigade Complex, Ph 1	73,000	73,000
	<i>Kansas</i>			
Army	Fort Riley	Physical Fitness Facility	13,000	13,000
Army	Fort Riley	Chapel	10,400	10,400
Army	Fort Riley	Unmanned Aerial Vehicle Maintenance Hangar	60,000	60,000
Army	Forbes Air Field	Deployment Support Facility	5,300	5,300
	<i>Kentucky</i>			
Army	Fort Campbell	Vehicle Maintenance Facility	16,000	16,000
Army	Fort Campbell	Vehicle Maintenance Facility	40,000	40,000
Army	Fort Campbell	Physical Fitness Facility	18,500	18,500
Army	Fort Campbell	Unmanned Aerial Vehicle Maintenance Hangar	67,000	67,000
Army	Fort Campbell	Scout/Rece Gunnery Range	18,000	18,000
Army	Fort Campbell	Barracks Complex	65,000	65,000
Army	Fort Campbell	Barracks	23,000	23,000
Army	Fort Knox	Automated Infantry Platoon Battle Course	7,000	7,000
Army	Fort Knox	Battalion Complex	48,000	48,000
	<i>Louisiana</i>			
Army	Fort Polk	Fire Station	9,200	9,200
Army	Fort Polk	Military Working Dog Facility	2,600	2,600
Army	Fort Polk	Brigade Complex	23,000	23,000
Army	Fort Polk	Multipurpose Machine Gun Range	8,300	8,300
Army	Fort Polk	Land Acquisition	27,000	27,000
	<i>Maryland</i>			
Army	Aberdeen Proving Ground	Auto Technology Evaluation Fac, Ph 3	15,500	15,500
Army	Aberdeen Proving Ground	Command and Control Facility	63,000	63,000
Army	Fort Meade	Applied Instruction Facility	43,000	43,000
Army	Fort Meade	Brigade Complex	36,000	36,000
	<i>Missouri</i>			
Army	Fort Leonard Wood	Vehicle Maintenance Facility	49,000	49,000
	<i>North Carolina</i>			
Army	Fort Bragg	Nco Academy	42,000	42,000
Army	Fort Bragg	Access Roads, Ph 2	18,000	18,000
Army	Fort Bragg	Unmanned Aerial Vehicle Maintenance Hangar	54,000	54,000
Army	Fort Bragg	Brigade Complex Facilities	49,000	49,000
Army	Fort Bragg	Battle Command Training Center	23,000	23,000
	<i>New York</i>			

SEC. 4501. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
Army	Fort Drum	Ammunition Supply Point	5,700	5,700
Army	Fort Drum	Chapel	7,600	7,600
	Oklahoma			
Army	Fort Sill	Physical Fitness Facility	25,000	25,000
Army	Fort Sill	Chapel	13,200	13,200
Army	Fort Sill	Reception Station, Ph 1	36,000	36,000
Army	Fort Sill	Rail Deployment Facility	3,400	3,400
Army	Fort Sill	Vehicle Maintenance Facility	51,000	51,000
Army	Fort Sill	Battle Command Training Center	23,000	23,000
Army	Fort Sill	Thaad Instruction Facility	33,000	33,000
Army	Mealester	Railroad Tracks	6,300	6,300
Army	Mealester	Ammunition Loading Pads	1,700	1,700
	South Carolina			
Army	Fort Jackson	Trainee Barracks Complex, Ph 2	59,000	59,000
Army	Fort Jackson	Modified Record Fire Range	4,900	4,900
	Texas			
Army	Fort Bliss	Vehicle Maintenance Facility	24,000	0
Army	Fort Bliss	Electronics Maintenance Facility	14,600	14,600
Army	Fort Bliss	Infrastructure	14,600	0
Army	Fort Bliss	Vehicle Maintenance Facility	14,600	14,600
Army	Fort Bliss	Barracks Complex	13,000	13,000
Army	Fort Bliss	Vehicle Maintenance Facility	19,000	19,000
Army	Fort Bliss	Jlens Tactical Training Facility	39,000	39,000
Army	Fort Bliss	Water Well, Potable	2,400	2,400
Army	Fort Bliss	Applied Instruction Building	8,300	8,300
Army	Fort Hood	Operational Readiness Training Complex	51,000	51,000
Army	Fort Hood	Unmanned Aerial Vehicle Maintenance Hangar	47,000	47,000
Army	Fort Hood	Vehicle Maintenance Facility	15,500	15,500
Army	Fort Hood	Vehicle Maintenance Facility	18,500	18,500
Army	Red River Army Depot	Maneuver Systems Sustainment Ctr, Ph 3	44,000	44,000
Army	Jb San Antonio	Vehicle Maintenance Facility	10,400	10,400
	Utah			
Army	Dugway Proving Ground	Life Sciences Test Facility Addition	32,000	32,000
	Virginia			
Army	Fort Belvoir	Information Dominance Center, Ph 1	52,000	52,000
Army	Fort Belvoir	Road and Infrastructure Improvements	31,000	0
Army	Jb Langley Eustis	Aviation Training Facility	26,000	26,000
	Washington			
Army	Jb Lewis Mechord	Brigade Complex, Ph 2	56,000	56,000
Army	Jb Lewis Mechord	Operational Readiness Training Cplx, Ph 1	28,000	28,000
Army	Jb Lewis Mechord	Air Support Operations Facilities	7,300	7,300
Army	Jb Lewis Mechord	Battalion Complex	59,000	59,000
Army	Jb Lewis Mechord	Infrastructure, Ph 1	64,000	64,000
Army	Jb Lewis Mechord	Aviation Unit Complex, Ph 1a	34,000	34,000
Army	Jb Lewis Mechord	Aviation Complex, Ph 1b	48,000	48,000
	Afghanistan			
Army	Bagram Air Base	Entry Control Point	20,000	20,000
Army	Bagram Air Base	Construct Drainage System, Ph 3	31,000	31,000
Army	Bagram Air Base	Barracks, Ph 5	29,000	29,000
	Germany			
Army	Germersheim	Infrastructure	16,500	0
Army	Germersheim	Central Distribution Facility	21,000	0
Army	Grafenwoehr	Chapel	15,500	0
Army	Grafenwoehr	Convoy Live Fire Range	5,000	5,000
Army	Grafenwoehr	Barracks	17,500	17,500
Army	Landstuhl	Satellite Communications Center	24,000	24,000
Army	Landstuhl	Satellite Communications Center	39,000	39,000
Army	Stuttgart	Access Control Point	12,200	12,200
Army	Vilseck	Barracks	20,000	20,000
Army	Oberdachstetten	Automated Record Fire Range	12,200	12,200
	Honduras			
Army	Honduras Various	Barracks	25,000	0
	Korea			
Army	Camp Carroll	Barracks	41,000	41,000
Army	Camp Henry	Barracks Complex	48,000	48,000
	Worldwide Unspecified			
Army	Unspecified	Minor Construction	20,000	20,000
Army	Unspecified	Host Nation Support	25,500	25,500
Army	Unspecified	Planning & Design	229,741	169,741
Total Military Construction, Army			3,235,991	2,971,391
Military Construction, Navy				
	Arizona			
Navy	Yuma	Double Aircraft Maintenance Hangar	81,897	81,897
Navy	Yuma	Aircraft Maintenance Hangar	39,515	39,515
Navy	Yuma	JSF Auxiliary Landing Field	41,373	41,373
	California			

SEC. 4501. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
Navy	Barstow	Dip Tank Cleaning Facility	8,590	8,590
Navy	Bridgeport	Multi-Purpose Building—Addition	19,238	16,138
Navy	Camp Pendleton	New Potable Water Conveyance	113,091	113,091
Navy	Camp Pendleton	North Area Waste Water Conveyance	78,271	78,271
Navy	Camp Pendleton	Armory, 1st Marine Division	12,606	12,606
Navy	Camp Pendleton	Infantry Squad Defense Range	29,187	29,187
Navy	Camp Pendleton	Intersection Bridge and Improvements	12,476	12,476
Navy	Camp Pendleton	Individual Equipment Issue Warehouse	16,411	16,411
Navy	Camp Pendleton	Mn-22 Double Hangar Replacement	48,345	48,345
Navy	Camp Pendleton	Mn-22 Aviation Pavement	18,530	18,530
Navy	Camp Pendleton	Mn-22 Aviation Fuel Storage	6,163	6,163
Navy	Point Mugu	E-2d Aircrew Training Facility	15,377	15,377
Navy	Twentynine Palms	Multi-Use Operational Fitness Area	18,819	18,819
Navy	Twentynine Palms	Tracked Vehicle Maintenance Cover	15,882	15,882
Navy	Twentynine Palms	Child Development Center	23,743	23,743
Navy	Twentynine Palms	Land Expansion	8,665	8,665
Navy	Coronado	Fitness Center North Island	46,763	32,063
Navy	Coronado	Rotary Aircraft Depot Maint Fac (North Is.)	61,672	61,672
<i>Florida</i>				
Navy	Jacksonville	P-8a Training Facility	25,985	25,985
Navy	Jacksonville	P-8a Hangar Upgrades	6,085	6,085
Navy	Jacksonville	Bams UAS Operator Training Facility	4,482	4,482
Navy	Mayport	Massey Avenue Corridor Improvements	14,998	14,998
Navy	Whiting Field	Applied Instruction Facilities, EOD Course	20,620	20,620
<i>Georgia</i>				
Navy	Kings Bay	Crab Island Security Enclave	52,913	52,913
Navy	Kings Bay	Wra Land/Water Interface	33,150	33,150
<i>Hawaii</i>				
Navy	Barking Sands	North Loop Electrical Replacement	9,679	9,679
Navy	Kaneohe Bay	MCAS Operations Complex	57,704	57,704
Navy	Joint Base Pearl Harbor-Hickam	Navy Information Operations Command Fes Fac	7,492	7,492
<i>Illinois</i>				
Navy	Great Lakes	Decentralize Steam System	91,042	91,042
<i>Maryland</i>				
Navy	Indian Head	Decentralize Steam System	67,779	67,779
Navy	Patuxent River	Aircraft Prototype Facility, Ph 2	45,844	45,844
<i>North Carolina</i>				
Navy	Camp Lejeune	Bachelor Enlisted Quarters—Wallace Creek	27,439	27,439
Navy	Camp Lejeune	Squad Battle Course	16,821	16,821
Navy	Camp Lejeune	2nd Combat Engineer Maintenance/Ops Complex	75,214	75,214
Navy	Camp Lejeune	Base Entry Point and Road	81,008	81,008
Navy	Cherry Point Marine Corps Air Station	H-1 Helicopter Gearbox Repair & Test Facility	17,760	17,760
Navy	New River	Aircraft Maintenance Hangar and Apron	69,511	69,511
Navy	New River	Ordnance Loading Area Addition	9,419	9,419
<i>South Carolina</i>				
Navy	Beaufort	Vertical Landing Pads	21,096	21,096
<i>Virginia</i>				
Navy	Norfolk	Bachelor Quarters, Homeport Ashore	81,304	81,304
Navy	Norfolk	Decentralize Steam System	26,924	26,924
Navy	Portsmouth	Controlled Industrial Facility	74,864	74,864
Navy	Quantico	Waste Water Treatment Plant—Upshur	9,969	9,969
Navy	Quantico	Realign Purvis Rd/Russell Rd Intersection	6,442	6,442
Navy	Quantico	Bachelor Enlisted Quarters	31,374	31,374
Navy	Quantico	Enlisted Dining Facility	5,034	5,034
Navy	Quantico	the Basic School Student Quarters, Ph 6	28,488	28,488
Navy	Quantico	Embassy Security Group Facilities	27,079	27,079
Navy	Quantico	Academic Instruction Facility	75,304	75,304
<i>Washington</i>				
Navy	Bremerton	Integrated Dry Dock Water Treatment Fac, Ph1	13,341	13,341
Navy	Kitsap	Waterfront Restricted Area Vehicle Barriers	17,894	17,894
Navy	Kitsap	Ehr Security Force Facility (Bangor)	25,948	25,948
Navy	Kitsap	Explosives Handling Wharf #2, Inc 1	78,002	78,002
<i>Bahrain Island</i>				
Navy	Su Asia	Bachelor Enlisted Quarters	55,010	0
Navy	Su Asia	Waterfront Development, Ph 4	45,194	0
<i>Diego Garcia</i>				
Navy	Diego Garcia	Potable Water Plant Modernization	35,444	35,444
<i>Djibouti</i>				
Navy	Camp Lemonier	Bachelor Quarters	43,529	43,529
Navy	Camp Lemonier	Aircraft Logistics Apron	35,170	35,170
Navy	Camp Lemonier	Taxiway Enhancement	10,800	10,800
<i>Guam</i>				
Navy	Joint Region Marianas	North Ramp Utilities—Anderson AFB, Inc 2	78,654	0
Navy	Joint Region Marianas	Finegayan Water Utilities	77,267	0
<i>Worldwide Unspecified</i>				
Navy	Unspecified	Unspecified Minor Constr	21,495	21,495

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Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
Navy	Unspecified	Planning and Design	84,362	69,362
		Total Military Construction, Navy	2,461,547	2,172,622
		Military Construction, Air Force		
	Alaska			
AF	Eielson AFB	Dormitory (168 Rm)	45,000	45,000
AF	Jb Elmendorf-Richardson	Brigade Combat Team (Light) Complex, (480 Rm)	97,000	97,000
	Arizona			
AF	Davis-Monthan AFB	Ec-130h Simulator/Training Operations	20,500	20,500
AF	Davis-Monthan AFB	HC-130J Joint Use Fuel Cell	12,500	12,500
AF	Luke AFB	F-35 Adal Aircraft Maintenance Unit	6,000	6,000
AF	Luke AFB	F-35 Squad Ops/AMU 2	18,000	18,000
	California			
AF	Travis AFB	Dormitory (144 Rm)	22,000	22,000
AF	Vandenberg AFB	Education Center	14,200	14,200
	Colorado			
AF	U.S. Air Force Academy	Construct Large Vehicle Inspection Facility	13,400	13,400
	Delaware			
AF	Dover AFB	C-5m Formal Training Unit Facility	2,800	2,800
	Florida			
AF	Patrick AFB	Air Force Technical Applications Ctr, Inc 2	79,000	79,000
	Kansas			
AF	Fort Riley	Air Support Operations Center	7,600	7,600
	Louisiana			
AF	Barksdale AFB	Mission Support Group Complex	23,500	23,500
	Missouri			
AF	Whiteman AFB	Wsa Security Control Facility	4,800	4,800
	North Carolina			
AF	Pope AFB	C-130 Flight Simulator	6,000	6,000
	North Dakota			
AF	Minot AFB	Dormitory (168 Rm)	22,000	22,000
AF	Minot AFB	B-52 3-Bay Conventional Munitions Maintenance	11,800	11,800
AF	Minot AFB	B-52 Two-Bay Phase Maintenance Dock	34,000	34,000
	Nebraska			
AF	Offutt AFB	STRATCOM Replacement Facility, Inc 1	150,000	120,000
	New Mexico			
AF	Cannon AFB	Dormitory (96 Rm)	15,000	15,000
AF	Cannon AFB	Adal Wastewater Treatment Plant	7,598	7,598
AF	Holloman AFB	Child Development Center	11,200	11,200
AF	Holloman AFB	Parallel Taxiway 07/25	8,000	8,000
AF	Holloman AFB	F-16 Academic Facility	5,800	5,800
AF	Holloman AFB	F-16 Seed Training Facility	4,200	4,200
AF	Kirtland AFB	Afuce Sustainment Center	25,000	25,000
	Nevada			
AF	Nellis AFB	F-35a Age Facility	21,500	21,500
AF	Nellis AFB	Communications Network Control Center	11,600	11,600
AF	Nellis AFB	F-35 Add/Alter Engine Shop	2,750	2,750
	Texas			
AF	Jb San Antonio	Bmt Recruit Dormitory 4, Ph 4	64,000	64,000
AF	Joint Base San Antonio	Adv Indie Training (Ait) Barracks (300 Rm)	46,000	46,000
	Utah			
AF	Hill AFB	F-35 Adal Hangar 45e/AMU	6,800	0
AF	Hill AFB	F-22 System Support Facility	16,500	16,500
	Virginia			
AF	Jb Langley Eustis	Ait Barracks Complex, Ph 2	50,000	50,000
	Washington			
AF	Fairchild AFB	Wing Headquarters	13,600	13,600
AF	Fairchild AFB	Sere Force Support, Ph 2	14,000	14,000
	Greenland			
AF	Thule AFB	Dormitory (72 Pn)	28,000	28,000
	Guam			
AF	Joint Region Marianas	Prtc Red Horse Cantonment Operations Facility	14,000	14,000
AF	Joint Region Marianas	Prtc Combat Communications Transmission Syst	5,600	5,600
AF	Joint Region Marianas	Prtc Combat Communications Combat Support	9,800	9,800
AF	Joint Region Marianas	Guam Strike Clear Water Rinse Facility	7,500	0
AF	Joint Region Marianas	Guam Strike Fuel Systems Maintenance Hangar	128,000	0
AF	Joint Region Marianas	Guam Strike Conventional Munitions Maintenance	11,700	0
AF	Joint Region Marianas	Air Freight Terminal Complex	35,000	35,000
	Germany			
AF	Ramstein Ab	Dormitory (192 Rm)	34,697	34,697
	Italy			
AF	Sigonella	UAS SATCOM Relay Pads and Facility	15,000	15,000
	Korea			
AF	Osan Ab	Dormitory (156 Rm)	23,000	23,000
	Qatar			
AF	AL Udeid	Blatchford Preston Complex, Ph 4	37,000	0
	Worldwide Unspecified			

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Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
AF	Unspecified	Unspecified Minor Construction	20,000	20,000
AF	Unspecified	Planning & Design	81,913	67,913
Total Military Construction, Air Force			1,364,858	1,129,858
Military Construction, Defense-Wide				
	District of Columbia			
Def-Wide	Bolling AFB	Diac Parking Garage	13,586	13,586
Def-Wide	Bolling AFB	Electrical Upgrades	1,080	1,080
Def-Wide	Bolling AFB	Cooling Tower Expansion	2,070	2,070
	Virginia			
Def-Wide	Charlottesville	Remote Delivery Facility	10,805	10,805
	Germany			
Def-Wide	Stuttgart-Patch Barracks	DISA Europe Facility Upgrades	2,434	2,434
	Alaska			
Def-Wide	Eielson AFB	Upgrade Rail Line	14,800	14,800
	Arizona			
Def-Wide	Davis-Monthan AFB	Replace Hydrant Fuel System	23,000	23,000
	California			
Def-Wide	Defense Distribution Depot-Tracy	Replace Public Safety Center	15,500	15,500
Def-Wide	Point Loma Annex	Replace Fuel Storage Facilities, Inc 4	27,000	27,000
Def-Wide	San Clemente	Replace Fuel Storage Tanks & Pipeline	21,800	21,800
	Florida			
Def-Wide	Whiting Field	Truck Load/Unload Facility	3,800	3,800
	Hawaii			
Def-Wide	Joint Base Pearl Harbor-Hickam	Upgrade Refueler Truck Parking Area	5,200	5,200
Def-Wide	Joint Base Pearl Harbor-Hickam	Alter Warehouse Space	9,200	9,200
	Louisiana			
Def-Wide	Barksdale AFB	Hydrant Fuel System	6,200	6,200
	Massachusetts			
Def-Wide	Westover ARB	Replace Hydrant Fuel System	23,300	23,300
	Mississippi			
Def-Wide	Columbus AFB	Replace Refueler Parking Facility	2,600	2,600
	Ohio			
Def-Wide	Columbus AFB	Security Enhancements	10,000	10,000
	Oklahoma			
Def-Wide	Altus AFB	Replace Fuel Transfer Pipeline	8,200	8,200
	Pennsylvania			
Def-Wide	Def Distribution Depot New Cumberland	Enclose Open-Sided Shed	3,000	0
Def-Wide	Def Distribution Depot New Cumberland	Replace General Purpose Warehouse	25,500	0
Def-Wide	Def Distribution Depot New Cumberland	Upgrade Access Control Points	17,500	17,500
Def-Wide	Philadelphia	Upgrade Hvac System	8,000	8,000
	South Carolina			
Def-Wide	Joint Base Charleston	Replace Fuel Storage & Distribution Facility	24,868	24,868
	Washington			
Def-Wide	Whidbey Island	Replace Fuel Pipeline	25,000	25,000
Def-Wide	Joint Base Lewis-Mechord	Replace Fuel Distribution Facilities	14,000	14,000
	West Virginia			
Def-Wide	Camp Daveson	Replace Hydrant Fuel System	2,200	2,200
	Georgia			
Def-Wide	Fort Benning	Replace McBride Elementary School	37,205	37,205
	Kentucky			
Def-Wide	Fort Knox	Replace Kingsolver-Pierce Elementary Schools	38,845	38,845
	Massachusetts			
Def-Wide	Hanscom AFB	Replace Hanscom Middle School	34,040	34,040
	North Carolina			
Def-Wide	Fort Bragg	Replace District Superintendent's Office	3,138	3,138
Def-Wide	New River	Replace Delatio Elementary School	22,687	22,687
	Virginia			
Def-Wide	Dahlgren	Dahlgren E/MS School Addition	1,988	1,988
	Germany			
Def-Wide	Ansbach	Ansbach Middle/High School Addition	11,672	11,672
Def-Wide	Baumholder	Replace Wetzel-Smith Elementary Schools	59,419	0
Def-Wide	Grafenmoehr	Netzberg MS School Addition	6,529	6,529
Def-Wide	Spangdahlem Ab	Replace Bitburg Elementary School	41,876	41,876
Def-Wide	Spangdahlem Ab	Replace Bitburg Middle & High School	87,167	87,167
	Italy			
Def-Wide	Vicenza	Replace Vicenza High School	41,864	41,864
	Japan			
Def-Wide	Yokota Ab	Replace Temp Classrm/Joan K. Mendel Es	12,236	12,236
Def-Wide	Yokota Ab	Replace Yokota High School	49,606	49,606

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Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
Def-Wide	United Kingdom Royal Air Force Alconbury	Replace Alconbury High School	35,030	35,030
Def-Wide	Virginia Quantico	Dss Headquarters Addition	42,727	42,727
Def-Wide	Quantico	Defense Access Road Improvements-Telegraph Rd	4,000	4,000
Def-Wide	Alabama Redstone Arsenal	Von Braun Complex, Ph 4	58,800	58,800
Def-Wide	Missouri Arnold	Data Ctr West #1 Power & Cooling Upgrade	9,253	9,253
Def-Wide	Virginia Fort Belvoir	Technology Center Third Floor Fit-Out	54,625	0
Def-Wide	Colorado Buckley Air Force Base	Mountainview Operations Facility	140,932	70,432
Def-Wide	Georgia Fort Gordon	Whitelaw Wedge Building Addition	11,340	17,705
Def-Wide	Maryland Fort Meade	High Performance Computing Capacity, Inc 1	29,640	0
Def-Wide	Utah Camp Williams	Ic Cnci Data Center 1, Inc 3	246,401	123,201
Def-Wide	United Kingdom Menwith Hill Station	Mhs Psc Construction Generator Plant	68,601	68,601
Def-Wide	Alaska Anchorage	SOF Cold Weather Maritime Training Facility	18,400	18,400
Def-Wide	California Camp Pendleton	SOF Range 130 Support Projects	8,641	8,641
Def-Wide	Camp Pendleton	SOF Military Working Dog Facility	3,500	3,500
Def-Wide	Coronado	SOF Support Activity Operations Facility	42,000	42,000
Def-Wide	Florida Eglin AFB	SOF Company Operations Facility (Gstb)	19,000	19,000
Def-Wide	Eglin AFB	SOF Company Operations Facility (Gsb)	21,000	21,000
Def-Wide	Eglin Aux 9	SOF Enclosed Engine Noise Suppressors	3,200	3,200
Def-Wide	Eglin Aux 9	SOF Simulator Facility	6,300	6,300
Def-Wide	Macdill AFB	SOF Acquisition Center, Ph 2	15,200	15,200
Def-Wide	Kentucky Fort Campbell	SOF Rotary Wing Hangar	38,900	38,900
Def-Wide	Fort Campbell	SOF Mh47 Aviation Facility	43,000	43,000
Def-Wide	North Carolina Camp Lejeune	SOF Armory Facility Expansion	6,670	6,670
Def-Wide	Fort Bragg	SOF Communications Training Complex	10,758	10,758
Def-Wide	Fort Bragg	SOF Squadron HQ Addition	11,000	11,000
Def-Wide	Fort Bragg	SOF Entry Control Point	2,300	2,300
Def-Wide	Fort Bragg	SOF Battalion Operations Complex	23,478	23,478
Def-Wide	Fort Bragg	SOF Brigade Headquarters	19,000	19,000
Def-Wide	Fort Bragg	SOF Group Headquarters	26,000	26,000
Def-Wide	Fort Bragg	SOF Battalion Operations Facility	41,000	41,000
Def-Wide	Fort Bragg	SOF Administrative Annex	12,000	12,000
Def-Wide	Pope AFB	SOF Training Facility	5,400	5,400
Def-Wide	New Mexico Cannon AFB	SOF C-130 Squadron Operations Facility	10,941	10,941
Def-Wide	Cannon AFB	SOF C-130 Wash Rack Hangar	10,856	10,856
Def-Wide	Cannon AFB	SOF Aircraft Maintenance Squadron Facility	15,000	15,000
Def-Wide	Cannon AFB	SOF Apron and Taxiway	28,100	28,100
Def-Wide	Cannon AFB	SOF Hangar Aircraft Maintenance Unit	41,200	41,200
Def-Wide	Cannon AFB	SOF Adal Simulator Facility	9,600	9,600
Def-Wide	Cannon AFB	SOF Squadron Operations Facility	17,300	17,300
Def-Wide	Virginia Dam Neck	SOF Logistic Support Facility	14,402	14,402
Def-Wide	Dam Neck	SOF Building Renovation	3,814	3,814
Def-Wide	Dam Neck	SOF Military Working Dog Facility	4,900	4,900
Def-Wide	Joint Expeditionary Base Little Creek—Story	SOF Seal Team Operations Facility	37,000	37,000
Def-Wide	Washington Jb Lewis Mechorl	SOF Company Operations Facility	21,000	21,000
Def-Wide	Florida Eglin AFB	Medical Clinic	11,600	11,600
Def-Wide	Georgia Fort Stewart	Hospital Addition/Alteration, Ph 2	72,300	72,300
Def-Wide	Illinois Great Lakes	Health Clinic Demolition	16,900	16,900
Def-Wide	Kentucky Fort Campbell	Hospital Addition/Alteration	56,600	56,600
Def-Wide	Maryland Aberdeen Proving Ground	USAMRICD Replacement, Inc 4	22,850	22,850
Def-Wide	Bethesda Naval Hospital	Child Development Center Addition/Alteration	18,000	18,000
Def-Wide	Fort Detrick	USAMRIID Stage I, Inc 6	137,600	137,600
Def-Wide	Joint Base Andrews	Dental Clinic Replacement	22,800	22,800
Def-Wide	Joint Base Andrews	Ambulatory Care Center	242,900	121,400

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Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
Def-Wide	Mississippi			
	Gulfport	Medical Clinic Replacement	34,700	34,700
Def-Wide	North Carolina			
	Fort Bragg	Hospital Alteration	57,600	57,600
Def-Wide	New York			
	Fort Drum	Medical Clinic	15,700	15,700
Def-Wide	Fort Drum	Dental Clinic Addition/Alteration	4,700	4,700
Def-Wide	Texas			
	Fort Bliss	Hospital Replacement, Inc 3	136,700	109,400
Def-Wide	Joint Base San Antonio	Hospital Nutrition Care Department Add/Alt	33,000	33,000
Def-Wide	Joint Base San Antonio	Ambulatory Care Center, Ph 3	161,300	80,600
Def-Wide	Germany			
	Rhine Ordnance Barracks	Medical Center Replacement, Inc 1	70,592	0
Def-Wide	Virginia			
	Pentagon	Heliprot Control Tower/Fire Station	6,457	6,457
Def-Wide	Pentagon	Pentagon Memorial Pedestrian Plaza	2,285	2,285
Def-Wide	Belgium			
	Brussels	NATO Headquarters Facility	24,118	0
Def-Wide	Worldwide Unspecified			
	Unspecified	Energy Conservation Investment Program	135,000	135,000
Def-Wide	Unspecified	Contingency Construction	10,000	10,000
Def-Wide	Unspecified	Exercise Related Construction	8,417	8,417
Def-Wide	Unspecified	Unspecified Minor Construction	6,571	6,571
Def-Wide	Unspecified	Unspecified Minor Milcon	6,365	0
Def-Wide	Unspecified	Unspecified Minor Construction	8,876	8,876
Def-Wide	Unspecified	Minor Construction	6,100	6,100
Def-Wide	Unspecified	Unspecified Minor Construction	3,000	3,000
Def-Wide	Unspecified	Planning and Design	1,993	1,993
Def-Wide	Unspecified	Planning and Design	3,043	3,043
Def-Wide	Unspecified	Planning and Design	6,000	6,000
Def-Wide	Unspecified	Planning and Design	3,000	3,000
Def-Wide	Unspecified	Planning and Design	66,974	61,974
Def-Wide	Unspecified	Planning and Design	8,368	8,368
Def-Wide	Unspecified	Planning and Design	52,974	35,474
Def-Wide	Unspecified	Planning and Design	31,468	28,968
Def-Wide	Unspecified	Planning and Design	227,498	202,498
Def-Wide	Unspecified	Planning and Design	48,007	43,007
Def-Wide	Unspecified	Planning and Design	5,277	5,277
Total Military Construction, Defense-Wide			3,848,757	3,103,663
Military Construction, Army NG				
Army NG	Alabama			
	Fort MC Clellan	Readiness Center, Ph 2	16,500	16,500
Army NG	Arkansas			
	Fort Chaffee	Convoy Live Fire/Entry Control Point Range	3,500	3,500
Army NG	Arizona			
	Papago Military Reservation	Readiness Center	17,800	17,800
Army NG	California			
	Camp Roberts	Utilities Replacement, Ph 1	32,000	32,000
Army NG	Camp Roberts	Tactical Unmanned Aircraft System Facility	6,160	6,160
Army NG	Camp San Luis Obispo	Field Maintenance Shop	8,000	8,000
Army NG	Colorado			
	Fort Carson, Colorado	Barracks Complex (Ortc)	43,000	43,000
Army NG	Aurora	Tactical Unmanned Aircraft System Facility	3,600	3,600
Army NG	Alamosa	Readiness Center	6,400	6,400
Army NG	District of Columbia			
	Anacostia	US Property & Fiscal Office Add/Alt	5,300	5,300
Army NG	Florida			
	Camp Blanding	Convoy Live Fire/Entry Control Point Range	2,400	2,400
Army NG	Camp Blanding	Live Fire Shoot House	3,100	3,100
Army NG	Georgia			
	Atlanta	Readiness Center	11,000	11,000
Army NG	Hinesville	Maneuver Area Training & Equipment Site Ph1	17,500	17,500
Army NG	Macon	Readiness Center, Ph 1	14,500	14,500
Army NG	Hawaii			
	Kalaheo	Readiness Center, Ph 1	33,000	33,000
Army NG	Illinois			
	Normal	Readiness Center	10,000	10,000
Army NG	Indiana			
	Camp Atterbury	Railhead Expansion & Container Facility	21,000	21,000
Army NG	Camp Atterbury	Deployment Processing Facility	8,900	8,900
Army NG	Camp Atterbury	Operations Readiness Training Complex 1	25,000	25,000
Army NG	Camp Atterbury	Operations Readiness Training Complex 2	27,000	27,000
Army NG	Indianapolis	JFHQ Add/Alt	25,700	25,700
Army NG	Massachusetts			
	Natick	Readiness Center	9,000	9,000

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	<i>Maryland</i>			
Army NG	Dundalk	Readiness Center Add/Alt	16,000	16,000
Army NG	Westminster	Readiness Center Add/Alt	10,400	10,400
Army NG	LA Plata	Readiness Center	9,000	9,000
	<i>Maine</i>			
Army NG	Bangor	Readiness Center	15,600	15,600
Army NG	Brunswick	Armed Forces Reserve Center	23,000	23,000
	<i>Minnesota</i>			
Army NG	Camp Ripley	Multipurpose Machine Gun Range	8,400	8,400
	<i>Mississippi</i>			
Army NG	Camp Shelby	Troop Housing (Ortc), Ph 1	25,000	25,000
Army NG	Camp Shelby	Deployment Processing Facility	12,600	12,600
Army NG	Camp Shelby	Operational Readiness Training Complex, Ph1	27,000	27,000
	<i>North Carolina</i>			
Army NG	Greensboro	Readiness Center Add/Alt	3,700	3,700
	<i>Nebraska</i>			
Army NG	Mead	Readiness Center	9,100	9,100
Army NG	Grand Island	Readiness Center	22,000	22,000
	<i>New Jersey</i>			
Army NG	Lakehurst	Army Aviation Support Facility	49,000	49,000
	<i>New Mexico</i>			
Army NG	Santa Fe	Readiness Center Add/Alt	5,200	5,200
	<i>Nevada</i>			
Army NG	Las Vegas	Field Maintenance Shop	23,000	23,000
	<i>Oklahoma</i>			
Army NG	Camp Gruber	Upgrade-Combined Arms Collective Training Facility	10,361	10,361
Army NG	Camp Gruber	Live Fire Shoot House	3,000	3,000
	<i>Oregon</i>			
Army NG	the Dalles	Readiness Center	13,800	13,800
	<i>South Carolina</i>			
Army NG	Allendale	Readiness Center Add/Alt	4,300	4,300
	<i>Utah</i>			
Army NG	Camp Williams	Multi Purpose Machine Gun Range	6,500	6,500
	<i>Virginia</i>			
Army NG	Fort Pickett	Combined Arms Collective Training Facility	11,000	11,000
	<i>Wisconsin</i>			
Army NG	Camp Williams	Tactical Unmanned Aircraft System Facility	7,000	7,000
	<i>West Virginia</i>			
Army NG	Buckhannon	Readiness Center, Ph1	10,000	10,000
	<i>Wyoming</i>			
Army NG	Cheyenne	Readiness Center	8,900	8,900
	<i>Puerto Rico</i>			
Army NG	Fort Buchanan	Readiness Center	57,000	57,000
	<i>Worldwide Unspecified</i>			
Army NG	Unspecified	Unspecified Minor Construction	11,700	11,700
Army NG	Unspecified	Planning and Design	20,671	20,671
Total Military Construction, Army NG			773,592	773,592
Military Construction, Air NG				
	<i>California</i>			
Air NG	Beale AFB	Wing Operations and Training Facility	6,100	6,100
Air NG	Moffett Field	Replace Pararescue Training Facility	26,000	26,000
	<i>Hawaii</i>			
Air NG	Joint Base Pearl Harbor-Hickam	TFI—F-22 Flight Simulator Facility	19,800	19,800
Air NG	Joint Base Pearl Harbor-Hickam	TFI—F-22 Weapons Load Crew Training Facilit	7,000	7,000
Air NG	Joint Base Pearl Harbor-Hickam	TFI—F-22 Combat Aircraft Parking Apron	12,721	12,721
	<i>Indiana</i>			
Air NG	Fort Wayne IAP	a-10 Facility Conversion—Munitions	4,000	4,000
	<i>Massachusetts</i>			
Air NG	Otis ANGB	TFI—CNAF Beddown—Upgrade Facility	7,800	7,800
	<i>Maryland</i>			
Air NG	Martin State Airport	TFI—C-27 Conversion—Squadron Operations	4,900	4,900
	<i>Ohio</i>			
Air NG	Springfield Beckley-Map	Alter Predator Operations Center	6,700	6,700
	<i>Worldwide Unspecified</i>			
Air NG	Unspecified	Minor Construction	9,000	9,000
Air NG	Unspecified	Planning and Design	12,225	12,225
Total Military Construction, Air NG			116,246	116,246
Military Construction, Army Reserve				
	<i>California</i>			
Army Res	Fort Hunter Liggett	Automated Multipurpose Machine Gun (Mpmg)	5,200	5,200
	<i>Colorado</i>			

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Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
Army Res	Fort Collins Illinois	Army Reserve Center	13,600	13,600
Army Res	Homewood	Army Reserve Center	16,000	16,000
Army Res	Rockford	Army Reserve Center/Land	12,800	12,800
Army Res	Indiana Fort Benjamin Harrison	Army Reserve Center	57,000	57,000
Army Res	Kansas Kansas City	Army Reserve Center/Land	13,000	13,000
Army Res	Massachusetts Attleboro	Army Reserve Center/Land	22,000	22,000
Army Res	Minnesota Saint Joseph	Army Reserve Center	11,800	11,800
Army Res	Missouri Saint Charles	Army Reserve Center	19,000	19,000
Army Res	North Carolina Greensboro	Army Reserve Center/Land	19,000	19,000
Army Res	New York Schenectady	Army Reserve Center	20,000	20,000
Army Res	South Carolina Orangeburg	Army Reserve Center/Land	12,000	12,000
Army Res	Wisconsin Fort McCoy	Container Loading Facility	5,300	5,300
Army Res	Fort McCoy	Modified Record Fire Known Distance Range	5,400	5,400
Army Res	Fort McCoy	Automated Record Fire Range	4,600	4,600
Army Res	Fort McCoy	Ncoa Phase Iii—Billeting	12,000	12,000
Army Res	Worldwide Unspecified			
Army Res	Unspecified	Unspecified Minor Construction	2,925	2,925
Army Res	Unspecified	Planning and Design	28,924	28,924
Total Military Construction, Army Reserve			280,549	280,549
Military Construction, Navy and MC Reserve				
N/MC Res	Pennsylvania Pittsburgh	Armed Forces Reserve Center (Pittsburgh)	13,759	13,759
N/MC Res	Tennessee Memphis	Reserve Training Center	7,949	7,949
N/MC Res	Worldwide Unspecified			
N/MC Res	Unspecified	Menr Unspecified Minor Construction	2,000	2,000
N/MC Res	Unspecified	Planning and Design	2,591	2,591
Total Military Construction, Navy and MC Reserve.			26,299	26,299
Military Construction, Air Force Reserve				
AF Res	California March AFB	Airfield Control Tower/Base Ops	16,393	16,393
AF Res	South Carolina Charleston AFB	TFT Red Horse Readiness & Trng Center	9,593	9,593
AF Res	Worldwide Unspecified			
AF Res	Unspecified	Unspecified Minor Construction	5,434	5,434
AF Res	Unspecified	Planning & Design	2,200	2,200
Total Military Construction, Air Force Reserve.			33,620	33,620
Homeowners Assistance Program				
HAP	Worldwide Unspecified Unspecified	Homeowers Assistance Program	1,284	1,284
Total Homeowners Assistance Program			1,284	1,284
NATO Security Investment Program				
NATO	Worldwide Unspecified Unspecified	NATO Security Investment Program	272,611	240,611
Total NATO Security Investment Program			272,611	240,611
Housing Improvement Fund				
FHIF	Worldwide Unspecified Unspecified	Family Housing Improvement Fund	2,184	2,184
Total Housing Improvement Fund			2,184	2,184
Chemical Demilitarization Construction, Defense				
Chem Demil	Colorado Pueblo Depot	Ammunition Demilitarization Facility, Ph Xvii	15,338	15,338
	Kentucky			

SEC. 4501. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
Chem Demil	Blue Grass Army Depot	Ammunition Demilitarization Ph Xii	59,974	59,974
		Total Chemical Demilitarization Construction, Defense.	75,312	75,312
		Family Housing O&m, Defense-Wide		
	Worldwide Unspecified			
FH Ops DW	Unspecified	Utilities Account	280	280
FH Ops DW	Unspecified	Utilities Account	10	10
FH Ops DW	Unspecified	Furnishings Account	2,699	2,699
FH Ops DW	Unspecified	Furnishings Account	19	19
FH Ops DW	Unspecified	Services Account	30	30
FH Ops DW	Unspecified	Management Account	347	347
FH Ops DW	Unspecified	Furnishings Account	70	70
FH Ops DW	Unspecified	Leasing	36,552	36,552
FH Ops DW	Unspecified	Leasing	10,100	10,100
FH Ops DW	Unspecified	Maintenance of Real Property	546	546
FH Ops DW	Unspecified	Maintenance of Real Property	70	70
		Total Family Housing O&m, Defense-Wide	50,723	50,723
		BRAC Account 1990		
	Worldwide Unspecified			
BRAC IV	Unspecified	Base Realignment & Closure	129,351	129,351
BRAC IV	Unspecified	Base Realignment & Closure	70,716	70,716
BRAC IV	Unspecified	Base Realignment & Closure	123,476	123,476
		Total BRAC Account 1990	323,543	323,543
		BRAC Account 2005		
	Worldwide Unspecified			
BRAC 05	Unspecified	Usa-121: Fort Gillem, GA	8,903	8,903
BRAC 05	Unspecified	Usa-222: Fort Mepherston, GA	9,921	9,921
BRAC 05	Unspecified	Program Management Various Locations	32,298	32,298
BRAC 05	Unspecified	Usa-223: Fort Monmouth, NJ	21,908	21,908
BRAC 05	Unspecified	Usa-36: Red River Army Depot	1,207	1,207
BRAC 05	Unspecified	Usa-113: Fort Monroe, VA	23,601	23,601
BRAC 05	Unspecified	Usa-242: Rc Transformation in NY	259	259
BRAC 05	Unspecified	Usa-63: U.S. Army Garrison (Selfridge)	1,609	1,609
BRAC 05	Unspecified	Usa-167: USAR Command and Control—NE	250	250
BRAC 05	Unspecified	Usa-166: USAR Command and Control—Ne	1,000	1,000
BRAC 05	Unspecified	Usa-131: USAR Command and Control -Se	250	250
BRAC 05	Unspecified	Usa-168: USAR Command and Control—Sw	250	250
BRAC 05	Unspecified	Ind-112: River Bank Army Ammo Plant, CA	320	320
BRAC 05	Unspecified	Ind-119: Newport Chemical Depot, in	467	467
BRAC 05	Unspecified	Ind-106: Kansas Army Ammunition Plant, KS	45,769	45,769
BRAC 05	Unspecified	Ind-110: Mississippi Army Ammo Plant, MS	122	122
BRAC 05	Unspecified	Ind-120: Umatilla Chemical Depot, OR	9,092	9,092
BRAC 05	Unspecified	Ind-122: Lone Star Army Ammo Plant, TX	19,367	19,367
BRAC 05	Unspecified	Ind-117: Deseret Chemical Depot, UT	34,011	34,011
BRAC 05	Unspecified	Int-4: NGA Activities	1,791	1,791
BRAC 05	Unspecified	Med-2: Walter Reed Nmmc, Bethesda, MD	18,586	18,586
BRAC 05	Unspecified	Don-172: NWS Seal Beach, Concord, CA	9,763	9,763
BRAC 05	Unspecified	Don-126: Ncs, Athens, GA	325	325
BRAC 05	Unspecified	Don-158: NSA New Orleans, LA	2,056	2,056
BRAC 05	Unspecified	Don-138: NAS Brunswick, ME	421	421
BRAC 05	Unspecified	Don-157: Mesa Kansas City, MO	1,442	1,442
BRAC 05	Unspecified	Don-2: Ns Pascagoula, MS	515	515
BRAC 05	Unspecified	Don-84: JRB Willow Grove & Cambria Reg Ap	196	196
BRAC 05	Unspecified	Don-100: Planning, Design and Management	6,090	6,090
BRAC 05	Unspecified	Don-101: Various Locations	5,021	5,021
BRAC 05	Unspecified	Program Management Various Locations	828	828
BRAC 05	Unspecified	Med-57: Brooks City Base, TX	205	205
BRAC 05	Unspecified	Comm Add 3: Galena Fol, AK	933	933
		Total BRAC Account 2005	258,776	258,776
		Family Housing Construction, Army		
	Belgium			
FH Con Army	Brussels	Land Purchase for Gfoq (10 Units)	10,000	0
	Germany			
FH Con Army	Grafenwoehr	Family Housing New Construction (26 Units)	13,000	13,000
FH Con Army	Illesheim	Family Housing Replacement Construc(80 Units)	41,000	41,000
FH Con Army	Vilseck	Family Housing New Construction (22 Units)	12,000	12,000
	Worldwide Unspecified			
FH Con Army	Unspecified	Construction Improvements (276 Units)	103,000	103,000
FH Con Army	Unspecified	Family Housing P&d	7,897	7,897

SEC. 4501. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
		Total Family Housing Construction, Army	186,897	176,897
		Family Housing O&m, Army		
	Worldwide Unspecified			
FH Ops Army	Unspecified	Utilities Account	73,637	73,637
FH Ops Army	Unspecified	Services Account	15,797	15,797
FH Ops Army	Unspecified	Management Account	54,728	54,728
FH Ops Army	Unspecified	Miscellaneous Account	605	605
FH Ops Army	Unspecified	Furnishings Account	14,256	14,256
FH Ops Army	Unspecified	Leasing	204,426	204,426
FH Ops Army	Unspecified	Maintenance of Real Property	105,668	105,668
FH Ops Army	Unspecified	Privatization Support Costs	25,741	25,741
		Total Family Housing O&m, Army	494,858	494,858
		Family Housing Construction, Navy		
	Worldwide Unspecified			
FH Con Navy	Unspecified	Improvements	97,773	97,773
FH Con Navy	Unspecified	Design	3,199	3,199
		Total Family Housing Construction, Navy	100,972	100,972
		Family Housing O&m, Navy		
	Worldwide Unspecified			
FH Ops Navy	Unspecified	Utilities Account	70,197	70,197
FH Ops Navy	Unspecified	Furnishings Account	15,979	15,979
FH Ops Navy	Unspecified	Management Account	61,090	61,090
FH Ops Navy	Unspecified	Miscellaneous Account	476	476
FH Ops Navy	Unspecified	Services Account	14,510	14,510
FH Ops Navy	Unspecified	Leasing	79,798	79,798
FH Ops Navy	Unspecified	Maintenance of Real Property	97,231	97,231
FH Ops Navy	Unspecified	Privatization Support Costs	28,582	28,582
		Total Family Housing O&m, Navy	367,863	367,863
		Family Housing Construction, Air Force		
	Worldwide Unspecified			
FH Con AF	Unspecified	Construction Improvements	80,546	80,546
FH Con AF	Unspecified	Classified Improvements	50	50
FH Con AF	Unspecified	Planning and Design	4,208	4,208
		Total Family Housing Construction, Air Force.	84,804	84,804
		Family Housing O&m, Air Force		
	Worldwide Unspecified			
FH Ops AF	Unspecified	Utilities Account	67,639	67,639
FH Ops AF	Unspecified	Management Account	1,996	1,996
FH Ops AF	Unspecified	Management Account	55,395	55,395
FH Ops AF	Unspecified	Services Account	13,675	13,675
FH Ops AF	Unspecified	Furnishings Account	35,290	35,290
FH Ops AF	Unspecified	Miscellaneous Account	2,165	2,165
FH Ops AF	Unspecified	Leasing Account	122	122
FH Ops AF	Unspecified	Leasing	80,775	80,775
FH Ops AF	Unspecified	Maintenance Account	2,001	2,001
FH Ops AF	Unspecified	Maintenance (Rpma & Rpmc)	98,132	98,132
FH Ops AF	Unspecified	Housing Privatization	47,571	47,571
		Total Family Housing O&m, Air Force	404,761	404,761

TITLE XLVI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 4601. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4601. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2012 Request	Senate Authorized
Discretionary Summary By Appropriation		
Energy And Water Development, And Related Agencies		
Appropriation Summary:		
Energy Programs		
Electricity delivery and energy reliability	6,187	0
Atomic Energy Defense Activities		
National nuclear security administration:		
Weapons activities	7,629,716	7,628,716
Defense nuclear nonproliferation	2,549,492	2,378,679
Naval reactors	1,153,662	1,153,662
Office of the administrator	450,060	405,092
Total, National nuclear security administration	11,782,930	11,566,149
Environmental and other defense activities:		
Defense environmental cleanup	5,406,781	5,060,126
Other defense activities	859,952	859,952
Total, Environmental & other defense activities	6,266,733	5,920,078
Total, Atomic Energy Defense Activities	18,049,663	17,486,227
Total, Discretionary Funding	18,055,850	17,486,227
Electricity Delivery & Energy Reliability		
Infrastructure security & energy restoration	6,187	0
Weapons Activities		
Directed stockpile work		
Life extension programs		
B61 Life extension program	223,562	223,562
W76 Life extension program	257,035	257,035
Total, Life extension programs	480,597	480,597
Stockpile systems		
B61 Stockpile systems	72,396	72,396
W76 Stockpile systems	63,383	63,383
W78 Stockpile systems	109,518	107,518
W80 Stockpile systems	44,444	44,444
B83 Stockpile systems	48,215	48,215
W87 Stockpile systems	83,943	83,943
W88 Stockpile systems	75,728	75,728
Total, Stockpile systems	497,627	495,627
Weapons dismantlement and disposition		
Operations and maintenance	56,770	56,770
Stockpile services		
Production support	354,502	354,502
Research and development support	30,264	30,264
R&D certification and safety	190,892	190,892
Management, technology, and production	198,700	198,700
Plutonium sustainment	154,231	154,231
Total, Stockpile services	928,589	928,589
Total, Directed stockpile work	1,963,583	1,961,583
Campaigns:		
Science campaign		

SEC. 4601. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2012 Request	Senate Authorized
Advanced certification	94,929	94,929
Primary assessment technologies	86,055	86,055
Dynamic materials properties	111,836	111,836
Advanced radiography	27,058	27,058
Secondary assessment technologies	86,061	86,061
Total, Science campaign	405,939	405,939
Engineering campaign		
Enhanced surety	41,696	41,696
Weapon systems engineering assessment technology	15,663	15,663
Nuclear survivability	19,545	19,545
Enhanced surveillance	66,174	66,174
Total, Engineering campaign	143,078	143,078
Inertial confinement fusion ignition and high yield campaign		
Ignition	109,888	109,888
Diagnostics, cryogenics and experimental support	86,259	91,259
Pulsed power inertial confinement fusion	4,997	4,997
Joint program in high energy density laboratory plasmas	9,100	9,100
Facility operations and target production	266,030	266,030
Total, Inertial confinement fusion and high yield campaign	476,274	481,274
Advanced simulation and computing campaign	628,945	628,945
Readiness Campaign		
Nonnuclear readiness	65,000	65,000
Tritium readiness	77,491	70,491
Total, Readiness campaign	142,491	135,491
Total, Campaigns	1,796,727	1,794,727
Readiness in technical base and facilities (RTBF)		
Operations of facilities		
Kansas City Plant	156,217	151,217
Lawrence Livermore National Laboratory	83,990	83,990
Los Alamos National Laboratory	318,526	318,526
Nevada Test Site	97,559	97,559
Panther	164,848	164,848
Sandia National Laboratory	120,708	120,708
Savannah River Site	97,767	97,767
Y-12 National security complex	246,001	246,001
Institutional site support	199,638	199,638
Total, Operations of facilities	1,485,254	1,480,254
Program readiness	74,180	74,180
Material recycle and recovery	85,939	85,939
Containers	28,979	28,979
Storage	31,272	31,272
Subtotal, Readiness in technical base and facilities	1,705,624	1,700,624
Construction:		
12-D-301 TRU waste facilities, LANL	9,881	9,881
11-D-801 TA-55 Reinvestment project, LANL	19,402	19,402
10-D-501 Nuclear facilities risk reduction Y-12 National security complex, Oakridge, TN	35,387	35,387
09-D-404 Test capabilities revitalization II, Sandia National Laboratories, Albuquerque, NM	25,168	25,168
08-D-802 High explosive pressing facility Panther Plant, Amerillo, TX	66,960	66,960
07-D-140 Project engineering and design (PED) various locations	3,518	3,518
06-D-141 Project engineering & design (PED) Y-12 National Security Complex, Oakridge, TN	160,194	160,194
04-D-125 Chemistry and metallurgy facility replacement project, Los Alamos National Laboratory, Los Alamos, NM	300,000	300,000
Total, Construction	620,510	620,510
Total, Readiness in technical base and facilities	2,326,134	2,321,134
Secure transportation asset		
Operations and equipment	149,274	149,274
Program direction	101,998	101,998
Total, Secure transportation asset	251,272	251,272

SEC. 4601. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2012 Request	Senate Authorized
Nuclear counterterrorism incident response	222,147	222,147
Facilities and infrastructure recapitalization program		
Operations and maintenance	96,380	96,380
Total, Facilities and infrastructure recapitalization program ..	96,380	96,380
Site stewardship		
Operations and maintenance	104,002	104,002
Total, Site stewardship	104,002	104,002
Safeguards and security		
Defense nuclear security		
Operations and maintenance	711,105	711,105
Construction:		
08-D-701 Nuclear materials S&S upgrade project Los Alamos National Laboratory	11,752	9,752
Total, Construction	11,752	9,752
Total, Defense nuclear security	722,857	720,857
Cyber security	126,614	126,614
Total, Safeguards and security	849,471	847,471
National security applications	20,000	30,000
Subtotal, Weapons activities	7,629,716	7,628,716
Total, Weapons Activities	7,629,716	7,628,716
Defense Nuclear Nonproliferation		
Nonproliferation and verification R&D		
Operations and maintenance	417,598	426,959
Total, Operations and maintenance	417,598	426,959
Total, Nonproliferation and verification R&D		
Nonproliferation and international security	161,833	159,833
GIPP		
International nuclear materials protection and cooperation	571,639	571,639
Fissile materials disposition		
U.S. surplus fissile materials disposition		
Operations and maintenance		
U.S. plutonium disposition	274,790	234,790
U.S. uranium disposition	26,435	26,435
Total, Operations and maintenance	301,225	261,225
Construction:		
99-D-143 Mixed oxide fuel fabrication facility, Savannah River, SC	385,172	385,172
99-D-141-01 Pit disassembly and conversion facility, Savannah River, SC	176,000	48,000
99-D-141-02 Waste Solidification Building, Savannah River, SC	17,582	17,582
Total, Construction	578,754	450,754
Total, U.S. surplus fissile materials disposition	879,979	711,979
Russian surplus materials disposition	10,174	0
Total, Fissile materials disposition	890,153	711,979
Global threat reduction initiative	508,269	508,269
Total, Defense Nuclear Nonproliferation	2,549,492	2,378,679
Naval Reactors		
Naval reactors development		
Operation and maintenance		
Operation and maintenance	1,069,262	1,069,262
Construction:		
10-D-903, Security upgrades, KAPL	100	100
10-D-904, NRF infrastructure upgrades, Idaho	12,000	12,000
08-D-190 Expended Core Facility M-290 recovering discharge sta- tion, Naval Reactor Facility, ID	27,800	27,800
Total, Construction	39,900	39,900
Total, Naval reactors development	1,109,162	1,109,162
Program direction	44,500	44,500

SEC. 4601. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2012 Request	Senate Authorized
Total, Naval Reactors	1,153,662	1,153,662
Office Of The Administrator		
Office of the administrator	450,060	405,092
Total, Office Of The Administrator	450,060	405,092
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	5,375	5,375
Total, Closure sites	5,375	5,375
Hanford site:		
Nuclear facility D&D—remainder of Hanford	56,288	56,288
Nuclear facility D&D river corridor closure project	330,534	330,534
Nuclear material stabilization and disposition PFP	48,458	48,458
SNF stabilization and disposition	112,250	112,250
Soil and water remediation—groundwater vadose zone	222,285	222,285
Solid waste stabilization and disposition 200 area	143,897	143,897
Total, Hanford site	913,712	913,712
Idaho National Laboratory:		
SNF stabilization and disposition—2012	20,114	20,114
Solid waste stabilization and disposition	165,035	165,035
Radioactive liquid tank waste stabilization and disposition	110,169	110,169
Soil and water remediation—2012	87,451	87,451
Total, Idaho National Laboratory	382,769	382,769
NNSA sites		
Lawrence Livermore National Laboratory	873	873
Nuclear facility D & D Separations Process Research Unit	1,500	1,500
Nevada	63,380	63,380
Los Alamos National Laboratory	357,939	188,939
Total, NNSA sites and Nevada off-sites	423,692	254,692
Oak Ridge Reservation:		
Nuclear facility D & D ORNL	44,000	44,000
Nuclear facility D & D Y-12	30,000	30,000
Nuclear facility D & D, E. Tennessee technology park	100	100
Soil and water remediation—offsites	3,000	3,000
Solid waste stabilization and disposition—2012	99,000	99,000
Total, Oak Ridge Reservation	176,100	176,100
Office of River Protection:		
Waste treatment and immobilization plant		
ORP-0060 / Major construction Waste treatment plant (WTP)	840,000	740,000
Total, Waste treatment and immobilization plant	840,000	740,000
Tank farm activities		
Rad liquid tank waste stabilization and disposition	521,391	467,001
Total, Office of River protection	1,361,391	1,207,001
Savannah River sites:		
Nuclear material stabilization and disposition	235,000	245,000
Radioactive liquid tank waste stabilization and disposition	748,896	715,631
05-D-405 Salt waste processing facility, Savannah River	170,071	170,071
SNF stabilization and disposition	40,137	40,137
Solid waste stabilization and disposition	30,040	30,040
Total, Savannah River site	1,224,144	1,200,879
Waste Isolation Pilot Plant		
Waste isolation pilot plant	147,136	147,136
Central characterization project	23,975	23,975
Transportation	29,044	29,044
Community and regulatory support	28,771	28,771
Total, Waste Isolation Pilot Plant	228,926	228,926
Program direction	321,628	321,628

SEC. 4601. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2012 Request	Senate Authorized
Community, regulatory and program support	91,279	91,279
Safeguards and Security:		
Oak Ridge Reservation	17,300	17,300
Paducah	9,435	9,435
Portsmouth	16,412	16,412
Richland/Hanford Site	69,234	69,234
Savannah River Site	130,000	130,000
Waste Isolation Pilot Project	4,845	4,845
West Valley	1,600	1,600
Total, Safeguards and Security	248,826	248,826
Technology development	32,320	32,320
Subtotal, Defense environmental cleanup	5,410,162	5,063,507
Use of prior year balances	-3,381	-3,381
Total, Defense Environmental Cleanup	5,406,781	5,060,126
 Other Defense Activities		
Health, safety and security		
Health, safety and security	349,445	349,445
Program direction	107,037	107,037
Total, Health, safety and security	456,482	456,482
Office of Legacy Management		
Legacy management	157,514	157,514
Program direction	12,586	12,586
Total, Office of Legacy Management	170,100	170,100
Defense-related activities		
Infrastructure		
Idaho facilities management		
Idaho site-wide safeguards and security	98,500	98,500
Total, Defense-related activities	98,500	98,500
Defense related administrative support	118,836	118,836
Acquisitions workforce improvement	11,892	11,892
Office of hearings and appeals	4,142	4,142
Total, Other Defense Activities	859,952	859,952

DIVISION E—SBIR AND STTR REAUTHORIZATION

SEC. 5001. SHORT TITLE.

*This division may be cited as the “SBIR/STTR Reau-
thorization Act of 2011”.*

SEC. 5002. DEFINITIONS.

In this division—

*(1) the terms “Administration” and “Adminis-
trator” mean the Small Business Administration and
the Administrator thereof, respectively;*

1 (2) the terms “extramural budget”, “Federal
2 agency”, “Small Business Innovation Research Pro-
3 gram”, “SBIR”, “Small Business Technology Trans-
4 fer Program”, and “STTR” have the meanings given
5 such terms in section 9 of the Small Business Act (15
6 U.S.C. 638); and

7 (3) the term “small business concern” has the
8 meaning given that term under section 3 of the Small
9 Business Act (15 U.S.C. 632).

10 **SEC. 5003. REPEAL.**

11 Subtitle E of title VIII of this Act is amended by strik-
12 ing section 885.

13 **TITLE LI—REAUTHORIZATION**
14 **OF THE SBIR AND STTR PRO-**
15 **GRAMS**

16 **SEC. 5101. EXTENSION OF TERMINATION DATES.**

17 (a) *SBIR*.—Section 9(m) of the Small Business Act
18 (15 U.S.C. 638(m)) is amended by striking “2011” and in-
19 serting “2019, except as provided in subsection (cc)”.

20 (b) *STTR*.—Section 9(n)(1)(A) of the Small Business
21 Act (15 U.S.C. 638(n)(1)(A)) is amended by striking
22 “2011” and inserting “2019”.

23 (c) *TECHNICAL AND CONFORMING AMENDMENT*.—The
24 Continuing Appropriations Act, 2012 (Public Law 112–
25 36), as amended by division D of the Consolidated and Fur-

1 *ther Continuing Appropriations Act, 2012 (Public Law*
2 *112–55), is amended by striking section 123.*

3 ***SEC. 5102. STATUS OF THE OFFICE OF TECHNOLOGY.***

4 *Section 9(b) of the Small Business Act (15 U.S.C.*
5 *638(b)) is amended—*

6 *(1) in paragraph (7), by striking “and” at the*
7 *end;*

8 *(2) in paragraph (8), by striking the period at*
9 *the end and inserting “; and”;*

10 *(3) by redesignating paragraph (8) as para-*
11 *graph (9); and*

12 *(4) by adding at the end the following:*

13 *“(10) to maintain an Office of Technology to*
14 *carry out the responsibilities of the Administration*
15 *under this section, which shall be—*

16 *“(A) headed by the Assistant Administrator*
17 *for Technology, who shall report directly to the*
18 *Administrator; and*

19 *“(B) independent from the Office of Govern-*
20 *ment Contracting of the Administration and suf-*
21 *ficiently staffed and funded to comply with the*
22 *oversight, reporting, and public database respon-*
23 *sibilities assigned to the Office of Technology by*
24 *the Administrator.”.*

1 **SEC. 5103. SBIR ALLOCATION INCREASE.**

2 *Section 9(f) of the Small Business Act (15 U.S.C.*
3 *638(f)) is amended—*

4 *(1) in paragraph (1)—*

5 *(A) in the matter preceding subparagraph*
6 *(A), by striking “Each” and inserting “Except*
7 *as provided in paragraph (2)(B), each”;*

8 *(B) in subparagraph (B), by striking “and”*
9 *at the end; and*

10 *(C) by striking subparagraph (C) and in-*
11 *serting the following:*

12 *“(C) not less than 2.5 percent of such budget*
13 *in fiscal year 2013;*

14 *“(D) not less than 2.6 percent of such budg-*
15 *et in fiscal year 2014;*

16 *“(E) not less than 2.7 percent of such budg-*
17 *et in fiscal year 2015;*

18 *“(F) not less than 2.8 percent of such budg-*
19 *et in fiscal year 2016;*

20 *“(G) not less than 2.9 percent of such budg-*
21 *et in fiscal year 2017;*

22 *“(H) not less than 3.0 percent of such budg-*
23 *et in fiscal year 2018;*

24 *“(I) not less than 3.1 percent of such budget*
25 *in fiscal year 2019;*

1 “(J) not less than 3.2 percent of such budget
2 in fiscal year 2020;

3 “(K) not less than 3.3 percent of such budg-
4 et in fiscal year 2021;

5 “(L) not less than 3.4 percent of such budg-
6 et in fiscal year 2022; and

7 “(M) not less than 3.5 percent of such budg-
8 et in fiscal year 2023 and each fiscal year there-
9 after,”;

10 (2) in paragraph (2)—

11 (A) by redesignating subparagraphs (A)
12 and (B) as clauses (i) and (ii), respectively, and
13 adjusting the margins accordingly;

14 (B) by striking “A Federal agency” and in-
15 serting the following:

16 “(A) *IN GENERAL*.—A Federal agency”; and

17 (C) by adding at the end the following:

18 “(B) *DEPARTMENT OF DEFENSE AND DE-*
19 *PARTMENT OF ENERGY*.—For the Department of
20 Defense and the Department of Energy, to the
21 greatest extent practicable, the percentage of the
22 extramural budget in excess of 2.5 percent re-
23 quired to be expended with small business con-
24 cerns under subparagraphs (D) through (M) of
25 paragraph (1)—

“(i) may not be used for new Phase I
or Phase II awards; and

“(ii) shall be used for activities that
further the readiness levels of technologies
developed under Phase II awards, including
conducting testing and evaluation to pro-
mote the transition of such technologies into
commercial or defense products, or systems
furthering the mission needs of the Depart-
ment of Defense or the Department of En-
ergy, as the case may be.”; and

(3) by adding at the end the following:

“(4) *RULE OF CONSTRUCTION.*—Nothing in this
subsection may be construed to prohibit a Federal
agency from expending with small business concerns
an amount of the extramural budget for research or
research and development of the Federal agency that
exceeds the amount required under paragraph (1).”.

SEC. 5104. STTR ALLOCATION INCREASE.

Section 9(n)(1)(B) of the Small Business Act (15
U.S.C. 638(n)(1)(B)) is amended—

(1) in clause (i), by striking “and” at the end;

(2) in clause (ii), by striking “thereafter.” and
inserting “through fiscal year 2012;”;

(3) by adding at the end the following:

1 “(iii) 0.4 percent for fiscal years 2013
2 and 2014;

3 “(iv) 0.5 percent for fiscal years 2015
4 and 2016; and

5 “(v) 0.6 percent for fiscal year 2017
6 and each fiscal year thereafter.”; and

7 (4) by adding at the end the following:

8 “(4) *RULE OF CONSTRUCTION.*—Nothing in this
9 subsection may be construed to prohibit a Federal
10 agency from expending with small business concerns
11 an amount of the extramural budget for research or
12 research and development of the Federal agency that
13 exceeds the amount required under paragraph (1).”.

14 **SEC. 5105. SBIR AND STTR AWARD LEVELS.**

15 (a) *SBIR ADJUSTMENTS.*—Section 9(j)(2)(D) of the
16 Small Business Act (15 U.S.C. 638(j)(2)(D)) is amended—

17 (1) by striking “\$100,000” and inserting
18 “\$150,000”; and

19 (2) by striking “\$750,000” and inserting
20 “\$1,000,000”.

21 (b) *STTR ADJUSTMENTS.*—Section 9(p)(2)(B)(ix) of
22 the Small Business Act (15 U.S.C. 638(p)(2)(B)(ix)) is
23 amended—

24 (1) by striking “\$100,000” and inserting
25 “\$150,000”; and

1 (2) *by striking “\$750,000” and inserting*
 2 *“\$1,000,000”.*

3 (c) *ANNUAL ADJUSTMENTS.—Section 9 of the Small*
 4 *Business Act (15 U.S.C. 638) is amended—*

5 (1) *in subsection (j)(2)(D), by striking “once*
 6 *every 5 years to reflect economic adjustments and*
 7 *programmatic considerations” and inserting “every*
 8 *year for inflation”;* and

9 (2) *in subsection (p)(2)(B)(ix), as amended by*
 10 *subsection (b) of this section, by inserting “(each of*
 11 *which the Administrator shall adjust for inflation an-*
 12 *nually)” after “\$1,000,000,”.*

13 (d) *LIMITATION ON SIZE OF AWARDS.—Section 9 of*
 14 *the Small Business Act (15 U.S.C. 638) is amended by add-*
 15 *ing at the end the following:*

16 “(aa) *LIMITATION ON SIZE OF AWARDS.—*

17 “(1) *LIMITATION.—No Federal agency may issue*
 18 *an award under the SBIR program or the STTR pro-*
 19 *gram if the size of the award exceeds the award guide-*
 20 *lines established under this section by more than 50*
 21 *percent.*

22 “(2) *MAINTENANCE OF INFORMATION.—Partici-*
 23 *pating agencies shall maintain information on*
 24 *awards exceeding the guidelines established under this*
 25 *section, including—*

1 “(A) the amount of each award;

2 “(B) a justification for exceeding the award
3 amount;

4 “(C) the identity and location of each
5 award recipient; and

6 “(D) whether an award recipient has re-
7 ceived any venture capital investment and, if so,
8 whether the recipient is majority-owned by mul-
9 tiple venture capital operating companies.

10 “(3) *REPORTS.*—The Administrator shall in-
11 clude the information described in paragraph (2) in
12 the annual report of the Administrator to Congress.

13 “(4) *RULE OF CONSTRUCTION.*—Nothing in this
14 subsection shall be construed to prevent a Federal
15 agency from supplementing an award under the
16 SBIR program or the STTR program using funds of
17 the Federal agency that are not part of the SBIR pro-
18 gram or the STTR program of the Federal agency.”.

19 **SEC. 5106. AGENCY AND PROGRAM FLEXIBILITY.**

20 Section 9 of the Small Business Act (15 U.S.C. 638),
21 as amended by this Act, is amended by adding at the end
22 the following:

23 “(bb) *SUBSEQUENT PHASE II AWARDS.*—

24 “(1) *AGENCY FLEXIBILITY.*—A small business
25 concern that received an award from a Federal agen-

1 *cy under this section shall be eligible to receive a sub-*
 2 *sequent Phase II award from another Federal agency,*
 3 *if the head of each relevant Federal agency or the rel-*
 4 *evant component of the Federal agency makes a writ-*
 5 *ten determination that the topics of the relevant*
 6 *awards are the same and both agencies report the*
 7 *awards to the Administrator for inclusion in the pub-*
 8 *lic database under subsection (k).*

9 “(2) *SBIR AND STTR PROGRAM FLEXIBILITY.*—
 10 *A small business concern that received an award*
 11 *under this section under the SBIR program or the*
 12 *STTR program may receive a subsequent Phase II*
 13 *award in either the SBIR program or the STTR pro-*
 14 *gram and the participating agency or agencies shall*
 15 *report the awards to the Administrator for inclusion*
 16 *in the public database under subsection (k).*

17 “(3) *PREVENTING DUPLICATIVE AWARDS.*—*Be-*
 18 *fore making an award under paragraph (1) or (2),*
 19 *the head of a Federal agency shall verify that the*
 20 *project to be performed with the award has not been*
 21 *funded under the SBIR program or STTR program*
 22 *of another Federal agency.”.*

23 **SEC. 5107. ELIMINATION OF PHASE II INVITATIONS.**

24 (a) *IN GENERAL.*—*Section 9(e) of the Small Business*
 25 *Act (15 U.S.C. 638(e)) is amended—*

(1) in paragraph (4)(B), by striking “to further” and inserting: “which shall not include any invitation, pre-screening, pre-selection, or down-selection process for eligibility for the second phase, that will further”; and

(2) in paragraph (6)(B), by striking “to further develop proposed ideas to” and inserting “which shall not include any invitation, pre-screening, pre-selection, or down-selection process for eligibility for the second phase, that will further develop proposals that”.

SEC. 5108. PARTICIPATION BY FIRMS WITH SUBSTANTIAL INVESTMENT FROM MULTIPLE VENTURE CAPITAL OPERATING COMPANIES IN A PORTION OF THE SBIR PROGRAM.

(a) *IN GENERAL.*—Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this Act, is amended by adding at the end the following:

“(cc) *PARTICIPATION OF SMALL BUSINESS CONCERNS MAJORITY-OWNED BY VENTURE CAPITAL OPERATING COMPANIES IN THE SBIR PROGRAM.*—

“(1) *AUTHORITY.*—Upon a written determination described in paragraph (2) provided to the Administrator and to the Committee on Small Business and Entrepreneurship of the Senate and the Com-

1 *mittee on Small Business of the House of Representa-*
2 *tives not later than 30 days before the date on which*
3 *an award is made—*

4 *“(A) the Director of the National Institutes*
5 *of Health, the Secretary of Energy, and the Di-*
6 *rector of the National Science Foundation may*
7 *award not more than 25 percent of the funds al-*
8 *located for the SBIR program of the Federal*
9 *agency to small business concerns that are owned*
10 *in majority part by multiple venture capital op-*
11 *erating companies through competitive, merit-*
12 *based procedures that are open to all eligible*
13 *small business concerns; and*

14 *“(B) the head of a Federal agency other*
15 *than a Federal agency described in subpara-*
16 *graph (A) that participates in the SBIR pro-*
17 *gram may award not more than 15 percent of*
18 *the funds allocated for the SBIR program of the*
19 *Federal agency to small business concerns that*
20 *are owned in majority part by multiple venture*
21 *capital operating companies through competi-*
22 *tive, merit-based procedures that are open to all*
23 *eligible small business concerns.*

24 *“(2) DETERMINATION.—A written determination*
25 *described in this paragraph is a written determina-*

1 *tion by the head of a Federal agency that explains*
2 *how the use of the authority under paragraph (1)*
3 *will—*

4 *“(A) induce additional venture capital*
5 *funding of small business innovations;*

6 *“(B) substantially contribute to the mission*
7 *of the Federal agency;*

8 *“(C) demonstrate a need for public research;*
9 *and*

10 *“(D) otherwise fulfill the capital needs of*
11 *small business concerns for additional financing*
12 *for the SBIR project.*

13 *“(3) REGISTRATION.—A small business concern*
14 *that is majority-owned by multiple venture capital*
15 *operating companies and qualified for participation*
16 *in the program authorized under paragraph (1)*
17 *shall—*

18 *“(A) register with the Administrator on the*
19 *date that the small business concern submits an*
20 *application for an award under the SBIR pro-*
21 *gram; and*

22 *“(B) indicate in any SBIR proposal that*
23 *the small business concern is registered under*
24 *subparagraph (A) as majority-owned by multiple*
25 *venture capital operating companies.*

1 “(4) COMPLIANCE.—

2 “(A) *IN GENERAL.*—*The head of a Federal*
3 *agency that makes an award under this sub-*
4 *section during a fiscal year shall collect and sub-*
5 *mit to the Administrator data relating to the*
6 *number and dollar amount of Phase I awards,*
7 *Phase II awards, and any other category of*
8 *awards by the Federal agency under the SBIR*
9 *program during that fiscal year.*

10 “(B) *ANNUAL REPORTING.*—*The Adminis-*
11 *trator shall include as part of each annual re-*
12 *port by the Administration under subsection*
13 *(b)(7) any data submitted under subparagraph*
14 *(A) and a discussion of the compliance of each*
15 *Federal agency that makes an award under this*
16 *subsection during the fiscal year with the max-*
17 *imum percentages under paragraph (1).*

18 “(5) *ENFORCEMENT.*—*If a Federal agency*
19 *awards more than the percent of the funds allocated*
20 *for the SBIR program of the Federal agency author-*
21 *ized under paragraph (1) for a purpose described in*
22 *paragraph (1), the head of the Federal agency shall*
23 *transfer an amount equal to the amount awarded in*
24 *excess of the amount authorized under paragraph (1)*
25 *to the funds for general SBIR programs from the non-*

1 *SBIR and non-STTR research and development funds*
 2 *of the Federal agency not later than 180 days after*
 3 *the date on which the Federal agency made the award*
 4 *that caused the total awarded under paragraph (1) to*
 5 *be more than the amount authorized under paragraph*
 6 *(1) for a purpose described in paragraph (1).*

7 “(6) *FINAL DECISIONS ON APPLICATIONS UNDER*
 8 *THE SBIR PROGRAM.*—

9 “(A) *DEFINITION.*—*In this paragraph, the*
 10 *term ‘covered small business concern’ means a*
 11 *small business concern that—*

12 “(i) *was not majority-owned by mul-*
 13 *tiple venture capital operating companies*
 14 *on the date on which the small business con-*
 15 *cern submitted an application in response*
 16 *to a solicitation under the SBIR programs;*
 17 *and*

18 “(ii) *on the date of the award under*
 19 *the SBIR program is majority-owned by*
 20 *multiple venture capital operating compa-*
 21 *nies.*

22 “(B) *IN GENERAL.*—*If a Federal agency*
 23 *does not make an award under a solicitation*
 24 *under the SBIR program before the date that is*
 25 *9 months after the date on which the period for*

1 *submitting applications under the solicitation*
2 *ends—*

3 “(i) *a covered small business concern is*
4 *eligible to receive the award, without regard*
5 *to whether the covered small business con-*
6 *cern meets the requirements for receiving an*
7 *award under the SBIR program for a small*
8 *business concern that is majority-owned by*
9 *multiple venture capital operating compa-*
10 *nies, if the covered small business concern*
11 *meets all other requirements for such an*
12 *award; and*

13 “(ii) *the head of the Federal agency*
14 *shall transfer an amount equal to any*
15 *amount awarded to a covered small business*
16 *concern under the solicitation to the funds*
17 *for general SBIR programs from the non-*
18 *SBIR and non-STTR research and develop-*
19 *ment funds of the Federal agency, not later*
20 *than 90 days after the date on which the*
21 *Federal agency makes the award.*

22 “(7) *EVALUATION CRITERIA.—A Federal agency*
23 *may not use investment of venture capital as a cri-*
24 *terion for the award of contracts under the SBIR pro-*
25 *gram or STTR program.*

1 “(8) *TERMINATION.*—*The authority under this*
 2 *subsection shall terminate on September 30, 2016.*”.

3 (b) *TECHNICAL AND CONFORMING AMENDMENT.*—*Sec-*
 4 *tion 3 of the Small Business Act (15 U.S.C. 632) is amend-*
 5 *ed by adding at the end the following:*

6 “(aa) *VENTURE CAPITAL OPERATING COMPANY.*—*In*
 7 *this Act, the term ‘venture capital operating company’*
 8 *means an entity described in clause (i), (v), or (vi) of sec-*
 9 *tion 121.103(b)(5) of title 13, Code of Federal Regulations*
 10 *(or any successor thereto).*”.

11 (c) *RULEMAKING TO ENSURE THAT FIRMS THAT ARE*
 12 *MAJORITY-OWNED BY MULTIPLE VENTURE CAPITAL OPER-*
 13 *ATING COMPANIES ARE ABLE TO PARTICIPATE IN A POR-*
 14 *TION OF THE SBIR PROGRAM.*—

15 (1) *STATEMENT OF CONGRESSIONAL INTENT.*—*It*
 16 *is the stated intent of Congress that the Administrator*
 17 *should promulgate regulations to carry out the au-*
 18 *thority under section 9(cc) of the Small Business Act,*
 19 *as added by this section, that—*

20 (A) *permit small business concerns that are*
 21 *majority-owned by multiple venture capital op-*
 22 *erating companies to participate in the SBIR*
 23 *program in accordance with section 9(cc) of the*
 24 *Small Business Act;*

1 (B) provide specific guidance for small
2 business concerns that are majority-owned by
3 multiple venture capital operating companies
4 with regard to eligibility, participation, and af-
5 filiation rules; and

6 (C) preserve and maintain the integrity of
7 the SBIR program as a program for small busi-
8 ness concerns in the United States, prohibiting
9 large businesses or large entities or foreign-owned
10 businesses or entities from participation in the
11 program established under section 9 of the Small
12 Business Act.

13 (2) *RULEMAKING REQUIRED.*—

14 (A) *PROPOSED REGULATIONS.*—Not later
15 than 4 months after the date of enactment of this
16 Act, the Administrator shall issue proposed regu-
17 lations to amend section 121.103 (relating to de-
18 terminations of affiliation applicable to the
19 SBIR program) and section 121.702 (relating to
20 ownership and control standards and size stand-
21 ards applicable to the SBIR program) of title
22 13, Code of Federal Regulations, for firms that
23 are majority-owned by multiple venture capital
24 operating companies and participating in the
25 SBIR program solely under the authority under

1 *section 9(cc) of the Small Business Act, as added*
 2 *by this section.*

3 (B) *FINAL REGULATIONS.*—*Not later than 1*
 4 *year after the date of enactment of this Act, and*
 5 *after providing notice of and opportunity for*
 6 *comment on the proposed regulations issued*
 7 *under subparagraph (A), the Administrator shall*
 8 *issue final or interim final regulations under*
 9 *this subsection.*

10 (3) *CONTENTS.*—

11 (A) *IN GENERAL.*—*The regulations issued*
 12 *under this subsection shall permit the participa-*
 13 *tion of applicants majority-owned by multiple*
 14 *venture capital operating companies in the*
 15 *SBIR program in accordance with section 9(cc)*
 16 *of the Small Business Act, as added by this sec-*
 17 *tion, unless the Administrator determines—*

18 (i) *in accordance with the size stand-*
 19 *ards established under subparagraph (B),*
 20 *that the applicant is—*

21 (I) *a large business or large enti-*
 22 *ty; or*

23 (II) *majority-owned or controlled*
 24 *by a large business or large entity; or*

1 (ii) in accordance with the criteria es-
2 tablished under subparagraph (C), that the
3 applicant—

4 (I) is a foreign business or a for-
5 eign entity or is not a citizen of the
6 United States or alien lawfully admit-
7 ted for permanent residence; or

8 (II) is majority-owned or con-
9 trolled by a foreign business, foreign
10 entity, or person who is not a citizen
11 of the United States or alien lawfully
12 admitted for permanent residence.

13 (B) *SIZE STANDARDS.*—Under the author-
14 ity to establish size standards under paragraphs
15 (2) and (3) of section 3(a) of the Small Business
16 Act (15 U.S.C. 632(a)), the Administrator shall,
17 in accordance with paragraph (1) of this sub-
18 section, establish size standards for applicants
19 seeking to participate in the SBIR program sole-
20 ly under the authority under section 9(cc) of the
21 Small Business Act, as added by this section.

22 (C) *CRITERIA FOR DETERMINING FOREIGN*
23 *OWNERSHIP.*—The Administrator shall establish
24 criteria for determining whether an applicant
25 meets the requirements under subparagraph

1 (A)(ii), and, in establishing the criteria, shall
2 consider whether the criteria should include—

3 (i) whether the applicant is at least 51
4 percent owned or controlled by citizens of
5 the United States or domestic venture cap-
6 ital operating companies;

7 (ii) whether the applicant is domiciled
8 in the United States; and

9 (iii) whether the applicant is a direct
10 or indirect subsidiary of a foreign-owned
11 firm, including whether the criteria should
12 include that an applicant is a direct or in-
13 direct subsidiary of a foreign-owned entity
14 if—

15 (I) any venture capital operating
16 company that owns more than 20 per-
17 cent of the applicant is a direct or in-
18 direct subsidiary of a foreign-owned
19 entity; or

20 (II) in the aggregate, entities that
21 are direct or indirect subsidiaries of
22 foreign-owned entities own more than
23 49 percent of the applicant.

24 (D) *CRITERIA FOR DETERMINING AFFILI-*
25 *ATION.*—The Administrator shall establish cri-

1 *teria, in accordance with paragraph (1), for de-*
2 *termining whether an applicant is affiliated*
3 *with a venture capital operating company or*
4 *any other business that the venture capital oper-*
5 *ating company has financed and, in establishing*
6 *the criteria, shall specify that—*

7 *(i) if a venture capital operating com-*
8 *pany that is determined to be affiliated*
9 *with an applicant is a minority investor in*
10 *the applicant, the portfolio companies of the*
11 *venture capital operating company shall*
12 *not be determined to be affiliated with the*
13 *applicant, unless—*

14 *(I) the venture capital operating*
15 *company owns a majority of the port-*
16 *folio company; or*

17 *(II) the venture capital operating*
18 *company holds a majority of the seats*
19 *on the board of directors of the port-*
20 *folio company;*

21 *(ii) subject to clause (i), the Adminis-*
22 *trator retains the authority to determine*
23 *whether a venture capital operating com-*
24 *pany is affiliated with an applicant, in-*
25 *cluding establishing other criteria;*

1 (iii) the Administrator may not deter-
2 mine that a portfolio company of a venture
3 capital operating company is affiliated
4 with an applicant based solely on one or
5 more shared investors; and

6 (iv) subject to clauses (i), (ii), and
7 (iii), the Administrator retains the author-
8 ity to determine whether a portfolio com-
9 pany of a venture capital operating com-
10 pany is affiliated with an applicant based
11 on factors independent of whether there is a
12 shared investor, such as whether there are
13 contractual obligations between the portfolio
14 company and the applicant.

15 (4) *ENFORCEMENT.*—If the Administrator does
16 not issue final or interim final regulations under this
17 subsection on or before the date that is 1 year after
18 the date of enactment of this Act, the Administrator
19 may not carry out any activities under section 4(h)
20 of the Small Business Act (15 U.S.C. 633(h)) (as con-
21 tinued in effect pursuant to the Act entitled “An Act
22 to extend temporarily certain authorities of the Small
23 Business Administration”, approved October 10, 2006
24 (Public Law 109–316; 120 Stat. 1742)) during the
25 period beginning on the date that is 1 year and 1 day

1 *after the date of enactment of this Act, and ending on*
 2 *the date on which the final or interim final regula-*
 3 *tions are issued.*

4 (5) *DEFINITION.—In this subsection, the term*
 5 *“venture capital operating company” has the same*
 6 *meaning as in section 3(aa) of the Small Business*
 7 *Act, as added by this section.*

8 (d) *ASSISTANCE FOR DETERMINING AFFILIATES.—*

9 (1) *CLEAR EXPLANATION REQUIRED.—Not later*
 10 *than 30 days after the date of enactment of this Act,*
 11 *the Administrator shall post on the Web site of the*
 12 *Administration (with a direct link displayed on the*
 13 *homepage of the Web site of the Administration or the*
 14 *SBIR and STTR Web sites of the Administration)—*

15 (A) *a clear explanation of the SBIR and*
 16 *STTR affiliation rules under part 121 of title*
 17 *13, Code of Federal Regulations; and*

18 (B) *contact information for officers or em-*
 19 *ployees of the Administration who—*

20 (i) *upon request, shall review an issue*
 21 *relating to the rules described in subpara-*
 22 *graph (A); and*

23 (ii) *shall respond to a request under*
 24 *clause (i) not later than 20 business days*

1 *after the date on which the request is re-*
 2 *ceived.*

3 (2) *INCLUSION OF AFFILIATION RULES FOR CER-*
 4 *TAIN SMALL BUSINESS CONCERNS.—On and after the*
 5 *date on which the final regulations under subsection*
 6 *(c) are issued, the Administrator shall post on the*
 7 *Web site of the Administration information relating*
 8 *to the regulations, in accordance with paragraph (1).*

9 **SEC. 5109. SBIR AND STTR SPECIAL ACQUISITION PREF-**
 10 **ERENCE.**

11 *Section 9(r) of the Small Business Act (15 U.S.C.*
 12 *638(r)) is amended by adding at the end the following:*

13 “(4) *PHASE III AWARDS.—To the greatest extent*
 14 *practicable, Federal agencies and Federal prime con-*
 15 *tractors shall issue Phase III awards relating to tech-*
 16 *nology, including sole source awards, to the SBIR*
 17 *and STTR award recipients that developed the tech-*
 18 *nology.”.*

19 **SEC. 5110. COLLABORATING WITH FEDERAL LABORATORIES**
 20 **AND RESEARCH AND DEVELOPMENT CEN-**
 21 **TERS.**

22 *Section 9 of the Small Business Act (15 U.S.C. 638),*
 23 *as amended by this Act, is amended by adding at the end*
 24 *the following:*

1 “(dd) *COLLABORATING WITH FEDERAL LABORA-*
 2 *TORIES AND RESEARCH AND DEVELOPMENT CENTERS.*—

3 “(1) *AUTHORIZATION.*—*Subject to the limita-*
 4 *tions under this section, the head of each partici-*
 5 *pating Federal agency may make SBIR and STTR*
 6 *awards to any eligible small business concern that—*

7 “(A) *intends to enter into an agreement*
 8 *with a Federal laboratory or federally funded re-*
 9 *search and development center for portions of the*
 10 *activities to be performed under that award; or*

11 “(B) *has entered into a cooperative research*
 12 *and development agreement (as defined in sec-*
 13 *tion 12(d) of the Stevenson-Wydler Technology*
 14 *Innovation Act of 1980 (15 U.S.C. 3710a(d))*
 15 *with a Federal laboratory.*

16 “(2) *PROHIBITION.*—*No Federal agency shall—*

17 “(A) *condition an SBIR or STTR award*
 18 *upon entering into agreement with any Federal*
 19 *laboratory or any federally funded laboratory or*
 20 *research and development center for any portion*
 21 *of the activities to be performed under that*
 22 *award;*

23 “(B) *approve an agreement between a small*
 24 *business concern receiving a SBIR or STTR*
 25 *award and a Federal laboratory or federally*

1 *funded laboratory or research and development*
 2 *center, if the small business concern performs a*
 3 *lesser portion of the activities to be performed*
 4 *under that award than required by this section*
 5 *and by the SBIR Policy Directive and the STTR*
 6 *Policy Directive of the Administrator; or*

7 *“(C) approve an agreement that violates*
 8 *any provision, including any data rights protec-*
 9 *tions provision, of this section or the SBIR and*
 10 *the STTR Policy Directives.*

11 *“(3) IMPLEMENTATION.—Not later than 180*
 12 *days after the date of enactment of this subsection, the*
 13 *Administrator shall modify the SBIR Policy Direc-*
 14 *tive and the STTR Policy Directive issued under this*
 15 *section to ensure that small business concerns—*

16 *“(A) have the flexibility to use the resources*
 17 *of the Federal laboratories and federally funded*
 18 *research and development centers; and*

19 *“(B) are not mandated to enter into agree-*
 20 *ment with any Federal laboratory or any feder-*
 21 *ally funded laboratory or research and develop-*
 22 *ment center as a condition of an award.”.*

23 **SEC. 5111. NOTICE REQUIREMENT.**

24 *(a) SBIR PROGRAM.—Section 9(g) of the Small Busi-*
 25 *ness Act (15 U.S.C. 638(g)) is amended—*

1 (1) *in paragraph (10), by striking “and” at the*
 2 *end;*

3 (2) *in paragraph (11), by striking the period at*
 4 *the end and inserting a semicolon; and*

5 (3) *by adding at the end the following:*

6 “(12) *provide timely notice to the Administrator*
 7 *of any case or controversy before any Federal judicial*
 8 *or administrative tribunal concerning the SBIR pro-*
 9 *gram of the Federal agency; and”.*

10 (b) *STTR PROGRAM.*—Section 9(o) of the *Small Busi-*
 11 *ness Act (15 U.S.C. 638(o)) is amended—*

12 (1) *by striking paragraph (15);*

13 (2) *in paragraph (16), by striking the period at*
 14 *the end and inserting “; and”;*

15 (3) *by redesignating paragraph (16) as para-*
 16 *graph (15); and*

17 (4) *by adding at the end the following:*

18 “(16) *provide timely notice to the Administrator*
 19 *of any case or controversy before any Federal judicial*
 20 *or administrative tribunal concerning the STTR pro-*
 21 *gram of the Federal agency.”.*

1 **SEC. 5112. EXPRESS AUTHORITY FOR AN AGENCY TO**
 2 **AWARD SEQUENTIAL PHASE II AWARDS FOR**
 3 **SBIR OR STTR FUNDED PROJECTS.**

4 *Section 9 of the Small Business Act (15 U.S.C. 638),*
 5 *as amended by this Act, is amended by adding at the end*
 6 *the following:*

7 “(ee) *ADDITIONAL PHASE II SBIR AND STTR*
 8 *AWARDS.—A small business concern that receives a Phase*
 9 *II SBIR award or a Phase II STTR award for a project*
 10 *remains eligible to receive an additional Phase II SBIR*
 11 *award or Phase II STTR award for that project.”.*

12 **TITLE LII—OUTREACH AND COM-**
 13 **MERCIALIZATION INITIA-**
 14 **TIVES**

15 **SEC. 5201. RURAL AND STATE OUTREACH.**

16 (a) *IN GENERAL.—Section 9 of the Small Business Act*
 17 *(15 U.S.C. 638) is amended by inserting after subsection*
 18 *(r) the following:*

19 “(s) *FEDERAL AND STATE TECHNOLOGY PARTNER-*
 20 *SHIP PROGRAM.—*

21 “(1) *DEFINITIONS.—In this subsection, the fol-*
 22 *lowing definitions apply:*

23 “(A) *APPLICANT.—The term ‘applicant’*
 24 *means an entity, organization, or individual*
 25 *that submits a proposal for an award or a coop-*
 26 *erative agreement under this subsection.*

1 “(B) *FAST PROGRAM.*—*The term ‘FAST*
 2 *program’ means the Federal and State Tech-*
 3 *nology Partnership Program established under*
 4 *this subsection.*

5 “(C) *RECIPIENT.*—*The term ‘recipient’*
 6 *means a person that receives an award or be-*
 7 *comes party to a cooperative agreement under*
 8 *this subsection.*

9 “(D) *STATE.*—*The term ‘State’ means each*
 10 *of the several States, the District of Columbia,*
 11 *the Commonwealth of Puerto Rico, the Virgin Is-*
 12 *lands, Guam, and American Samoa.*

13 “(E) *DEFINITIONS RELATING TO MEN-*
 14 *TORING NETWORKS.*—*The terms ‘business advice*
 15 *and counseling’, ‘mentor’, and ‘mentoring net-*
 16 *work’ have the meanings given those terms in*
 17 *section 34(e).*

18 “(2) *ESTABLISHMENT OF PROGRAM.*—*The Ad-*
 19 *ministrator shall establish a program to be known as*
 20 *the Federal and State Technology Partnership Pro-*
 21 *gram, the purpose of which shall be to strengthen the*
 22 *technological competitiveness of small business con-*
 23 *cerns in the States.*

24 “(3) *GRANTS AND COOPERATIVE AGREEMENTS.*—

1 “(A) *JOINT REVIEW.*—*In carrying out the*
2 *FAST program, the Administrator and the pro-*
3 *gram managers for the SBIR program and*
4 *STTR program at the National Science Founda-*
5 *tion, the Department of Defense, and any other*
6 *Federal agency determined appropriate by the*
7 *Administrator shall jointly review proposals sub-*
8 *mitted by applicants and may make awards or*
9 *enter into cooperative agreements under this sub-*
10 *section based on the factors for consideration set*
11 *forth in subparagraph (B), in order to enhance*
12 *or develop in a State—*

13 “(i) *technology research and develop-*
14 *ment by small business concerns;*

15 “(ii) *technology transfer from univer-*
16 *sity research to technology-based small busi-*
17 *ness concerns;*

18 “(iii) *technology deployment and diffu-*
19 *sion benefitting small business concerns;*

20 “(iv) *the technological capabilities of*
21 *small business concerns through the estab-*
22 *lishment or operation of consortia com-*
23 *prised of entities, organizations, or individ-*
24 *uals, including—*

1 “(I) *State and local development*
2 *agencies and entities;*

3 “(II) *representatives of tech-*
4 *nology-based small business concerns;*

5 “(III) *industries and emerging*
6 *companies;*

7 “(IV) *universities; and*

8 “(V) *small business development*
9 *centers; and*

10 “(v) *outreach, financial support, and*
11 *technical assistance to technology-based*
12 *small business concerns participating in or*
13 *interested in participating in an SBIR pro-*
14 *gram or STTR program, including initia-*
15 *tives—*

16 “(I) *to make grants or loans to*
17 *companies to pay a portion or all of*
18 *the cost of developing SBIR or STTR*
19 *proposals;*

20 “(II) *to establish or operate a*
21 *Mentoring Network within the FAST*
22 *program to provide business advice*
23 *and counseling that will assist small*
24 *business concerns that have been iden-*
25 *tified by FAST program participants,*

1 *program managers of participating*
2 *SBIR agencies, the Administration, or*
3 *other entities that are knowledgeable*
4 *about the SBIR and STTR programs*
5 *as good candidates for the SBIR and*
6 *STTR programs, and that would ben-*
7 *efit from mentoring, in accordance*
8 *with section 34;*

9 *“(III) to create or participate in*
10 *a training program for individuals*
11 *providing SBIR or STTR outreach*
12 *and assistance at the State and local*
13 *levels; and*

14 *“(IV) to encourage the commer-*
15 *cialization of technology developed*
16 *through funding under the SBIR pro-*
17 *gram or the STTR program.*

18 *“(B) SELECTION CONSIDERATIONS.—In*
19 *making awards or entering into cooperative*
20 *agreements under this subsection, the Adminis-*
21 *trator and the program managers referred to in*
22 *subparagraph (A)—*

23 *“(i) may only consider proposals by*
24 *applicants that intend to use a portion of*
25 *the Federal assistance provided under this*

1 *subsection to provide outreach, financial*
2 *support, or technical assistance to tech-*
3 *nology-based small business concerns par-*
4 *ticipating in or interested in participating*
5 *in the SBIR program or STTR program;*
6 *and*

7 *“(ii) shall consider, at a minimum—*

8 *“(I) whether the applicant has*
9 *demonstrated that the assistance to be*
10 *provided would address unmet needs of*
11 *small business concerns in the commu-*
12 *nity, and whether it is important to*
13 *use Federal funding for the proposed*
14 *activities;*

15 *“(II) whether the applicant has*
16 *demonstrated that a need exists to in-*
17 *crease the number or success of small*
18 *high-technology businesses in the State*
19 *or an area of the State, as measured by*
20 *the number of Phase I and Phase II*
21 *SBIR awards that have historically*
22 *been received by small business con-*
23 *cerns in the State or area of the State;*

1 “(III) whether the projected costs
2 of the proposed activities are reason-
3 able;

4 “(IV) whether the proposal inte-
5 grates and coordinates the proposed ac-
6 tivities with other State and local pro-
7 grams assisting small high-technology
8 firms in the State;

9 “(V) the manner in which the ap-
10 plicant will measure the results of the
11 activities to be conducted; and

12 “(VI) whether the proposal ad-
13 dresses the needs of small business con-
14 cerns—

15 “(aa) owned and controlled
16 by women;

17 “(bb) that are socially and
18 economically disadvantaged small
19 business concerns (as defined in
20 section 8(a)(4)(A));

21 “(cc) that are HUBZone
22 small business concerns;

23 “(dd) located in areas that
24 have historically not participated

1 *in the SBIR and STTR pro-*
2 *grams;*

3 *“(ee) owned and controlled*
4 *by service-disabled veterans;*

5 *“(ff) owned and controlled by*
6 *Native Americans; and*

7 *“(gg) located in geographic*
8 *areas with an unemployment rate*
9 *that exceeds the national unem-*
10 *ployment rate, based on the most*
11 *recently available monthly publi-*
12 *cations of the Bureau of Labor*
13 *Statistics of the Department of*
14 *Labor.*

15 *“(C) PROPOSAL LIMIT.—Not more than 1*
16 *proposal may be submitted for inclusion in the*
17 *FAST program under this subsection to provide*
18 *services in any one State in any 1 fiscal year.*

19 *“(D) PROCESS.—Proposals and applica-*
20 *tions for assistance under this subsection shall be*
21 *in such form and subject to such procedures as*
22 *the Administrator shall establish. The Adminis-*
23 *trator shall promulgate regulations establishing*
24 *standards for the consideration of proposals*
25 *under subparagraph (B), including standards re-*

1 *garding each of the considerations identified in*
2 *subparagraph (B)(ii).*

3 “(4) *COOPERATION AND COORDINATION.—In car-*
4 *rying out the FAST program, the Administrator shall*
5 *cooperate and coordinate with—*

6 “(A) *Federal agencies required by this sec-*
7 *tion to have an SBIR program; and*

8 “(B) *entities, organizations, and individ-*
9 *uals actively engaged in enhancing or developing*
10 *the technological capabilities of small business*
11 *concerns, including—*

12 “(i) *State and local development agen-*
13 *cies and entities;*

14 “(ii) *State committees established*
15 *under the Experimental Program to Stimu-*
16 *late Competitive Research of the National*
17 *Science Foundation (as established under*
18 *section 113 of the National Science Founda-*
19 *tion Authorization Act of 1988 (42 U.S.C.*
20 *1862g));*

21 “(iii) *State science and technology*
22 *councils; and*

23 “(iv) *representatives of technology-*
24 *based small business concerns.*

25 “(5) *ADMINISTRATIVE REQUIREMENTS.—*

1 “(A) *COMPETITIVE BASIS.*—*Awards and co-*
 2 *operative agreements under this subsection shall*
 3 *be made or entered into, as applicable, on a com-*
 4 *petitive basis.*

5 “(B) *MATCHING REQUIREMENTS.*—

6 “(i) *IN GENERAL.*—*The non-Federal*
 7 *share of the cost of an activity (other than*
 8 *a planning activity) carried out using an*
 9 *award or under a cooperative agreement*
 10 *under this subsection shall be—*

11 “(I) *except as provided in clause*
 12 *(iii), 35 cents for each Federal dollar,*
 13 *in the case of a recipient that will*
 14 *serve small business concerns located in*
 15 *1 of the 18 States receiving the fewest*
 16 *Phase I SBIR awards;*

17 “(II) *except as provided in clause*
 18 *(ii) or (iii), 1 dollar for each Federal*
 19 *dollar, in the case of a recipient that*
 20 *will serve small business concerns lo-*
 21 *cated in 1 of the 16 States receiving*
 22 *the greatest number of Phase I SBIR*
 23 *awards; and*

24 “(III) *except as provided in clause*
 25 *(ii) or (iii), 50 cents for each Federal*

1 *dollar, in the case of a recipient that*
2 *will serve small business concerns lo-*
3 *cated in a State that is not described*
4 *in subclause (I) or (II) that is receiv-*
5 *ing Phase I SBIR awards.*

6 “(ii) *LOW-INCOME AREAS.*—*The non-*
7 *Federal share of the cost of the activity car-*
8 *ried out using an award or under a cooper-*
9 *ative agreement under this subsection shall*
10 *be 35 cents for each Federal dollar that will*
11 *be directly allocated by a recipient described*
12 *in clause (i) to serve small business con-*
13 *cerns located in a qualified census tract, as*
14 *that term is defined in section*
15 *42(d)(5)(B)(ii)(I) of the Internal Revenue*
16 *Code of 1986. Federal dollars not so allo-*
17 *cated by that recipient shall be subject to*
18 *the matching requirements of clause (i).*

19 “(iii) *RURAL AREAS.*—

20 “(I) *IN GENERAL.*—*Except as pro-*
21 *vided in subclause (II), the non-Fed-*
22 *eral share of the cost of the activity*
23 *carried out using an award or under a*
24 *cooperative agreement under this sub-*
25 *section shall be 35 cents for each Fed-*

1 *eral dollar that will be directly allo-*
 2 *cated by a recipient described in clause*
 3 *(i) to serve small business concerns lo-*
 4 *cated in a rural area.*

5 “(II) *ENHANCED RURAL*
 6 *AWARDS.—For a recipient located in a*
 7 *rural area that is located in a State*
 8 *described in clause (i)(I), the non-Fed-*
 9 *eral share of the cost of the activity*
 10 *carried out using an award or under a*
 11 *cooperative agreement under this sub-*
 12 *section shall be 15 cents for each Fed-*
 13 *eral dollar that will be directly allo-*
 14 *cated by a recipient described in clause*
 15 *(i) to serve small business concerns lo-*
 16 *cated in the rural area.*

17 “(III) *DEFINITION OF RURAL*
 18 *AREA.—In this clause, the term ‘rural*
 19 *area’ has the meaning given that term*
 20 *in section 1393(a)(2) of the Internal*
 21 *Revenue Code of 1986.*

22 “(iv) *TYPES OF FUNDING.—The non-*
 23 *Federal share of the cost of an activity car-*
 24 *ried out by a recipient shall be comprised of*
 25 *not less than 50 percent cash and not more*

1 *than 50 percent of indirect costs and in-*
2 *kind contributions, except that no such costs*
3 *or contributions may be derived from funds*
4 *from any other Federal program.*

5 “(v) *RANKINGS.*—*For the first full fis-*
6 *cal year after the date of enactment of the*
7 *SBIR/STTR Reauthorization Act of 2011,*
8 *and each fiscal year thereafter, based on the*
9 *statistics for the most recent full fiscal year*
10 *for which the Administrator has compiled*
11 *statistics, the Administrator shall reevaluate*
12 *the ranking of each State for purposes of*
13 *clause (i).*

14 “(C) *DURATION.*—*Awards may be made or*
15 *cooperative agreements entered into under this*
16 *subsection for multiple years, not to exceed 5*
17 *years in total.*

18 “(6) *ANNUAL REPORTS.*—*The Administrator*
19 *shall submit an annual report to the Committee on*
20 *Small Business of the Senate and the Committee on*
21 *Science and the Committee on Small Business of the*
22 *House of Representatives regarding—*

23 “(A) *the number and amount of awards*
24 *provided and cooperative agreements entered into*

1 *under the FAST program during the preceding*
 2 *year;*

3 *“(B) a list of recipients under this sub-*
 4 *section, including their location and the activi-*
 5 *ties being performed with the awards made or*
 6 *under the cooperative agreements entered into;*
 7 *and*

8 *“(C) the Mentoring Networks and the men-*
 9 *toring database, as provided for under section*
 10 *34, including—*

11 *“(i) the status of the inclusion of men-*
 12 *toring information in the database required*
 13 *by subsection (k); and*

14 *“(ii) the status of the implementation*
 15 *and description of the usage of the Men-*
 16 *toring Networks.*

17 *“(7) PROGRAM LEVELS.—*

18 *“(A) IN GENERAL.—There is authorized to*
 19 *be appropriated to carry out the FAST program,*
 20 *including Mentoring Networks, under this sub-*
 21 *section and section 34, \$15,000,000 for each of*
 22 *fiscal years 2011 through 2016.*

23 *“(B) MENTORING DATABASE.—Of the total*
 24 *amount made available under subparagraph (A)*
 25 *for fiscal years 2011 through 2016, a reasonable*

1 amount, not to exceed a total of \$500,000, may
 2 be used by the Administration to carry out sec-
 3 tion 34(d).

4 “(8) *TERMINATION.*—The authority to carry out
 5 the FAST program under this subsection shall termi-
 6 nate on September 30, 2016.”.

7 (b) *TECHNICAL AND CONFORMING AMENDMENTS.*—
 8 The Small Business Act (15 U.S.C. 631 et seq.) is amend-
 9 ed—

10 (1) by striking section 34 (15 U.S.C. 657d);

11 (2) by redesignating sections 35 through 43 as
 12 sections 34 through 42, respectively;

13 (3) in section 9(k)(1)(D) (15 U.S.C.
 14 638(k)(1)(D)), by striking “section 35(d)” and insert-
 15 ing “section 34(d)”;

16 (4) in section 34 (15 U.S.C. 657e), as so redesign-
 17 ated—

18 (A) in subsection (c)(1), by striking “section
 19 34(c)(1)(E)(ii)” and inserting “section
 20 9(s)(3)(A)(v)(II)”;

21 (B) by striking “section 34” each place it
 22 appears and inserting “section 9(s)”;

23 (C) by adding at the end the following:

24 “(e) *DEFINITIONS.*—In this section, the following defi-
 25 nitions apply:

1 “(1) *BUSINESS ADVICE AND COUNSELING.*—The
 2 term ‘business advice and counseling’ means pro-
 3 viding advice and assistance on matters described in
 4 subsection (c)(2)(B) to small business concerns to
 5 guide them through the SBIR and STTR program
 6 process, from application to award and successful
 7 completion of each phase of the program.

8 “(2) *FAST PROGRAM.*—The term ‘FAST pro-
 9 gram’ means the Federal and State Technology Part-
 10 nership Program established under section 9(s).

11 “(3) *MENTOR.*—The term ‘mentor’ means an in-
 12 dividual described in subsection (c)(2).

13 “(4) *MENTORING NETWORK.*—The term ‘Men-
 14 toring Network’ means an association, organization,
 15 coalition, or other entity (including an individual)
 16 that meets the requirements of subsection (c).

17 “(5) *RECIPIENT.*—The term ‘recipient’ means a
 18 person that receives an award or becomes party to a
 19 cooperative agreement under this section.

20 “(6) *SBIR PROGRAM.*—The term ‘SBIR pro-
 21 gram’ has the same meaning as in section 9(e)(4).

22 “(7) *STATE.*—The term ‘State’ means each of the
 23 several States, the District of Columbia, the Common-
 24 wealth of Puerto Rico, the Virgin Islands, Guam, and
 25 American Samoa.

1 “(8) *STTR PROGRAM*.—The term ‘*STTR pro-*
2 *gram*’ has the same meaning as in section 9(e)(6).”;

3 (5) in section 36(d) (15 U.S.C. 657i(d)), as so
4 redesignated, by striking “section 43” and inserting
5 “section 42”;

6 (6) in section 39(d) (15 U.S.C. 657l(d)), as so re-
7 designated, by striking “section 43” and inserting
8 “section 42”; and

9 (7) in section 40(b) (15 U.S.C. 657m(b)), as so
10 redesignated, by striking “section 43” and inserting
11 “section 42”.

12 **SEC. 5202. TECHNICAL ASSISTANCE FOR AWARDEES.**

13 Section 9(q) of the Small Business Act (15 U.S.C.
14 638(q)) is amended—

15 (1) in paragraph (1)—

16 (A) by inserting “or *STTR program*” after
17 “*SBIR program*”; and

18 (B) by striking “*SBIR projects*” and insert-
19 ing “*SBIR or STTR projects*”;

20 (2) in paragraph (2), by striking “3 years” and
21 inserting “5 years”; and

22 (3) in paragraph (3)—

23 (A) in subparagraph (A)—

24 (i) by inserting “or *STTR*” after
25 “*SBIR*”; and

1 (ii) by striking “\$4,000” and inserting
2 “\$5,000”;

3 (B) by striking subparagraph (B) and in-
4 serting the following:

5 “(B) *PHASE II.—A Federal agency de-*
6 *scribed in paragraph (1) may—*

7 “(i) provide to the recipient of a Phase
8 *II SBIR or STTR award, through a vendor*
9 *selected under paragraph (2), the services*
10 *described in paragraph (1), in an amount*
11 *equal to not more than \$5,000 per year; or*

12 “(ii) authorize the recipient of a Phase
13 *II SBIR or STTR award to purchase the*
14 *services described in paragraph (1), in an*
15 *amount equal to not more than \$5,000 per*
16 *year, which shall be in addition to the*
17 *amount of the recipient’s award.”; and*

18 (C) by adding at the end the following:

19 “(C) *FLEXIBILITY.—In carrying out sub-*
20 *paragraphs (A) and (B), each Federal agency*
21 *shall provide the allowable amounts to a recipi-*
22 *ent that meets the eligibility requirements under*
23 *the applicable subparagraph, if the recipient re-*
24 *quests to seek technical assistance from an indi-*

vidual or entity other than the vendor selected
under paragraph (2) by the Federal agency.

“(D) *LIMITATION.*—A Federal agency may
not—

“(i) use the amounts authorized under
subparagraph (A) or (B) unless the vendor
selected under paragraph (2) provides the
technical assistance to the recipient; or

“(ii) enter a contract with a vendor
under paragraph (2) under which the
amount provided for technical assistance is
based on total number of Phase I or Phase
II awards.”.

**SEC. 5203. COMMERCIALIZATION READINESS PROGRAM AT
DEPARTMENT OF DEFENSE.**

(a) *IN GENERAL.*—Section 9(y) of the Small Business
Act (15 U.S.C. 638(y)) is amended—

(1) in the subsection heading, by striking
“PILOT” and inserting “READINESS”;

(2) by striking “Pilot” each place that term ap-
pears and inserting “Readiness”;

(3) in paragraph (1)—

(A) by inserting “or Small Business Tech-
nology Transfer Program” after “Small Business
Innovation Research Program”; and

1 (B) by adding at the end the following:

2 *“The authority to create and administer a Com-*
 3 *mercialization Readiness Program under this*
 4 *subsection may not be construed to eliminate or*
 5 *replace any other SBIR program or STTR pro-*
 6 *gram that enhances the insertion or transition of*
 7 *SBIR or STTR technologies, including any such*
 8 *program in effect on the date of enactment of the*
 9 *National Defense Authorization Act for Fiscal*
 10 *Year 2006 (Public Law 109–163; 119 Stat.*
 11 *3136).”;*

12 (4) in paragraph (2), by inserting “or Small
 13 *Business Technology Transfer Program*” after “Small
 14 *Business Innovation Research Program*”;

15 (5) by striking paragraphs (5) and (6); and

16 (6) by inserting after paragraph (4) the fol-
 17 *lowing:*

18 “(5) *INSERTION INCENTIVES.—For any contract*
 19 *with a value of not less than \$100,000,000, the Sec-*
 20 *retary of Defense is authorized to—*

21 “(A) *establish goals for the transition of*
 22 *Phase III technologies in subcontracting plans;*
 23 *and*

24 “(B) *require a prime contractor on such a*
 25 *contract to report the number and dollar amount*

1 of contracts entered into by that prime con-
2 tractor for Phase III SBIR or STTR projects.

3 “(6) *GOAL FOR SBIR AND STTR TECHNOLOGY IN-*
4 *SECTION.—The Secretary of Defense shall—*

5 “(A) *set a goal to increase the number of*
6 *Phase II SBIR contracts and the number of*
7 *Phase II STTR contracts awarded by that Sec-*
8 *retary that lead to technology transition into*
9 *programs of record or fielded systems;*

10 “(B) *use incentives in effect on the date of*
11 *enactment of the SBIR/STTR Reauthorization*
12 *Act of 2011, or create new incentives, to encour-*
13 *age agency program managers and prime con-*
14 *tractors to meet the goal under subparagraph*
15 *(A); and*

16 “(C) *include in the annual report to Con-*
17 *gress the percentage of contracts described in sub-*
18 *paragraph (A) awarded by that Secretary, and*
19 *information on the ongoing status of projects*
20 *funded through the Commercialization Readiness*
21 *Program and efforts to transition these tech-*
22 *nologies into programs of record or fielded sys-*
23 *tems.”.*

24 (b) *TECHNICAL AND CONFORMING AMENDMENT.—Sec-*
25 *tion 9(i)(1) of the Small Business Act (15 U.S.C. 638(i)(1))*

1 *is amended by inserting “(including awards under sub-*
 2 *section (y))” after “the number of awards”.*

3 **SEC. 5204. COMMERCIALIZATION READINESS PILOT PRO-**
 4 **GRAM FOR CIVILIAN AGENCIES.**

5 *Section 9 of the Small Business Act (15 U.S.C. 638),*
 6 *as amended by this Act, is amended by adding at the end*
 7 *the following:*

8 *“(ff) PILOT PROGRAM.—*

9 *“(1) AUTHORIZATION.—The head of each covered*
 10 *Federal agency may allocate not more than 10 per-*
 11 *cent of the funds allocated to the SBIR program and*
 12 *the STTR program of the covered Federal agency—*

13 *“(A) for awards for technology development,*
 14 *testing, and evaluation of SBIR and STTR*
 15 *Phase II technologies; or*

16 *“(B) to support the progress of research or*
 17 *research and development conducted under the*
 18 *SBIR or STTR programs to Phase III.*

19 *“(2) APPLICATION BY FEDERAL AGENCY.—*

20 *“(A) IN GENERAL.—A covered Federal*
 21 *agency may not establish a pilot program unless*
 22 *the covered Federal agency makes a written ap-*
 23 *plication to the Administrator, not later than 90*
 24 *days before to the first day of the fiscal year in*
 25 *which the pilot program is to be established, that*

1 describes a compelling reason that additional in-
2 vestment in SBIR or STTR technologies is nec-
3 essary, including unusually high regulatory, sys-
4 tems integration, or other costs relating to devel-
5 opment or manufacturing of identifiable, highly
6 promising small business technologies or a class
7 of such technologies expected to substantially ad-
8 vance the mission of the agency.

9 “(B) DETERMINATION.—The Administrator
10 shall—

11 “(i) make a determination regarding
12 an application submitted under subpara-
13 graph (A) not later than 30 days before the
14 first day of the fiscal year for which the ap-
15 plication is submitted;

16 “(ii) publish the determination in the
17 Federal Register; and

18 “(iii) make a copy of the determina-
19 tion and any related materials available to
20 the Committee on Small Business and En-
21 trepreneurship of the Senate and the Com-
22 mittee on Small Business of the House of
23 Representatives.

24 “(3) MAXIMUM AMOUNT OF AWARD.—The head of
25 a covered Federal agency may not make an award

1 *under a pilot program in excess of 3 times the dollar*
 2 *amounts generally established for Phase II awards*
 3 *under subsection (j)(2)(D) or (p)(2)(B)(ix).*

4 “(4) *REGISTRATION.*—Any applicant that re-
 5 *ceives an award under a pilot program shall register*
 6 *with the Administrator in a registry that is available*
 7 *to the public.*

8 “(5) *REPORT.*—The head of each covered Federal
 9 *agency shall include in the annual report of the cov-*
 10 *ered Federal agency to the Administrator an analysis*
 11 *of the various activities considered for inclusion in*
 12 *the pilot program of the covered Federal agency and*
 13 *a statement of the reasons why each activity consid-*
 14 *ered was included or not included, as the case may*
 15 *be.*

16 “(6) *TERMINATION.*—The authority to establish
 17 *a pilot program under this section expires at the end*
 18 *of fiscal year 2014.*

19 “(7) *DEFINITIONS.*—In this subsection—

20 “(A) the term ‘covered Federal agency’—

21 “(i) means a Federal agency partici-
 22 *pating in the SBIR program or the STTR*
 23 *program; and*

24 “(ii) does not include the Department
 25 *of Defense; and*

1 “(B) the term ‘pilot program’ means the
2 program established under paragraph (1).”.

3 **SEC. 5205. ACCELERATING CURES.**

4 (a) *IN GENERAL.*—The Small Business Act (15 U.S.C.
5 631 *et seq.*) is amended by inserting after section 42, as
6 redesignated by section 5201 of this Act, the following:

7 **“SEC. 43. SMALL BUSINESS INNOVATION RESEARCH PRO-**
8 **GRAM.**

9 “(a) *NIH CURES PILOT.*—

10 “(1) *ESTABLISHMENT.*—An independent advi-
11 sory board shall be established at the National Acad-
12 emy of Sciences (in this section referred to as the ‘ad-
13 visory board’) to conduct periodic evaluations of the
14 SBIR program (as that term is defined in section 9)
15 of each of the National Institutes of Health (referred
16 to in this section as the ‘NIH’) institutes and centers
17 for the purpose of improving the management of the
18 SBIR program through data-driven assessment.

19 “(2) *MEMBERSHIP.*—

20 “(A) *IN GENERAL.*—The advisory board
21 shall consist of—

22 “(i) the Director of the NIH;

23 “(ii) the Director of the SBIR program
24 of the NIH;

1 “(iii) senior NIH agency managers, se-
2 lected by the Director of NIH;

3 “(iv) industry experts, selected by the
4 Council of the National Academy of
5 Sciences in consultation with the Associate
6 Administrator for Technology of the Admin-
7 istration and the Director of the Office of
8 Science and Technology Policy; and

9 “(v) owners or operators of small busi-
10 ness concerns that have received an award
11 under the SBIR program of the NIH, se-
12 lected by the Associate Administrator for
13 Technology of the Administration.

14 “(B) NUMBER OF MEMBERS.—The total
15 number of members selected under clauses (iii),
16 (iv), and (v) of subparagraph (A) shall not ex-
17 ceed 10.

18 “(C) EQUAL REPRESENTATION.—The total
19 number of members of the advisory board selected
20 under clauses (i), (ii), (iii), and (iv) of subpara-
21 graph (A) shall be equal to the number of mem-
22 bers of the advisory board selected under sub-
23 paragraph (A)(v).

24 “(b) ADDRESSING DATA GAPS.—In order to enhance
25 the evidence-base guiding SBIR program decisions and

1 *changes, the Director of the SBIR program of the NIH shall*
2 *address the gaps and deficiencies in the data collection con-*
3 *cerns identified in the 2007 report of the National Academy*
4 *of Science entitled ‘An Assessment of the Small Business*
5 *Innovation Research Program at the NIH’.*

6 “(c) *PILOT PROGRAM.*—

7 “(1) *IN GENERAL.*—*The Director of the SBIR*
8 *program of the NIH may initiate a pilot program,*
9 *under a formal mechanism for designing, imple-*
10 *menting, and evaluating pilot programs, to spur in-*
11 *novation and to test new strategies that may enhance*
12 *the development of cures and therapies.*

13 “(2) *CONSIDERATIONS.*—*The Director of the*
14 *SBIR program of the NIH may consider conducting*
15 *a pilot program to include individuals with successful*
16 *SBIR program experience in study sections, hiring*
17 *individuals with small business development experi-*
18 *ence for staff positions, separating the commercial*
19 *and scientific review processes, and examining the*
20 *impact of the trend toward larger awards on the over-*
21 *all program.*

22 “(d) *REPORT TO CONGRESS.*—*The Director of the NIH*
23 *shall submit an annual report to Congress and the advisory*
24 *board on the activities of the SBIR program of the NIH*
25 *under this section.*

1 “(e) *SBIR GRANTS AND CONTRACTS.*—

2 “(1) *IN GENERAL.*—*In awarding grants and*
 3 *contracts under the SBIR program of the NIH each*
 4 *SBIR program manager shall emphasize applications*
 5 *that identify products, processes, technologies, and*
 6 *services that may enhance the development of cures*
 7 *and therapies.*

8 “(2) *EXAMINATION OF COMMERCIALIZATION AND*
 9 *OTHER METRICS.*—*The advisory board shall evaluate*
 10 *the implementation of the requirement under para-*
 11 *graph (1) by examining increased commercialization*
 12 *and other metrics, to be determined and collected by*
 13 *the SBIR program of the NIH.*

14 “(3) *PHASE I AND II.*—*To the greatest extent*
 15 *practicable, the Director of the SBIR program of the*
 16 *NIH shall reduce the time period between Phase I*
 17 *and Phase II funding of grants and contracts under*
 18 *the SBIR program of the NIH to 90 days.*

19 “(f) *LIMIT.*—*Not more than a total of 1 percent of the*
 20 *extramural budget (as defined in section 9 of the Small*
 21 *Business Act (15 U.S.C. 638)) of the NIH for research or*
 22 *research and development may be used for the pilot program*
 23 *under subsection (c) and to carry out subsection (e).”.*

1 (b) *PROSPECTIVE REPEAL*.—Effective 5 years after the
 2 date of enactment of this Act, the Small Business Act (15
 3 U.S.C. 631 et seq.) is amended—

4 (1) by striking section 43, as added by subsection
 5 (a); and

6 (2) by redesignating sections 44 and 45 as sec-
 7 tions 43 and 44, respectively.

8 **SEC. 5206. FEDERAL AGENCY ENGAGEMENT WITH SBIR AND**
 9 **STTR AWARDEES THAT HAVE BEEN AWARDED**
 10 **MULTIPLE PHASE I AWARDS BUT HAVE NOT**
 11 **BEEN AWARDED PHASE II AWARDS.**

12 Section 9 of the Small Business Act (15 U.S.C. 638),
 13 as amended by this Act, is amended by adding at the end
 14 the following:

15 “(gg) *REQUIREMENTS RELATING TO FEDERAL AGEN-*
 16 *CY ENGAGEMENT WITH CERTAIN PHASE I SBIR AND*
 17 *STTR AWARDEES*.—

18 “(1) *DEFINITION*.—In this subsection, the term
 19 ‘covered awardee’ means a small business concern
 20 that—

21 “(A) has received multiple Phase I awards
 22 over multiple years, as determined by the head
 23 of a Federal agency, under the SBIR program or
 24 the STTR program of the Federal agency; and

25 “(B) has not received a Phase II award—

“(i) under the SBIR program or STTR program, as the case may be, of the Federal agency described in subparagraph (A); or

“(ii) relating to a Phase I award described in subparagraph (A) under the SBIR program or the STTR program of another Federal agency.

“(2) *PERFORMANCE MEASURES.*—The head of each Federal agency that participates in the SBIR program or the STTR program shall develop performance measures for any covered awardee relating to commercializing research or research and development activities under the SBIR program or the STTR program of the Federal agency.”.

SEC. 5207. CLARIFYING THE DEFINITION OF “PHASE III”.

(a) *PHASE III AWARDS.*—Section 9(e) of the Small Business Act (15 U.S.C. 638(e)) is amended—

(1) in paragraph (4)(C), in the matter preceding clause (i), by inserting “for work that derives from, extends, or completes efforts made under prior funding agreements under the SBIR program” after “phase”;

(2) in paragraph (6)(C), in the matter preceding clause (i), by inserting “for work that derives from,

1 *extends, or completes efforts made under prior fund-*
 2 *ing agreements under the STTR program” after*
 3 *“phase”;*

4 *(3) in paragraph (8), by striking “and” at the*
 5 *end;*

6 *(4) in paragraph (9), by striking the period at*
 7 *the end and inserting a semicolon; and*

8 *(5) by adding at the end the following:*

9 *“(10) the term ‘commercialization’ means—*

10 *“(A) the process of developing products,*
 11 *processes, technologies, or services; and*

12 *“(B) the production and delivery of prod-*
 13 *ucts, processes, technologies, or services for sale*
 14 *(whether by the originating party or by others)*
 15 *to or use by the Federal Government or commer-*
 16 *cial markets;”.*

17 *(b) TECHNICAL AND CONFORMING AMENDMENTS.—*

18 *The Small Business Act (15 U.S.C. 631 et seq.) is amend-*
 19 *ed—*

20 *(1) in section 9 (15 U.S.C. 638)—*

21 *(A) in subsection (e)—*

22 *(i) in paragraph (4)(C)(ii), by striking*
 23 *“scientific review criteria” and inserting*
 24 *“merit-based selection procedures”;*

1 (ii) in paragraph (9), by striking “the
2 second or the third phase” and inserting
3 “Phase II or Phase III”; and

4 (iii) by adding at the end the fol-
5 lowing:

6 “(11) the term ‘Phase I’ means—

7 “(A) with respect to the SBIR program, the
8 first phase described in paragraph (4)(A); and

9 “(B) with respect to the STTR program, the
10 first phase described in paragraph (6)(A);

11 “(12) the term ‘Phase II’ means—

12 “(A) with respect to the SBIR program, the
13 second phase described in paragraph (4)(B); and

14 “(B) with respect to the STTR program, the
15 second phase described in paragraph (6)(B); and

16 “(13) the term ‘Phase III’ means—

17 “(A) with respect to the SBIR program, the
18 third phase described in paragraph (4)(C); and

19 “(B) with respect to the STTR program, the
20 third phase described in paragraph (6)(C).”;

21 (B) in subsection (j)—

22 (i) in paragraph (1)(B), by striking
23 “phase two” and inserting “Phase II”;

24 (ii) in paragraph (2)—

25 (I) in subparagraph (B)—

1 (aa) by striking “the third
2 phase” each place it appears and
3 inserting “Phase III”; and

4 (bb) by striking “the second
5 phase” and inserting “Phase II”;
6 (II) in subparagraph (D)—

7 (aa) by striking “the first
8 phase” and inserting “Phase I”;
9 and

10 (bb) by striking “the second
11 phase” and inserting “Phase II”;
12 (III) in subparagraph (F), by
13 striking “the third phase” and insert-
14 ing “Phase III”;

15 (IV) in subparagraph (G)—

16 (aa) by striking “the first
17 phase” and inserting “Phase I”;
18 and

19 (bb) by striking “the second
20 phase” and inserting “Phase II”;
21 and

22 (V) in subparagraph (H)—

23 (aa) by striking “the first
24 phase” and inserting “Phase I”;

1 (bb) by striking “second
2 phase” each place it appears and
3 inserting “Phase II”; and

4 (cc) by striking “third
5 phase” and inserting “Phase III”;
6 and

7 (iii) in paragraph (3)—

8 (I) in subparagraph (A)—

9 (aa) by striking “the first
10 phase (as described in subsection
11 (e)(4)(A))” and inserting “Phase
12 I”;

13 (bb) by striking “the second
14 phase (as described in subsection
15 (e)(4)(B))” and inserting “Phase
16 II”; and

17 (cc) by striking “the third
18 phase (as described in subsection
19 (e)(4)(C))” and inserting “Phase
20 III”; and

21 (II) in subparagraph (B), by
22 striking “second phase” and inserting
23 “Phase II”;

24 (C) in subsection (k)—

1 (i) by striking “first phase” each place
2 it appears and inserting “Phase I”; and

3 (ii) by striking “second phase” each
4 place it appears and inserting “Phase II”;
5 (D) in subsection (l)(2)—

6 (i) by striking “the first phase” and
7 inserting “Phase I”; and

8 (ii) by striking “the second phase” and
9 inserting “Phase II”;
10 (E) in subsection (o)(13)—

11 (i) in subparagraph (B), by striking
12 “second phase” and inserting “Phase II”;
13 and

14 (ii) in subparagraph (C), by striking
15 “third phase” and inserting “Phase III”;
16 (F) in subsection (p)—

17 (i) in paragraph (2)(B)—

18 (I) in clause (vi)—

19 (aa) by striking “the second
20 phase” and inserting “Phase II”;
21 and

22 (bb) by striking “the third
23 phase” and inserting “Phase III”;
24 and

25 (II) in clause (ix)—

1 (aa) by striking “the first
2 phase” and inserting “Phase I”;
3 and

4 (bb) by striking “the second
5 phase” and inserting “Phase II”;
6 and

7 (ii) in paragraph (3)—

8 (I) by striking “the first phase (as
9 described in subsection (e)(6)(A))” and
10 inserting “Phase I”;

11 (II) by striking “the second phase
12 (as described in subsection (e)(6)(B))”
13 and inserting “Phase II”; and

14 (III) by striking “the third phase
15 (as described in subsection (e)(6)(A))”
16 and inserting “Phase III”;

17 (G) in subsection (q)(3)—

18 (i) in subparagraph (A)—

19 (I) in the subparagraph heading,
20 by striking “FIRST PHASE” and insert-
21 ing “PHASE I”; and

22 (II) by striking “first phase” and
23 inserting “Phase I”; and

24 (ii) in subparagraph (B)—

1 (I) in the subparagraph heading,
2 by striking “SECOND PHASE” and in-
3 serting “PHASE II”; and

4 (II) by striking “second phase”
5 and inserting “Phase II”;

6 (H) in subsection (r)—

7 (i) in the subsection heading, by strik-
8 ing “THIRD PHASE” and inserting “PHASE
9 III”;

10 (ii) in paragraph (1)—

11 (I) in the first sentence—

12 (aa) by striking “for the sec-
13 ond phase” and inserting “for
14 Phase II”;

15 (bb) by striking “third
16 phase” and inserting “Phase III”;
17 and

18 (cc) by striking “second
19 phase period” and inserting
20 “Phase II period”; and

21 (II) in the second sentence—

22 (aa) by striking “second
23 phase” and inserting “Phase II”;
24 and

1 (bb) by striking “third
 2 phase” and inserting “Phase III”;
 3 and
 4 (iii) in paragraph (2), by striking
 5 “third phase” and inserting “Phase III”;
 6 and
 7 (I) in subsection (u)(2)(B), by striking “the
 8 first phase” and inserting “Phase I”; and
 9 (2) in section 34(c)(2)(B)(vii) (15 U.S.C.
 10 657e(c)(2)(B)(vii)), as redesignated by section 5201 of
 11 this Act, by striking “third phase” and inserting
 12 “Phase III”.

13 **SEC. 5208. SHORTENED PERIOD FOR FINAL DECISIONS ON**
 14 **PROPOSALS AND APPLICATIONS.**

15 (a) *IN GENERAL*.—Section 9 of the Small Business Act
 16 (15 U.S.C. 638) is amended—

17 (1) in subsection (g)(4)—

18 (A) by inserting “(A)” after “(4)”;

19 (B) by adding “and” after the semicolon at
 20 the end; and

21 (C) by adding at the end the following:

22 “(B) make a final decision on each proposal sub-
 23 mitted under the SBIR program—

24 “(i) not later than 90 days after the date on
 25 which the solicitation closes; or

1 “(ii) if the Administrator authorizes an ex-
 2 tension for a solicitation, not later than 180
 3 days after the date on which the solicitation
 4 closes;”; and

5 (2) in subsection (o)(4)—

6 (A) by inserting “(A)” after “(4)”;

7 (B) by adding “and” after the semicolon at
 8 the end; and

9 (C) by adding at the end the following:

10 “(B) make a final decision on each proposal sub-
 11 mitted under the STTR program—

12 “(i) not later than 90 days after the date on
 13 which the solicitation closes; or

14 “(ii) if the Administrator authorizes an ex-
 15 tension for a solicitation, not later than 180
 16 days after the date on which the solicitation
 17 closes;”.

18 (b) NIH PEER REVIEW PROCESS.—

19 (1) IN GENERAL.—Section 9 of the Small Busi-
 20 ness Act (15 U.S.C. 638), as amended by this Act, is
 21 amended by adding at the end the following:

22 “(hh) NIH PEER REVIEW PROCESS.—The Director of
 23 the National Institutes of Health may make an award
 24 under the SBIR program or the STTR program of the Na-
 25 tional Institutes of Health if the application for the award

1 *has undergone technical and scientific peer review under*
 2 *section 492 of the Public Health Service Act (42 U.S.C.*
 3 *289a).”.*

4 (2) *TECHNICAL AND CONFORMING AMEND-*
 5 *MENTS.—Section 105 of the National Institutes of*
 6 *Health Reform Act of 2006 (42 U.S.C. 284n) is*
 7 *amended—*

8 (A) *in subsection (a)(3)—*

9 (i) *by striking “A grant” and inserting*
 10 *“Except as provided in section 9(hh) of the*
 11 *Small Business Act (15 U.S.C. 638(hh)), a*
 12 *grant”; and*

13 (ii) *by striking “section 402(k)” and*
 14 *all that follows through “Act)” and insert-*
 15 *ing “section 402(l) of such Act”; and*

16 (B) *in subsection (b)(5)—*

17 (i) *by striking “A grant” and inserting*
 18 *“Except as provided in section 9(hh) of the*
 19 *Small Business Act (15 U.S.C. 638(hh)), a*
 20 *grant”; and*

21 (ii) *by striking “section 402(k)” and*
 22 *all that follows through “Act)” and insert-*
 23 *ing “section 402(l) of such Act”.*

TITLE LIII—OVERSIGHT AND EVALUATION

SEC. 5301. STREAMLINING ANNUAL EVALUATION REQUIRE- MENTS.

Section 9(b) of the Small Business Act (15 U.S.C. 638(b)), as amended by section 5102 of this Act, is amended—

(1) in paragraph (7)—

(A) by striking “STTR programs, including the data” and inserting the following: “STTR programs, including—

“(A) the data”;

(B) by striking “(g)(10), (o)(9), and (o)(15), the number” and all that follows through “under each of the SBIR and STTR programs, and a description” and inserting the following: “(g)(8) and (o)(9); and

“(B) the number of proposals received from, and the number and total amount of awards to, HUBZone small business concerns and firms with venture capital investment (including those majority-owned by multiple venture capital operating companies) under each of the SBIR and STTR programs;

1 “(C) a description of the extent to which
 2 each Federal agency is increasing outreach and
 3 awards to firms owned and controlled by women
 4 and social or economically disadvantaged indi-
 5 viduals under each of the SBIR and STTR pro-
 6 grams;

7 “(D) general information about the imple-
 8 mentation of, and compliance with the allocation
 9 of funds required under, subsection (cc) for firms
 10 owned in majority part by venture capital oper-
 11 ating companies and participating in the SBIR
 12 program;

13 “(E) a detailed description of appeals of
 14 Phase III awards and notices of noncompliance
 15 with the SBIR Policy Directive and the STTR
 16 Policy Directive filed by the Administrator with
 17 Federal agencies; and

18 “(F) a description”; and

19 (2) by inserting after paragraph (7) the fol-
 20 lowing:

21 “(8) to coordinate the implementation of elec-
 22 tronic databases at each of the Federal agencies par-
 23 ticipating in the SBIR program or the STTR pro-
 24 gram, including the technical ability of the partici-
 25 pating agencies to electronically share data;”.

1 **SEC. 5302. DATA COLLECTION FROM AGENCIES FOR SBIR.**

2 *Section 9(g) of the Small Business Act (15 U.S.C.*
 3 *638(g)) is amended—*

4 *(1) by striking paragraph (10);*

5 *(2) by redesignating paragraphs (8) and (9) as*
 6 *paragraphs (9) and (10), respectively; and*

7 *(3) by inserting after paragraph (7) the fol-*
 8 *lowing:*

9 *“(8) collect annually, and maintain in a com-*
 10 *mon format in accordance with the simplified report-*
 11 *ing requirements under subsection (v), such informa-*
 12 *tion from awardees as is necessary to assess the SBIR*
 13 *program, including information necessary to main-*
 14 *tain the database described in subsection (k), includ-*
 15 *ing—*

16 *“(A) whether an awardee—*

17 *“(i) has venture capital or is majority-*
 18 *owned by multiple venture capital oper-*
 19 *ating companies, and, if so—*

20 *“(I) the amount of venture capital*
 21 *that the awardee has received as of the*
 22 *date of the award; and*

23 *“(II) the amount of additional*
 24 *capital that the awardee has invested*
 25 *in the SBIR technology;*

26 *“(ii) has an investor that—*

1 “(I) is an individual who is not a
2 citizen of the United States or a lawful
3 permanent resident of the United
4 States, and if so, the name of any such
5 individual; or

6 “(II) is a person that is not an
7 individual and is not organized under
8 the laws of a State or the United
9 States, and if so the name of any such
10 person;

11 “(iii) is owned by a woman or has a
12 woman as a principal investigator;

13 “(iv) is owned by a socially or eco-
14 nomically disadvantaged individual or has
15 a socially or economically disadvantaged
16 individual as a principal investigator;

17 “(v) received assistance under the
18 FAST program under section 34, as in ef-
19 fect on the day before the date of enactment
20 of the SBIR/STTR Reauthorization Act of
21 2011, or the outreach program under sub-
22 section (s);

23 “(vi) is a faculty member or a student
24 of an institution of higher education, as
25 that term is defined in section 101 of the

1 *Higher Education Act of 1965 (20 U.S.C.*
 2 *1001); or*

3 *“(vii) is located in a State described in*
 4 *subsection (u)(3); and*

5 *“(B) a justification statement from the*
 6 *agency, if an awardee receives an award in an*
 7 *amount that is more than the award guidelines*
 8 *under this section;”.*

9 **SEC. 5303. DATA COLLECTION FROM AGENCIES FOR STTR.**

10 *Section 9(o) of the Small Business Act (15 U.S.C.*
 11 *638(o)) is amended by striking paragraph (9) and inserting*
 12 *the following:*

13 *“(9) collect annually, and maintain in a com-*
 14 *mon format in accordance with the simplified report-*
 15 *ing requirements under subsection (v), such informa-*
 16 *tion from applicants and awardees as is necessary to*
 17 *assess the STTR program outputs and outcomes, in-*
 18 *cluding information necessary to maintain the data-*
 19 *base described in subsection (k), including—*

20 *“(A) whether an applicant or awardee—*

21 *“(i) has venture capital or is majority-*
 22 *owned by multiple venture capital oper-*
 23 *ating companies, and, if so—*

24 *“(I) the amount of venture capital*
 25 *that the applicant or awardee has re-*

1 *ceived as of the date of the application*
2 *or award, as applicable; and*

3 “(II) *the amount of additional*
4 *capital that the applicant or awardee*
5 *has invested in the SBIR technology;*

6 “(ii) *has an investor that—*

7 “(I) *is an individual who is not a*
8 *citizen of the United States or a lawful*
9 *permanent resident of the United*
10 *States, and if so, the name of any such*
11 *individual; or*

12 “(II) *is a person that is not an*
13 *individual and is not organized under*
14 *the laws of a State or the United*
15 *States, and if so the name of any such*
16 *person;*

17 “(iii) *is owned by a woman or has a*
18 *woman as a principal investigator;*

19 “(iv) *is owned by a socially or eco-*
20 *nomically disadvantaged individual or has*
21 *a socially or economically disadvantaged*
22 *individual as a principal investigator;*

23 “(v) *received assistance under the*
24 *FAST program under section 34 or the out-*
25 *reach program under subsection (s);*

1 “(vi) is a faculty member or a student
 2 of an institution of higher education, as
 3 that term is defined in section 101 of the
 4 Higher Education Act of 1965 (20 U.S.C.
 5 1001); or

6 “(vii) is located in a State in which
 7 the total value of contracts awarded to
 8 small business concerns under all STTR
 9 programs is less than the total value of con-
 10 tracts awarded to small business concerns
 11 in a majority of other States, as determined
 12 by the Administrator in biennial fiscal
 13 years, beginning with fiscal year 2008,
 14 based on the most recent statistics compiled
 15 by the Administrator; and

16 “(B) if an awardee receives an award in an
 17 amount that is more than the award guidelines
 18 under this section, a statement from the agency
 19 that justifies the award amount;”.

20 **SEC. 5304. PUBLIC DATABASE.**

21 Section 9(k)(1) of the Small Business Act (15 U.S.C.
 22 638(k)(1)) is amended—

23 (1) in subparagraph (D), by striking “and” at
 24 the end;

1 (2) *in subparagraph (E), by striking the period*
2 *at the end and inserting “; and”; and*

3 (3) *by adding at the end the following:*

4 “(F) *for each small business concern that*
5 *has received a Phase I or Phase II SBIR or*
6 *STTR award from a Federal agency, whether the*
7 *small business concern—*

8 “(i) *has venture capital and, if so,*
9 *whether the small business concern is reg-*
10 *istered as majority-owned by multiple ven-*
11 *ture capital operating companies as re-*
12 *quired under subsection (cc)(4);*

13 “(ii) *is owned by a woman or has a*
14 *woman as a principal investigator;*

15 “(iii) *is owned by a socially or eco-*
16 *nomically disadvantaged individual or has*
17 *a socially or economically disadvantaged*
18 *individual as a principal investigator;*

19 “(iv) *received assistance under the*
20 *FAST program under section 34, as in ef-*
21 *fect on the day before the date of enactment*
22 *of the SBIR/STTR Reauthorization Act of*
23 *2011, or the outreach program under sub-*
24 *section (s); or*

1 “(v) is owned by a faculty member or
 2 a student of an institution of higher edu-
 3 cation, as that term is defined in section
 4 101 of the Higher Education Act of 1965
 5 (20 U.S.C. 1001).”.

6 **SEC. 5305. GOVERNMENT DATABASE.**

7 Section 9(k) of the Small Business Act (15 U.S.C.
 8 638(k)) is amended—

9 (1) in paragraph (2)—

10 (A) in the matter preceding subparagraph
 11 (A), by striking “Not later” and all that follows
 12 through “Act of 2000” and inserting “Not later
 13 than 90 days after the date of enactment of the
 14 SBIR/STTR Reauthorization Act of 2011”;

15 (B) by striking subparagraph (C);

16 (C) by redesignating subparagraphs (A)
 17 and (B) as subparagraphs (B) and (C), respec-
 18 tively;

19 (D) by inserting before subparagraph (B),
 20 as so redesignated, the following:

21 “(A) contains, for each small business con-
 22 cern that applies for, submits a proposal for, or
 23 receives an award under Phase I or Phase II of
 24 the SBIR program or the STTR program—

1 “(i) the name, size, and location, and
2 an identifying number assigned by the Ad-
3 ministration of the small business concern;

4 “(ii) an abstract of the project;

5 “(iii) the specific aims of the project;

6 “(iv) the number of employees of the
7 small business concern;

8 “(v) the names of key individuals that
9 will carry out the project;

10 “(vi) the percentage of effort each indi-
11 vidual described in clause (iv) will con-
12 tribute to the project;

13 “(vii) whether the small business con-
14 cern is majority-owned by multiple venture
15 capital operating companies; and

16 “(viii) the Federal agency to which the
17 application is made, and contact informa-
18 tion for the person or office within the Fed-
19 eral agency that is responsible for reviewing
20 applications and making awards under the
21 SBIR program or the STTR program;”;

22 (E) by redesignating subparagraphs (D),
23 and (E) as subparagraphs (E) and (F), respec-
24 tively;

1 (F) by inserting after subparagraph (C), as
2 so redesignated, the following:

3 “(D) includes, for each awardee—

4 “(i) the name, size, location, and any
5 identifying number assigned to the awardee
6 by the Administrator;

7 “(ii) whether the awardee has venture
8 capital, and, if so—

9 “(I) the amount of venture capital
10 as of the date of the award;

11 “(II) the percentage of ownership
12 of the awardee held by a venture cap-
13 ital operating company, including
14 whether the awardee is majority-owned
15 by multiple venture capital operating
16 companies; and

17 “(III) the amount of additional
18 capital that the awardee has invested
19 in the SBIR technology, which infor-
20 mation shall be collected on an annual
21 basis;

22 “(iii) the names and locations of any
23 affiliates of the awardee;

24 “(iv) the number of employees of the
25 awardee;

1 “(v) the number of employees of the af-
2 filiates of the awardee; and

3 “(vi) the names of, and the percentage
4 of ownership of the awardee held by—

5 “(I) any individual who is not a
6 citizen of the United States or a lawful
7 permanent resident of the United
8 States; or

9 “(II) any person that is not an
10 individual and is not organized under
11 the laws of a State or the United
12 States;”;

13 (G) in subparagraph (E), as so redesign-
14 ated, by striking “and” at the end;

15 (H) in subparagraph (F), as so redesign-
16 ated, by striking the period at the end and in-
17 serting “; and”; and

18 (I) by adding at the end the following:

19 “(G) includes a timely and accurate list of
20 any individual or small business concern that
21 has participated in the SBIR program or STTR
22 program that has committed fraud, waste, or
23 abuse relating to the SBIR program or STTR
24 program.”; and

1 (2) *in paragraph (3), by adding at the end the*
 2 *following:*

3 “(C) *GOVERNMENT DATABASE.—Not later*
 4 *than 60 days after the date established by a Fed-*
 5 *eral agency for submitting applications or pro-*
 6 *posals for a Phase I or Phase II award under the*
 7 *SBIR program or STTR program, the head of*
 8 *the Federal agency shall submit to the Adminis-*
 9 *trator the data required under paragraph (2)*
 10 *with respect to each small business concern that*
 11 *applies or submits a proposal for the Phase I or*
 12 *Phase II award.”.*

13 **SEC. 5306. ACCURACY IN FUNDING BASE CALCULATIONS.**

14 (a) *IN GENERAL.—Not later than 1 year after the date*
 15 *of enactment of this Act, and every year thereafter until*
 16 *the date that is 5 years after the date of enactment of this*
 17 *Act, the Comptroller General of the United States shall—*

18 (1) *conduct a fiscal and management audit of*
 19 *the SBIR program and the STTR program for the*
 20 *applicable period to—*

21 (A) *determine whether Federal agencies*
 22 *comply with the expenditure amount require-*
 23 *ments under subsections (f)(1) and (n)(1) of sec-*
 24 *tion 9 of the Small Business Act (15 U.S.C.*
 25 *638), as amended by this Act;*

1 (B) assess the extent of compliance with the
2 requirements of section 9(i)(2) of the Small Busi-
3 ness Act (15 U.S.C. 638(i)(2)) by Federal agen-
4 cies participating in the SBIR program or the
5 STTR program and the Administration;

6 (C) assess whether it would be more con-
7 sistent and effective to base the amount of the al-
8 locations under the SBIR program and the
9 STTR program on a percentage of the research
10 and development budget of a Federal agency,
11 rather than the extramural budget of the Federal
12 agency; and

13 (D) determine the portion of the extramural
14 research or research and development budget of a
15 Federal agency that each Federal agency spends
16 for administrative purposes relating to the SBIR
17 program or STTR program, and for what spe-
18 cific purposes, including the portion, if any, of
19 such budget the Federal agency spends for sala-
20 ries and expenses, travel to visit applicants, out-
21 reach events, marketing, and technical assist-
22 ance; and

23 (2) submit a report to the Committee on Small
24 Business and Entrepreneurship of the Senate and the
25 Committee on Small Business of the House of Rep-

1 *representatives regarding the audit conducted under*
 2 *paragraph (1), including the assessments required*
 3 *under subparagraphs (B) and (C), and the deter-*
 4 *mination made under subparagraph (D) of para-*
 5 *graph (1).*

6 *(b) DEFINITION OF APPLICABLE PERIOD.—In this sec-*
 7 *tion, the term “applicable period” means—*

8 *(1) for the first report submitted under this sec-*
 9 *tion, the period beginning on October 1, 2005, and*
 10 *ending on September 30 of the last full fiscal year be-*
 11 *fore the date of enactment of this Act for which infor-*
 12 *mation is available; and*

13 *(2) for the second and each subsequent report*
 14 *submitted under this section, the period—*

15 *(A) beginning on October 1 of the first fiscal*
 16 *year after the end of the most recent full fiscal*
 17 *year relating to which a report under this sec-*
 18 *tion was submitted; and*

19 *(B) ending on September 30 of the last full*
 20 *fiscal year before the date of the report.*

21 **SEC. 5307. CONTINUED EVALUATION BY THE NATIONAL**
 22 **ACADEMY OF SCIENCES.**

23 *Section 108 of the Small Business Reauthorization Act*
 24 *of 2000 (15 U.S.C. 638 note) is amended by adding at the*
 25 *end the following:*

1 “(e) *EXTENSIONS AND ENHANCEMENTS OF AUTHOR-*
2 *ITY.*—

3 “(1) *IN GENERAL.*—Not later than 6 months
4 after the date of enactment of the *SBIR/STTR Reau-*
5 *thorization Act of 2011*, the head of each agency de-
6 scribed in subsection (a), in consultation with the
7 *Small Business Administration*, shall cooperatively
8 enter into an agreement with the *National Academy*
9 *of Sciences for the National Research Council* to, not
10 later than 4 years after the date of enactment of the
11 *SBIR/STTR Reauthorization Act of 2011*, and every
12 4 years thereafter—

13 “(A) continue the most recent study under
14 this section relating to—

15 “(i) the issues described in subpara-
16 graphs (A), (B), (C), and (E) of subsection
17 (a)(1); and

18 “(ii) the effectiveness of the government
19 and public databases described in section
20 9(k) of the *Small Business Act* (15 U.S.C.
21 638(k)) in reducing vulnerabilities of the
22 *SBIR* program and the *STTR* program to
23 fraud, waste, and abuse, particularly with
24 respect to Federal agencies funding duplica-

1 *tive proposals and business concerns fal-*
2 *sifying information in proposals;*

3 *“(B) make recommendations with respect to*
4 *the issues described in subparagraph (A)(ii) and*
5 *subparagraphs (A), (D), and (E) of subsection*
6 *(a)(2); and*

7 *“(C) estimate, to the extent practicable, the*
8 *number of jobs created by the SBIR program or*
9 *STTR program of the agency.*

10 *“(2) CONSULTATION.—An agreement under*
11 *paragraph (1) shall require the National Research*
12 *Council to ensure there is participation by and con-*
13 *sultation with the small business community, the Ad-*
14 *ministration, and other interested parties as described*
15 *in subsection (b).*

16 *“(3) REPORTING.—An agreement under para-*
17 *graph (1) shall require that not later than 4 years*
18 *after the date of enactment of the SBIR/STTR Reau-*
19 *thorization Act of 2011, and every 4 years thereafter,*
20 *the National Research Council shall submit to the*
21 *head of the agency entering into the agreement, the*
22 *Committee on Small Business and Entrepreneurship*
23 *of the Senate, and the Committee on Small Business*
24 *of the House of Representatives a report regarding the*

1 *study conducted under paragraph (1) and containing*
 2 *the recommendations described in paragraph (1).”.*

3 **SEC. 5308. TECHNOLOGY INSERTION REPORTING REQUIRE-**
 4 **MENTS.**

5 *Section 9 of the Small Business Act (15 U.S.C. 638),*
 6 *as amended by this Act, is amended by adding at the end*
 7 *the following:*

8 “(ii) *PHASE III REPORTING.*—*The annual SBIR or*
 9 *STTR report to Congress by the Administration under sub-*
 10 *section (b)(7) shall include, for each Phase III award made*
 11 *by the Federal agency—*

12 “(1) *the name of the agency or component of the*
 13 *agency or the non-Federal source of capital making*
 14 *the Phase III award;*

15 “(2) *the name of the small business concern or*
 16 *individual receiving the Phase III award; and*

17 “(3) *the dollar amount of the Phase III award.”.*

18 **SEC. 5309. INTELLECTUAL PROPERTY PROTECTIONS.**

19 “(a) *IN GENERAL.*—*The Comptroller General of the*
 20 *United States shall conduct a study of the SBIR program*
 21 *to assess whether—*

22 “(1) *Federal agencies comply with the data rights*
 23 *protections for SBIR awardees and the technologies of*
 24 *SBIR awardees under section 9 of the Small Business*
 25 *Act (15 U.S.C. 638);*

1 (2) *the laws and policy directives intended to*
 2 *clarify the scope of data rights, including in proto-*
 3 *types and mentor-protégé relationships and agree-*
 4 *ments with Federal laboratories, are sufficient to pro-*
 5 *tect SBIR awardees; and*

6 (3) *there is an effective grievance tracking proc-*
 7 *ess for SBIR awardees who have grievances against*
 8 *a Federal agency regarding data rights and a process*
 9 *for resolving those grievances.*

10 (b) *REPORT.—Not later than 18 months after the date*
 11 *of enactment of this Act, the Comptroller General shall sub-*
 12 *mit to the Committee on Small Business and Entrepreneur-*
 13 *ship of the Senate and the Committee on Small Business*
 14 *of the House of Representatives a report regarding the study*
 15 *conducted under subsection (a).*

16 **SEC. 5310. OBTAINING CONSENT FROM SBIR AND STTR AP-**
 17 **PLICANTS TO RELEASE CONTACT INFORMA-**
 18 **TION TO ECONOMIC DEVELOPMENT ORGANI-**
 19 **ZATIONS.**

20 *Section 9 of the Small Business Act (15 U.S.C. 638),*
 21 *as amended by this Act, is amended by adding at the end*
 22 *the following:*

23 “(jj) *CONSENT TO RELEASE CONTACT INFORMATION*
 24 *TO ORGANIZATIONS.—*

1 “(1) *ENABLING CONCERN TO GIVE CONSENT.*—
 2 *Each Federal agency required by this section to con-*
 3 *duct an SBIR program or an STTR program shall*
 4 *enable a small business concern that is an SBIR ap-*
 5 *plicant or an STTR applicant to indicate to the Fed-*
 6 *eral agency whether the Federal agency has the con-*
 7 *sent of the concern to—*

8 “(A) *identify the concern to appropriate*
 9 *local and State-level economic development orga-*
 10 *nizations as an SBIR applicant or an STTR*
 11 *applicant; and*

12 “(B) *release the contact information of the*
 13 *concern to such organizations.*

14 “(2) *RULES.*—*The Administrator shall establish*
 15 *rules to implement this subsection. The rules shall in-*
 16 *clude a requirement that a Federal agency include in*
 17 *the SBIR and STTR application a provision through*
 18 *which the applicant can indicate consent for purposes*
 19 *of paragraph (1).”.*

20 **SEC. 5311. PILOT TO ALLOW FUNDING FOR ADMINISTRA-**
 21 **TIVE, OVERSIGHT, AND CONTRACT PROC-**
 22 **ESSING COSTS.**

23 (a) *IN GENERAL.*—*Section 9 of the Small Business Act*
 24 *(15 U.S.C. 638), as amended by this Act, is amended by*
 25 *adding at the end the following:*

1 “(kk) ASSISTANCE FOR ADMINISTRATIVE, OVERSIGHT,
2 AND CONTRACT PROCESSING COSTS.—

3 “(1) IN GENERAL.—Subject to paragraph (2), for
4 the 3 full fiscal years beginning after the date of en-
5 actment of this subsection, the Administrator shall
6 allow each Federal agency required to conduct an
7 SBIR program to use not more than 3 percent of the
8 funds allocated to the SBIR program of the Federal
9 agency for—

10 “(A) the administration of the SBIR pro-
11 gram or the STTR program of the Federal agen-
12 cy;

13 “(B) the provision of outreach and technical
14 assistance relating to the SBIR program or
15 STTR program of the Federal agency, including
16 technical assistance site visits and personnel
17 interviews;

18 “(C) the implementation of commercializa-
19 tion and outreach initiatives that were not in ef-
20 fect on the date of enactment of this subsection;

21 “(D) carrying out the program under sub-
22 section (y);

23 “(E) activities relating to oversight and
24 congressional reporting, including the waste,
25 fraud, and abuse prevention activities described

1 *in section 313(a)(1)(B)(ii) of the SBIR/STTR*
2 *Reauthorization Act of 2011;*

3 *“(F) targeted reviews of recipients of*
4 *awards under the SBIR program or STTR pro-*
5 *gram of the Federal agency that the head of the*
6 *Federal agency determines are at high risk for*
7 *fraud, waste, or abuse, to ensure compliance with*
8 *requirements of the SBIR program or STTR*
9 *program, respectively;*

10 *“(G) the implementation of oversight and*
11 *quality control measures, including verification*
12 *of reports and invoices and cost reviews;*

13 *“(H) carrying out subsection (cc);*

14 *“(I) carrying out subsection (ff);*

15 *“(J) contract processing costs relating to the*
16 *SBIR program or STTR program of the Federal*
17 *agency; and*

18 *“(K) funding for additional personnel and*
19 *assistance with application reviews.*

20 *“(2) PERFORMANCE CRITERIA.—A Federal agen-*
21 *cy may not use funds as authorized under paragraph*
22 *(1) until after the effective date of performance cri-*
23 *teria, which the Administrator shall establish, to*
24 *measure any benefits of using funds as authorized*

1 under paragraph (1) and to assess continuation of the
 2 authority under paragraph (1).

3 “(3) *RULES.*—Not later than 180 days after the
 4 date of enactment of this subsection, the Adminis-
 5 trator shall issue rules to carry out this subsection.”.

6 (b) *TECHNICAL AND CONFORMING AMENDMENTS.*—

7 (1) *IN GENERAL.*—Section 9 of the *Small Busi-*
 8 *ness Act (15 U.S.C. 638)* is amended—

9 (A) in subsection (f)(2)(A), as so designated
 10 by section 5103(2) of this Act, by striking “shall
 11 not” and all that follows through “make avail-
 12 able for the purpose” and inserting “shall not
 13 make available for the purpose”; and

14 (B) in subsection (y), as amended by section
 15 203—

16 (i) by striking paragraph (4);

17 (ii) by redesignating paragraphs (5)
 18 and (6) as paragraphs (4) and (5), respec-
 19 tively.

20 (2) *TRANSITIONAL RULE.*—Notwithstanding the
 21 amendments made by paragraph (1), subsection
 22 (f)(2)(A) and (y)(4) of section 9 of the *Small Business*
 23 *Act (15 U.S.C. 638)*, as in effect on the day before the
 24 date of enactment of this Act, shall continue to apply
 25 to each Federal agency until the effective date of the

1 *performance criteria established by the Administrator*
 2 *under subsection (kk)(2) of section 9 of the Small*
 3 *Business Act, as added by subsection (a).*

4 (3) *PROSPECTIVE REPEAL.—Effective on the first*
 5 *day of the fourth full fiscal year following the date of*
 6 *enactment of this Act, section 9 of the Small Business*
 7 *Act (15 U.S.C. 638), as amended by paragraph (1) of*
 8 *this section, is amended—*

9 (A) *in subsection (f)(2)(A), by striking*
 10 *“shall not make available for the purpose” and*
 11 *inserting the following: “shall not—*

12 *“(i) use any of its SBIR budget estab-*
 13 *lished pursuant to paragraph (1) for the*
 14 *purpose of funding administrative costs of*
 15 *the program, including costs associated with*
 16 *salaries and expenses; or*

17 *“(ii) make available for the purpose”;*
 18 *and*

19 (B) *in subsection (y)—*

20 (i) *by redesignating paragraphs (4)*
 21 *and (5) as paragraphs (5) and (6), respec-*
 22 *tively; and*

23 (ii) *by inserting after paragraph (3)*
 24 *the following:*

25 *“(4) FUNDING.—*

1 “(A) *IN GENERAL.*—*The Secretary of De-*
 2 *fense and each Secretary of a military depart-*
 3 *ment may use not more than an amount equal*
 4 *to 1 percent of the funds available to the Depart-*
 5 *ment of Defense or the military department pur-*
 6 *suant to the Small Business Innovation Research*
 7 *Program for payment of expenses incurred to ad-*
 8 *minister the Commercialization Pilot Program*
 9 *under this subsection.*

10 “(B) *LIMITATIONS.*—*The funds described in*
 11 *subparagraph (A)—*

12 “(i) *shall not be subject to the limita-*
 13 *tions on the use of funds in subsection*
 14 *(f)(2); and*

15 “(ii) *shall not be used to make Phase*
 16 *III awards.”.*

17 **SEC. 5312. GAO STUDY WITH RESPECT TO VENTURE CAP-**
 18 **ITAL OPERATING COMPANY INVOLVEMENT.**

19 *Not later than 3 years after the date of enactment of*
 20 *this Act, and every 3 years thereafter, the Comptroller Gen-*
 21 *eral of the United States shall—*

22 (1) *conduct a study of the impact of require-*
 23 *ments relating to venture capital operating company*
 24 *involvement under section 9(cc) of the Small Business*
 25 *Act, as added by section 5108 of this Act; and*

(2) submit to Congress a report regarding the study conducted under paragraph (1).

SEC. 5313. REDUCING VULNERABILITY OF SBIR AND STTR PROGRAMS TO FRAUD, WASTE, AND ABUSE.

(a) *FRAUD, WASTE, AND ABUSE PREVENTION.*—

(1) *GUIDELINES FOR FRAUD, WASTE, AND ABUSE PREVENTION.*—

(A) *AMENDMENTS REQUIRED.*—Not later than 90 days after the date of enactment of this Act, the Administrator shall amend the SBIR Policy Directive and the STTR Policy Directive to include measures to prevent fraud, waste, and abuse in the SBIR program and the STTR program.

(B) *CONTENT OF AMENDMENTS.*—The amendments required under subparagraph (A) shall include—

(i) definitions or descriptions of fraud, waste, and abuse;

(ii) a requirement that the Inspectors General of each Federal agency that participates in the SBIR program or the STTR program cooperate to—

(I) establish fraud detection indicators;

1 (II) review regulations and oper-
2 ating procedures of the Federal agen-
3 cies;

4 (III) coordinate information shar-
5 ing between the Federal agencies; and

6 (IV) improve the education and
7 training of, and outreach to—

8 (aa) administrators of the
9 SBIR program and the STTR
10 program of each Federal agency;

11 (bb) applicants to the SBIR
12 program or the STTR program;
13 and

14 (cc) recipients of awards
15 under the SBIR program or the
16 STTR program;

17 (iii) guidelines for the monitoring and
18 oversight of applicants to and recipients of
19 awards under the SBIR program or the
20 STTR program; and

21 (iv) a requirement that each Federal
22 agency that participates in the SBIR pro-
23 gram or STTR program include the tele-
24 phone number of the hotline established
25 under paragraph (2)—

1 *(I) on the Web site of the Federal*
 2 *agency; and*

3 *(II) in any solicitation or notice*
 4 *of funding opportunity issued by the*
 5 *Federal agency for the SBIR program*
 6 *or the STTR program.*

7 (2) *FRAUD, WASTE, AND ABUSE PREVENTION*
 8 *HOTLINE.—*

9 *(A) HOTLINE ESTABLISHED.—The Admin-*
 10 *istrator shall establish a telephone hotline that*
 11 *allows individuals to report fraud, waste, and*
 12 *abuse in the SBIR program or STTR program.*

13 *(B) PUBLICATION.—The Administrator*
 14 *shall include the telephone number for the hotline*
 15 *established under subparagraph (A) on the Web*
 16 *site of the Administration.*

17 (b) *STUDY AND REPORT.—*

18 *(1) STUDY.—Not later than 1 year after the date*
 19 *of enactment of this Act, and every 3 years thereafter,*
 20 *the Comptroller General of the United States shall—*

21 *(A) conduct a study that evaluates—*

22 *(i) the implementation by each Federal*
 23 *agency that participates in the SBIR pro-*
 24 *gram or the STTR program of the amend-*
 25 *ments to the SBIR Policy Directive and the*

1 *STTR Policy Directive made pursuant to*
2 *subsection (a);*

3 *(ii) the effectiveness of the management*
4 *information system of each Federal agency*
5 *that participates in the SBIR program or*
6 *STTR program in identifying duplicative*
7 *SBIR and STTR projects;*

8 *(iii) the effectiveness of the risk man-*
9 *agement strategies of each Federal agency*
10 *that participates in the SBIR program or*
11 *STTR program in identifying areas of the*
12 *SBIR program or the STTR program that*
13 *are at high risk for fraud;*

14 *(iv) technological tools that may be*
15 *used to detect patterns of behavior that may*
16 *indicate fraud by applicants to the SBIR*
17 *program or the STTR program;*

18 *(v) the success of each Federal agency*
19 *that participates in the SBIR program or*
20 *STTR program in reducing fraud, waste,*
21 *and abuse in the SBIR program or the*
22 *STTR program of the Federal agency; and*

23 *(vi) the extent to which the Inspector*
24 *General of each Federal agency that partici-*
25 *pates in the SBIR program or STTR pro-*

1 *gram effectively conducts investigations of*
 2 *individuals alleged to have submitted false*
 3 *claims or violated Federal law relating to*
 4 *fraud, conflicts of interest, bribery, gratuity,*
 5 *or other misconduct; and*

6 *(B) submit to the Committee on Small*
 7 *Business and Entrepreneurship of the Senate,*
 8 *the Committee on Small Business of the House*
 9 *of Representatives, and the head of each Federal*
 10 *agency that participates in the SBIR program*
 11 *or STTR program a report on the results of the*
 12 *study conducted under subparagraph (A).*

13 **SEC. 5314. INTERAGENCY POLICY COMMITTEE.**

14 *(a) ESTABLISHMENT.—The Director of the Office of*
 15 *Science and Technology Policy (in this section referred to*
 16 *as the “Director”), in conjunction with the Administrator,*
 17 *shall establish an Interagency SBIR/STTR Policy Com-*
 18 *mittee (in this section referred to as the “Committee”) com-*
 19 *prised of 1 representative from each Federal agency with*
 20 *an SBIR program or an STTR program and 1 representa-*
 21 *tive of the Office of Management and Budget.*

22 *(b) COCHAIRPERSONS.—The Director and the Admin-*
 23 *istrator shall serve as cochairpersons of the Committee.*

24 *(c) DUTIES.—The Committee shall review, and make*
 25 *policy recommendations on ways to improve the effective-*

1 *ness and efficiency of, the SBIR program and the STTR*
2 *program, including—*

3 *(1) reviewing the effectiveness of the public and*
4 *government databases described in section 9(k) of the*
5 *Small Business Act (15 U.S.C. 638(k));*

6 *(2) identifying—*

7 *(A) best practices for commercialization as-*
8 *sistance by Federal agencies that have signifi-*
9 *cant potential to be employed by other Federal*
10 *agencies; and*

11 *(B) proposals by Federal agencies for ini-*
12 *tiatives to address challenges for small business*
13 *concerns in obtaining funding after a Phase II*
14 *award ends and before commercialization; and*

15 *(3) developing and incorporating a standard*
16 *evaluation framework to enable systematic assessment*
17 *of the SBIR program and STTR program, including*
18 *through improved tracking of awards and outcomes*
19 *and development of performance measures for the*
20 *SBIR program and STTR program of each Federal*
21 *agency.*

22 *(d) REPORTS.—The Committee shall submit to the*
23 *Committee on Small Business and Entrepreneurship of the*
24 *Senate and the Committee on Science and Technology and*

1 *the Committee on Small Business of the House of Represent-*
 2 *atives—*

3 (1) *a report on the review by and recommenda-*
 4 *tions of the Committee under subsection (c)(1) not*
 5 *later than 1 year after the date of enactment of this*
 6 *Act;*

7 (2) *a report on the review by and recommenda-*
 8 *tions of the Committee under subsection (c)(2) not*
 9 *later than 18 months after the date of enactment of*
 10 *this Act; and*

11 (3) *a report on the review by and recommenda-*
 12 *tions of the Committee under subsection (c)(3) not*
 13 *later than 2 years after the date of enactment of this*
 14 *Act.*

15 **SEC. 5315. SIMPLIFIED PAPERWORK REQUIREMENTS.**

16 *Section 9(v) of the Small Business Act (15 U.S.C.*
 17 *638(v)) is amended—*

18 (1) *in the subsection heading, by striking “SIM-*
 19 *PLIFIED REPORTING REQUIREMENTS” and inserting*
 20 *“REDUCING PAPERWORK AND COMPLIANCE BUR-*
 21 *DEN”;*

22 (2) *by striking “The Administrator” and insert-*
 23 *ing the following:*

24 “(1) *STANDARDIZATION OF REPORTING RE-*
 25 *QUIREMENTS.—The Administrator”;* *and*

(3) *by adding at the end the following:*

“(2) *SIMPLIFICATION OF APPLICATION AND AWARD PROCESS.—Not later than one year after the date of enactment of this paragraph, and after a period of public comment, the Administrator shall issue regulations or guidelines, taking into consideration the unique needs of each Federal agency, to ensure that each Federal agency required to carry out an SBIR program or STTR program simplifies and standardizes the program proposal, selection, contracting, compliance, and audit procedures for the SBIR program or STTR program of the Federal agency (including procedures relating to overhead rates for applicants and documentation requirements) to reduce the paperwork and regulatory compliance burden on small business concerns applying to and participating in the SBIR program or STTR program.*”.

TITLE LIV—POLICY DIRECTIVES

SEC. 5401. CONFORMING AMENDMENTS TO THE SBIR AND THE STTR POLICY DIRECTIVES.

(a) *IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall promulgate amendments to the SBIR Policy Directive and the*

1 *STTR Policy Directive to conform such directives to this*
 2 *Act and the amendments made by this Act.*

3 (b) *PUBLISHING SBIR POLICY DIRECTIVE AND THE*
 4 *STTR POLICY DIRECTIVE IN THE FEDERAL REGISTER.*—
 5 *Not later than 180 days after the date of enactment of this*
 6 *Act, the Administrator shall publish the amended SBIR*
 7 *Policy Directive and the amended STTR Policy Directive*
 8 *in the Federal Register.*

9 ***TITLE LV—OTHER PROVISIONS***

10 ***SEC. 5501. RESEARCH TOPICS AND PROGRAM DIVERSIFICA-*** 11 ***TION.***

12 (a) *SBIR PROGRAM.*—Section 9(g) of the Small Busi-
 13 *ness Act (15 U.S.C. 638(g)) is amended—*

14 (1) *in paragraph (3)—*

15 (A) *in the matter preceding subparagraph*
 16 *(A), by striking “broad research topics and to*
 17 *topics that further 1 or more critical tech-*
 18 *nologies” and inserting “applications to the Fed-*
 19 *eral agency for support of projects relating to*
 20 *nanotechnology, rare diseases, security, energy,*
 21 *transportation, or improving the security and*
 22 *quality of the water supply of the United States,*
 23 *and the efficiency of water delivery systems and*
 24 *usage patterns in the United States (including*
 25 *the territories of the United States) through the*

1 *use of technology (to the extent that the projects*
2 *relate to the mission of the Federal agency),*
3 *broad research topics, and topics that further 1*
4 *or more critical technologies or research prior-*
5 *ities”;*

6 *(B) in subparagraph (A), by striking “or”*
7 *at the end; and*

8 *(C) by adding at the end the following:*

9 *“(C) the National Academy of Sciences, in*
10 *the final report issued by the ‘America’s Energy*
11 *Future: Technology Opportunities, Risks, and*
12 *Tradeoffs’ project, and in any subsequent report*
13 *by the National Academy of Sciences on sustain-*
14 *ability, energy, or alternative fuels;*

15 *“(D) the National Institutes of Health, in*
16 *the annual report on the rare diseases research*
17 *activities of the National Institutes of Health for*
18 *fiscal year 2005, and in any subsequent report*
19 *by the National Institutes of Health on rare dis-*
20 *eases research activities;*

21 *“(E) the National Academy of Sciences, in*
22 *the final report issued by the ‘Transit Research*
23 *and Development: Federal Role in the National*
24 *Program’ project and the report entitled ‘Trans-*
25 *portation Research, Development and Technology*

1 *Strategic Plan (2006–2010)’ issued by the Re-*
 2 *search and Innovative Technology Administra-*
 3 *tion of the Department of Transportation, and*
 4 *in any subsequent report issued by the National*
 5 *Academy of Sciences or the Department of*
 6 *Transportation on transportation and infra-*
 7 *structure; or*

8 *“(F) the national nanotechnology strategic*
 9 *plan required under section 2(c)(4) of the 21st*
 10 *Century Nanotechnology Research and Develop-*
 11 *ment Act (15 U.S.C. 7501(c)(4)) and in any re-*
 12 *port issued by the National Science and Tech-*
 13 *nology Council Committee on Technology that fo-*
 14 *cuses on areas of nanotechnology identified in*
 15 *such plan;”;* and

16 (2) by adding after paragraph (12), as added by
 17 section 5111(a) of this Act, the following:

18 *“(13) encourage applications under the SBIR*
 19 *program (to the extent that the projects relate to the*
 20 *mission of the Federal agency)—*

21 *“(A) from small business concerns in geo-*
 22 *graphic areas underrepresented in the SBIR pro-*
 23 *gram or located in rural areas (as defined in*
 24 *section 1393(a)(2) of the Internal Revenue Code*
 25 *of 1986);*

1 “(B) small business concerns owned and
2 controlled by women;

3 “(C) small business concerns owned and
4 controlled by veterans;

5 “(D) small business concerns owned and
6 controlled by Native Americans; and

7 “(E) small business concerns located in a
8 geographic area with an unemployment rates
9 that exceed the national unemployment rate,
10 based on the most recently available monthly
11 publications of the Bureau of Labor Statistics of
12 the Department of Labor.”.

13 (b) *STTR PROGRAM*.—Section 9(o) of the Small Busi-
14 ness Act (15 U.S.C. 638(o)), as amended by section 5111(b)
15 of this Act, is amended—

16 (1) in paragraph (3)—

17 (A) in the matter preceding subparagraph
18 (A), by striking “broad research topics and to
19 topics that further 1 or more critical tech-
20 nologies” and inserting “applications to the Fed-
21 eral agency for support of projects relating to
22 nanotechnology, security, energy, rare diseases,
23 transportation, or improving the security and
24 quality of the water supply of the United States
25 (to the extent that the projects relate to the mis-

1 *sion of the Federal agency), broad research top-*
2 *ics, and topics that further 1 or more critical*
3 *technologies or research priorities”;*

4 *(B) in subparagraph (A), by striking “or”*
5 *at the end; and*

6 *(C) by adding at the end the following:*

7 *“(C) the National Academy of Sciences, in*
8 *the final report issued by the ‘America’s Energy*
9 *Future: Technology Opportunities, Risks, and*
10 *Tradeoffs’ project, and in any subsequent report*
11 *by the National Academy of Sciences on sustain-*
12 *ability, energy, or alternative fuels;*

13 *“(D) the National Institutes of Health, in*
14 *the annual report on the rare diseases research*
15 *activities of the National Institutes of Health for*
16 *fiscal year 2005, and in any subsequent report*
17 *by the National Institutes of Health on rare dis-*
18 *eases research activities;*

19 *“(E) the National Academy of Sciences, in*
20 *the final report issued by the ‘Transit Research*
21 *and Development: Federal Role in the National*
22 *Program’ project and the report entitled ‘Trans-*
23 *portation Research, Development and Technology*
24 *Strategic Plan (2006–2010)’ issued by the Re-*
25 *search and Innovative Technology Administra-*

tion of the Department of Transportation, and
 in any subsequent report issued by the National
 Academy of Sciences or the Department of
 Transportation on transportation and infra-
 structure; or

“(F) the national nanotechnology strategic
 plan required under section 2(c)(4) of the 21st
 Century Nanotechnology Research and Develop-
 ment Act (15 U.S.C. 7501(c)(4)) and in any re-
 port issued by the National Science and Tech-
 nology Council Committee on Technology that fo-
 cuses on areas of nanotechnology identified in
 such plan;”;

(2) in paragraph (15), by striking “and” at the
 end;

(3) in paragraph (16), by striking the period at
 the end and inserting “; and”; and

(4) by adding at the end the following:

“(17) encourage applications under the STTR
 program (to the extent that the projects relate to the
 mission of the Federal agency)—

“(A) from small business concerns in geo-
 graphic areas underrepresented in the STTR
 program or located in rural areas (as defined in

1 *section 1393(a)(2) of the Internal Revenue Code*
 2 *of 1986);*

3 “(B) *small business concerns owned and*
 4 *controlled by women;*

5 “(C) *small business concerns owned and*
 6 *controlled by veterans;*

7 “(D) *small business concerns owned and*
 8 *controlled by Native Americans; and*

9 “(E) *small business concerns located in a*
 10 *geographic area with an unemployment rates*
 11 *that exceed the national unemployment rate,*
 12 *based on the most recently available monthly*
 13 *publications of the Bureau of Labor Statistics of*
 14 *the Department of Labor.”.*

15 (c) *RESEARCH AND DEVELOPMENT FOCUS.*—*Section*
 16 *9(x) of the Small Business Act (15 U.S.C. 638(x)) is amend-*
 17 *ed—*

18 (1) *by striking paragraph (2); and*

19 (2) *by redesignating paragraph (3) as para-*
 20 *graph (2).*

21 **SEC. 5502. REPORT ON SBIR AND STTR PROGRAM GOALS.**

22 *Section 9 of the Small Business Act (15 U.S.C. 638),*
 23 *as amended by this Act, is amended by adding at the end*
 24 *the following:*

1 “(II) *ANNUAL REPORT ON SBIR AND STTR PROGRAM*

2 *GOALS.—*

3 “(1) *DEVELOPMENT OF METRICS.—The head of*
4 *each Federal agency required to participate in the*
5 *SBIR program or the STTR program shall develop*
6 *metrics to evaluate the effectiveness, and the benefit to*
7 *the people of the United States, of the SBIR program*
8 *and the STTR program of the Federal agency that—*

9 “(A) *are science-based and statistically*
10 *driven;*

11 “(B) *reflect the mission of the Federal agen-*
12 *cy; and*

13 “(C) *include factors relating to the economic*
14 *impact of the programs.*

15 “(2) *EVALUATION.—The head of each Federal*
16 *agency described in paragraph (1) shall conduct an*
17 *annual evaluation using the metrics developed under*
18 *paragraph (1) of—*

19 “(A) *the SBIR program and the STTR pro-*
20 *gram of the Federal agency; and*

21 “(B) *the benefits to the people of the United*
22 *States of the SBIR program and the STTR pro-*
23 *gram of the Federal agency.*

24 “(3) *REPORT.—*

1 “(A) *IN GENERAL.*—*The head of each Fed-*
 2 *eral agency described in paragraph (1) shall sub-*
 3 *mit to the appropriate committees of Congress*
 4 *and the Administrator an annual report describ-*
 5 *ing in detail the results of an evaluation con-*
 6 *ducted under paragraph (2).*

7 “(B) *PUBLIC AVAILABILITY OF REPORT.*—
 8 *The head of each Federal agency described in*
 9 *paragraph (1) shall make each report submitted*
 10 *under subparagraph (A) available to the public*
 11 *online.*

12 “(C) *DEFINITION.*—*In this paragraph, the*
 13 *term ‘appropriate committees of Congress’*
 14 *means—*

15 “(i) *the Committee on Small Business*
 16 *and Entrepreneurship of the Senate; and*

17 “(ii) *the Committee on Small Business*
 18 *and the Committee on Science and Tech-*
 19 *nology of the House of Representatives.”.*

20 **SEC. 5503. COMPETITIVE SELECTION PROCEDURES FOR**
 21 **SBIR AND STTR PROGRAMS.**

22 *Section 9 of the Small Business Act (15 U.S.C. 638),*
 23 *as amended by this Act, is amended by adding at the end*
 24 *the following:*

1 “(mm) *COMPETITIVE SELECTION PROCEDURES FOR*
2 *SBIR AND STTR PROGRAMS.*—*All funds awarded, appro-*
3 *priated, or otherwise made available in accordance with*
4 *subsection (f) or (n) must be awarded pursuant to competi-*
5 *tive and merit-based selection procedures.”.*

Attest:

Secretary.

112TH CONGRESS
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AMENDMENT

December 1, 2011

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